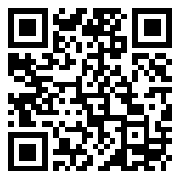

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RECORDS
OF THE
COLONY OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS,
IN
NEW ENGLAND.



PRINTED BY ORDER OF THE GENERAL ASSEMBLY.

EDITED BY

JOHN RUSSELL BARTLETT,

SECRETARY OF STATE.

VOL. IV.

1707 TO 1740.

PROVIDENCE:
KNOWLES, ANTHONY & CO., STATE PRINTERS.
1859.

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P R E F A C E .

THE fourth volume of the Colonial Records of Rhode Island, includes thirty-three years of its annals. It begins with the proceedings of the February session of the General Assembly 1707, and ends with the October session of 1740.

The plan followed in selecting the matter for the present volume, is the same as that of the previous volumes, except that all legislative business of a private nature, has been omitted. In the early volumes, private matters were so blended with those of a public nature, and had so direct a bearing upon our colonial history, that it was deemed advisable to notice them. But during the period embraced in this volume, the business of a private character had so much increased, and possesses so little interest after the lapse of a century and a quarter ; and, moreover, has so little bearing on the history of the state, that it was thought best to omit it, after the printing of the volume had been commenced. The matter thus left out, includes all resolutions authorizing parties to sell real estate ; the granting of letters of administration ; the appointment of guardians ; the payment of salaries and accounts ; records of decisions of law cases before the General Assembly, and proceedings relating thereto.

But even with the matters above stated, whenever the proceedings seemed to have a bearing upon, or illustrated the history of the time, they have been printed.

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The public acts passed during the period in question, have also, with few exceptions, been omitted, as all, save those which were subsequently repealed, have already been printed in the volumes of public laws of 1719, 1730 and 1744. A few of these laws had been inserted before it was decided to change the plan, and insert merely the titles, with a reference to the printed volumes where found.

Notwithstanding the decision to omit the public laws, certain ones, which had a direct bearing upon, and important connection with the history of the state, have been inserted in their proper places. Some of these appear in the early printed digests of laws before mentioned, while others have been repealed. Among these, are the acts for the division of towns, with all that relates to their boundaries and organization; and the acts relating to, and growing out of the wars of England with France and Spain. The proceedings of the colony, growing out of these wars, would not be complete or understood, without presenting the public laws arising therefrom. These acts provide for the defence of the colony; for raising and subsisting soldiers, both for defence and for foreign expeditions.

The acts relating to the disputed boundaries, both those of Massachusetts and Connecticut, as well as the proceedings and correspondence relating thereto, are also inserted at length.

The index will be found to contain a larger number of names than either of the previous volumes, as all who were admitted freemen, are referred to. The original orthography of these names is retained.

For many of the letters and public documents inserted in the volume, the editor is indebted to the liberality of his townsman, Mr. John Carter Brown, whose valuable manuscripts, copied from the originals in the state paper office, London, have been used in the previous volumes.

J. R. B.

RHODE ISLAND RECORDS.

1914



RHODE ISLAND RECORDS.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 25th of February, 1706-7.

Col. Samuel Cranston, Governor.
Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Nath'l Coddington,	Thomas Cornell,
Major William Wanton,	Major Randall Holden,
Major William Hopkins,	Richard Greene,
George Brownell,	Capt. John Eldredge.

DEPUTIES.

For Newport.

Capt. Jonathan Holmes,
Capt. James Brown,
Lieut. Edward Smith,
Capt. John Wanton,
Capt. Benjamin Cranston,
Lieut. Richard Dunn.

For Providence.

Capt. Joseph Jenckes,
Capt. Samuel Wilkinson,
Mr. Jonathan Sprague,
Mr. Joseph Whipple.

For Portsmouth.

Mr. George Sisson,
Mr. Benjamin Hall,
Mr. Abraham Anthony,
Mr. Joseph Cooke.

For Warwick.

Mr. Benjamin Barton,
Capt. James Greene,
Lieut. John Waterman,
Mr. Samuel Wickham.

For Westerly.

Capt. James Babcock,
Mr. Edward Larking.

DEPUTIES.

For Kingstown.

Mr. William Knowles,
Mr. John Corey.

For East Greenwich.

Capt. Thomas Fry.
Mr. Michael Spencer.

For Jamestown.

Mr. Ebenezer Slocum,
Capt. Edward Carr.

Capt. John Wanton, Speaker.
Mr. Jonathan Sprague, Clerk.

Commissioners to run the northern boundary line.

Whereas, Col. Dudley, Governor of the Massachusetts Bay, in New England, hath signified to this colony now assembled, that their General Assembly, at Boston, sitting the 6th of November, 1706, upon the complaint of some of Mendon against some of Providence, that upon pretence of title of lands lying within their Province, and particularly those that are assigned to the town of Mendon, and have desired him to appoint that certain commissioners may be sent to renew the ancient line of their province, settled sixty-four years since, by sworn and approved surveyors; and accordingly, Nathaniel Byfield and Nathaniel Paine, Esq., Mr. Nathaniel Blagrove, Major Samuel Thacher and Capt. John Wards, or any three of them, are appointed and empowered, in answer to said act of [the] General Assembly in Boston, bearing date as aforesaid.

Be it enacted by this Assembly and the authority hereof, and it is hereby enacted, that commissioners shall be chosen out of our government to take an inspection into what said commissioners shall do on that survey; and if said commissioners take their departure right, then to run with them, that so a peace may be continued between them and us; but if otherwise, to forewarn and forbid them, and cause them to desist:—and in special, if they shall run their line across the river that is called Pawtucket or Blackstone River, and so to enter on the lands of Providence township, which they hold of

or from this colony :—and also to run our north line between them and us, from Pawtucket Falls to meet with the south line of the Massachusetts.

We therefore appoint and authorize Mr. Thomas Olney, Capt. Joseph Jenckes, Capt. Richard Arnold, Mr. Jonathan Sprague, Major Randall Holden and Capt. James Carder, or the major part of them ; and also that notice shall forthwith be sent by His Honor the Governor, to the government of Connecticut, that they likewise may come if they please, and see the departure, so that they may have no wrong, as well as us.

Voted, Whereas Col. Dudley hath requested aid against Her Majesty's enemies :

Be it enacted by this Assembly and the authority thereof, and it is hereby enacted, that if Major Wm. Wanton or Capt. John Wanton, can be prevailed upon, but if they cannot be prevailed with to head a quota of men, then shall His Honor the Governor, with advice of his Council on the Island, or others that shall be appointed with them, make choice of a Commander, and to be such an one as the soldiers shall accept ; and to be on the service four months and no more, without they see good to continue longer.

And it shall be in the power of the Governor, with the advice of the Deputy Governor, and assistants aforesaid, with Major Henry Tew, or the major part of them, shall have full power to impress a vessel, not exceeding eighty tons, with great guns and small and other necessary stores for war ; and to grant a commission to beat up for volunteers throughout the colony, to the number of seventy or eighty, but not to exceed. And if there appear not enough to make up said number of seventy, then they shall have power to impress, but not to impress above forty-eight. And all charges shall be paid out of the general treasury, by a tax laid on the inhabitants in this colony ; always provided, that they shall not have liberty to go beyond the latitude herein prefixed, viz. : thirty or forty-six, north latitude. And volunteers if disabled in service, shall have the same provision for maintenance as those that are impressed. And the aforesaid commanders of the cruisers shall

at all times attend to such instructions as they shall receive from the Governor, with the advice, as aforesaid. And the Governor shall give such commanders a commission or commissions, as occasion shall require.

Voted, and be it further enacted by the authority aforesaid, That Mr. Waite Winthrop, Col. Elisha Hutchinson, and Mr. John Saffin's scandalous letter, the answer thereunto shall be drawn by this Assembly, and signed by the recorder.

Voted, and it is further enacted by the authority aforesaid, that execution shall go out against the constables of Warwick for the remaining part of that tax that is yet unpaid, that the treasurer recovered judgment for, [at] the last Court of Trials.

Voted, and it is further enacted by the authority aforesaid, that Abraham Anthony, Jr., in answer to his petition, shall have of the recorder the bills of cost [which] were assigned him by the Honored Governor, and his money which he put into the recorder's office for re-hearing, according to law, forthwith, or else execution shall go forth.

Voted, and it is further enacted, that [there shall be] an audit of three men to audit the colony's accounts with all persons concerned in the same, and bring in their account at or before the General Assembly in May ensuing; and the persons so chosen, are Mr. John Rodman, Mr. Thos. Olney, Jr., Mr. Job Greene. They, or the major part of them, shall meet in Newport, the first Monday in May ensuing.

Voted, and it is further enacted by the authority aforesaid, that there shall be a tax laid on, or levied on the inhabitants of this colony, of the sum of £500 for the uses following, viz.: £400 towards the expedition of the cruise, and the other £100 to defray the colony's debts. And this £500 to be gathered and brought in to the general treasury by the 1st of May next ensuing.

Bounds of Providence and Warwick.

Voted, That the House of Magistrates and the House of

Deputies be resolved into a committee to hear and consider of the difference between the towns of Providence and Warwick, relating [to] the bounds of the townships ; and the matter having been fully debated between the deputies of said towns before the Assembly :

This Assembly do therefore give their advice, that the said towns of Providence and Warwick do, by a committee appointed and authorized by the freemen of each town, agree and make a final issue and determination of said difference relating [to] the boundaries of their said townships between the time of the dissolution of this Assembly and the sitting of the General Assembly at the election in May next, and make a return of their said agreement to said Assembly for a confirmation thereof. But in case said advice be not complied with, and that the said towns do not agree according to said advice, then it is ordered and enacted by this Assembly, that the said towns or freemen of said towns of Providence and Warwick do prepare themselves by their deputies or other persons, by them to be appointed, to appear before the said Assembly at the election in May next, with their town charters and other material agreements, with what else may be offered, to set forth the bounds and settlements of their said towns, that upon the perusal and consideration of said charters, agreements, and all other matters and obligations that by said Assembly, there may be a final determination and settlement of said bounds between said towns.

An Act for regulating of Tanners, Curriers and Cordwainers.

For the preventing of deceits and abuses by tanners, curriers and workers of leather :

Be it enacted by the Governor, Council and Representatives in General Court of Assembly, and by the authority of the same, that no person or persons whatsoever, using, or which shall use the mystery or faculty of tanning, shall, at any time or times hereafter, put to sale any kind of leather, which shall be insufficiently tanned, or which hath been over-limed, or burnt in lime, or which shall not have been after the tanning there-

of, well and thoroughly dried, or that shall not be sealed as in and by this act is hereafter directed, upon pain of forfeiting the whole side or other piece of leather so offered to sale.

And no person or persons whatsoever, using, or that shall hereafter use the mystery or faculty of tanning, shall set any of his or their vats in tann hills or other places, where the woose or leather is put to tann in the same, shall or may take any unkind heat, or shall put any leather in to any hot or warm woose whatsoever, on pain of forfeiting twenty pounds for every such offence.

And be it further enacted by the authority aforesaid, that no person or persons whatsoever, using or occupying, or that shall hereafter use or occupy the mystery or faculty of currying, or shall or may curry any kind of leather except it be sealed, as is hereafter provided, nor shall curry any hides, being not thoroughly dried, after his wet season ; in which wet season he shall not use any stall urine or any other doubtful, subtile mixtures of any thing, way or means to corrupt or hurt the same ; or shall curry any wet for outward soles leather, without any thing thin, good hard tallow, nor with any less of that than the leather will receive, nor shall curry any kind of leather wet for upper leather and inward soles, but with good and sufficient stuff, being fresh and not salt and thoroughly liquored till it will receive no more ; nor shall burn or scald any hides or leather in currying ; but shall work the same sufficiently in all points and respects, on pain of forfeiting, for every such offence or act done contrary to the true intent and meaning hereof, every such hide marred or hurt by his evil workmanship or handling.

Be it further enacted by the authority aforesaid, that no person or persons using or that shall hereafter use or occupy the mystery or faculty of a shoe maker or cordwainer, shall work up in to shoes or otherwise, any leather that is not tanned and curried as aforesaid, or shall use any leather made of horse hides for inner soles for any shoes or boots, on pain of forfeiting all such shoes or boots or other wares wrought up of such insufficient leather.

And for the more effectual execution of this said act, be it enacted by the authority aforesaid, that all leather that is, or shall be hereafter tanned or curried, before the same pass out of the tanner or currier's yard, house or places respectively where it was wrought, be sealed by sworn searchers or sealers of leather, by law directed to be annually chosen in such towns where there shall be need, who shall have two several marks or seals, to be provided by each town for that purpose; with one of which they shall seal all such leather as they shall find to be sufficiently tanned in all respects as aforesaid; and with the other, all such leather as they shall find well and sufficiently curried, as is before mentioned, and no other. And the searchers and sealers shall, and are hereby authorized and empowered, ex officio, to make search and view all respective places or houses, shops, warehouses, or other places within the limits of their respective precincts, where they conceive any leather to be wrought into shoes, boots, or any other wares; or any leather offered to be sold, or offered to be searched or sealed; and shall not be well tanned as aforesaid, and well curried according to the afore-recited act, and the true intent and meaning thereof; or that shall find any leather in whole sides, out of the possession of the tanner, or out of the possession of the currier, not being sealed with the mark or seal to [be] used for leather well tanned or well curried, in all such cases it may be lawful for the searchers and sealers to seize all such leather insufficient or unsealed, whether it be wrought up in wares or not. And if the owner or challengers thereof, will not submit to the judgments of the officer or officers that seize the same, such officer or officers shall retain such leather in custody till trial thereof be had, as is before directed, and judgment thereon. In such cases, the officer shall, within four days after the seizure, inform some justice of the peace in said town thereof, who shall thereupon appoint four persons or more, honest men, skillful in leather, to view the same in the owner or claimer's presence, or without him, if having notice thereof, he doth not appear to report to any justice of the defect which they find in said leather; which report, said justice shall return unto the next General

Court of Trials for said colony, for a conviction in law on the fine imposed. But in case the viewers shall report that they do not find said leather or wares, so seized, in any respect defective according to the intent of this act, the said justice that appointed such viewers, shall cause the same to be forthwith discharged from the seizure made by such officer or officers.

And be it further enacted by the authority aforesaid, that no person whatsoever shall or may withstand or resist the searchers and sealers in the execution of their office, nor in the searching for any insufficient leather or wares, upon forfeiture of five pounds for every such offence, and the fees for searching and sealing, one penny per hide, for any parcel less than six hides, and for all such parcels, if by the dozen, then eight pence ; which fees the tanner or currier shall pay on the sealing thereof, from time to time ; and shall also pay three pence per mile for every mile every searcher or sealer shall travel above one mile. And no searcher or searchers of leather shall [neglect] within convenient time to do his office, and if [he] shall allow any leather or wares which is not sufficient, shall be on the pain of forfeiting forty shillings ; nor shall [he] take any bribe, nor exact more than his fees, on pain of forfeiting £10 for every such offence.

And be it further enacted, that all such fines, forfeitures or penalties as shall arise or grow due by virtue of this act, or any clause therein contained, shall be disposed of in manner following, viz. :

One-third part to the town treasury where the offence is committed, to pay town charges ; and one-third part for the use of the poor of said town ; and the other third part to the seizer or informer of such insufficient leather : which fines, penalties and forfeitures to be recovered by action, bill or plaint or information in any Court of Common Pleas, in said colony, before any two justices of the peace, when the matter does not exceed the value of forty shillings.

And be it enacted by the authority aforesaid, that when and as often as any leather shall be so seized, in the hands of either currier or tanner, and become forfeited by virtue of this act through their default, and it belongs to any particular person,

the tanner or currier shall be liable to make satisfaction for the same to the person or persons to whom it did belong, to be recovered in any Court of Common Pleas, or before any two justices of the peace, if the value do not exceed forty shillings. And for the recovering of the same, two persons knowing in the value of leather, shall be, by any justice of the peace in said town where such leather shall be seized, appointed to view the same, and make return and report of the value to said justices on their engagements, that a lawful recovery may be made to the person or persons of such sum or sums of money that be due thereby from the offending person.

And that the persons for searchers and sealers, and [for] clerk of the market, or the regulating the bakers for weight of bread, according to the acts following and as aforesaid, shall be annually chosen and engaged at the time of the election of town officers.

An Act for the due assize of Bread.

Be it enacted by the authority aforesaid, that henceforward every baker shall have a distinct mark for all his bread that he sells, and shall put the stamp thereon, and keep the due assize hereafter mentioned, on all sorts of loaf bread, that he or she shall sell out ; and each loaf to weigh by avoirdupois according to the several prices of wheat as hereafter mentioned, according to the different prices by the bushel.

And so, proportionally, under the penalty of forfeiting all such bread as shall not be of the several assizes aforementioned to the use of the poor of the town where the same shall be seized, and lawfully condemned as is before mentioned and ordered for the trial on the seizure and condemnation of leather in said act.

And it is further enacted by the authority aforesaid, that the recorder shall, within ten days after the dissolution of this Assembly, send to each town in this colony, copies of this Assembly's acts, and shall be paid out of the general treasury twelve shillings for each copy ; and the said acts to be published by beat of drum, under the seal of the colony, in the town of New-

port on Friday next, being the 7th instant; and that this Assembly be dissolved, and it accordingly is dissolved.

Representation from the Board of Trade to Queen Anne, in relation to the charter governments of Massachusetts, Rhode Island and Connecticut.

To the Queen's Most Excellent Majesty, &c. :

May it please, &c. :—In obedience to Your Majesty's order in council of the 20th of the last month, directing us to enumerate to Your Majesty the several misfeasances and illegal proceedings of the proprietary and charter governments in America, in prejudice to the trade of this kingdom, and Your Majesty's plantations, and the advantages and conveniences that may arise by reducing such proprietary and charter governments under Your Majesty's more immediate direction.

We humbly represent to Your Majesty, that those colonies in general, have no ways answered the chief design for which such large tracts of land, and such privileges and immunities were granted by the crown.

That they have not conformed themselves to the several acts of Parliament, for regulating trade and navigation, to which they ought to pay the same obedience, and submit to the same restrictions, as the other plantations, subject to Your Majesty's immediate government. On the contrary, in some of these proprietary and charter governments, viz. : Connecticut and Rhode Island, the governors have not applied themselves to Your Majesty for your royal approbation and allowance of the said governors, nor have taken the oaths required by the acts of trade; both which qualifications are made necessary by the late act, for preventing frauds, and regulating abuses in the plantation trade.

That they have assumed to themselves a power of making laws contrary and repugnant to the laws of England, and directly prejudicial to legal trade.

That divers of them have denied appeals to Your Majesty in council, by which not only the inhabitants of those colonies but others Your Majesty's subjects are deprived of that benefit enjoyed in the plantations under Your Majesty's immediate government, and the parties aggrieved are left without remedy against the arbitrary and illegal proceedings of their courts.

That these colonies are the refuge and retreat of pirates and illegal traders, and the receptacle of goods imported thither from foreign parts contrary to law. In return of which commodities, those of the growth of these colonies are likewise contrary to law, exported to foreign parts; all which is much encouraged by their not admitting appeals as aforesaid.

That they give protection to soldiers, seamen, and servants that desert from other Your Majesty's plantations, and do not deliver them up when reclaimed; and do also give shelter to malefactors who make their escapes from other parts without delivering them up when demanded, and great numbers of the young men leave the plantations under Your Majesty's government (where they are obliged to be industrious and pay taxes for the support of the public charge, and maintaining the war against the French and Indians), and go to the proprietary and charter governments and are there induced to settle chiefly, for that no taxes are raised there for those necessary purposes.

That these independent colonies do turn the course of trade to the promoting and encouraging woolen and other manufactures proper to England, instead of applying their thoughts and endeavors to the production of such commodities as are fit to be encouraged in those parts, according to the true design and intention of such settlements.

That they do not, in general, take due care for their own defence and security against an enemy, either in building forts, or in providing their inhabitants with sufficient arms and ammunition, against an attack, which is every day more and more to be apprehended, considering how the French power increases in those parts. Nor have some of them any regular militia established amongst them.

That these mischiefs chiefly arise from the ill use they make of the powers entrusted to them by their charters, and the independency which they pretend to, presuming that each government is obliged only to defend itself, without any consideration had of their neighbors, or of the general preservation of the whole.

That upon this presumption, they do refuse to furnish their quota of assistance (during the war) to the other plantations under Your Majesty's immediate government, notwithstanding Your Majesty's repeated commands by your royal letters in this behalf.

That under color and pretence of their charters, several of them try robberies, murders and other crimes, make laws in capital matters, and punish with death without any legal authority for the same.

That they have refused to submit to Your Majesty's and His Royal Highness's commissions of Vice Admiralty, and for commanding their militia, and have defeated the powers given to the Governors of Your Majesty's neighboring colonies therein.

And whereas, upon our several representations of the great mischief arising to Your Majesty's plantations by the different value of coins, Your Majesty was pleased to issue out your royal proclamation for settling and ascertaining the current rates of foreign coins in all Your Majesty's plantations in America: we did accordingly transmit to the several colonies Your Majesty's said proclamation and commands, that the same should be put in strict execution in all parts; notwithstanding which, we have received informations from several of Your Majesty's Governors, that many of the proprietary and charter governments have not complied therewith; but that the people there have proceeded to reduce the coin by clipping to a lower value than before, which is allowed to pass at any rate, in order to drain Your Majesty's other plantations of their current money, so that those Your Majesty's commands will by such means remain ineffectual until the several colonies in America be so regulated, as to be brought under the same direction and government.

We take leave further to lay before Your Majesty some particular misfeasances of several of the said charter governments.

As to the charter government of the Massachusetts Bay:

We have very lately received information from Col. Dudley, Your Majesty's Governor of that province, that in obedience to Your Majesty's commands concerning coin, he had published the aforesaid proclamation, and accordingly directed in his speech to the Assembly of that province, that they would proceed to enforce Your Majesty's commands by adding just and severe penalties to any hereafter offering clipped money or other light money by sale; but could not obtain any thing to be

done therein, whereby the people will be encouraged to use their former way of payments in light and clipped money.

Col. Dudley does likewise inform us, that notwithstanding Your Majesty's repeated letters signifying your just expectations, that the Assembly there should take care to rebuild a good fort at Pemaquid, which they, by their negligence, lost during the last war, to the French and Indians; as also, that they should contribute towards the fort at Piscataqua, the same being of absolute necessity for the security of those colonies, and for protecting from the French and Indians Your Majesty's subjects, in providing masts and other naval stores for the use of Your Majesty's royal navy;—they have absolutely refused to comply with Your Majesty's directions therein; as they have also refused to settle any fixed salary pursuant to Your Majesty's commands, upon Your Majesty's Governor and Lieutenant Governor of that province; but at the year's end, they give them, as also to the judges and other civil officers, such allowances as they pretend to judge they may have deserved which renders the support of the said Governors and other officers, precarious and dependent on the people.

In relation to the charter government of Rhode Island:

We are likewise informed by Col. Dudley, that if any of Her Majesty's subjects not being inhabitants of that colony, sue for a debt in their courts, they can have no right done, if the defendant be one of that colony.

That when he, Col. Dudley, went to Rhode Island to publish Your Majesty's commission, empowering him to command their militia during the war, as likewise another commission from His Royal Highness, by which he is invested with the power of Vice Admiralty, the Governor and council of that Island used indecent expressions, saying, they were ensnared and injured, nor would not give (nor have they since given) due obedience to the said commissions.

That when he desired to review their militia, in order to the making proper regulations, he could not obtain any compliance from them, notwithstanding Your Majesty's express commission to command their militia as aforesaid; but on the contrary, they said they would rather lose all at once, than by pieces.

The said Col. Dudley further gives us an account, that he had sent to the government of Rhode Island Your Majesty's order of council of the 28th of January, 1703-4, for repealing an act made in that colony for establishing Admiralty Courts there, unto which they had promised obedience. But that, nevertheless, after the receipt of such Your Majesty's repeal of that act, they had presumed to grant a commission to John Halsey, a privateer; and have by a declaration in their General Assembly, insisted that they have power so to do, though no such power is granted to them by their charter; which privateer having brought in a Spanish prize, they resolved to proceed to the condemnation thereof, in their pretended court, notwithstanding the admonitions which they received to the contrary, from Col. Dudley, and the judge of the Admiralty constituted for those parts by His Royal Highness.

That the Quakers by their numbers, power and interest in this government, will not admit of any persons of estates or abilities into any places of public trust.

In relation to the charter government of Connecticut:

We humbly represent, that under the color of their charter, they do unduly try robberies, murders, and do likewise refuse to submit to Your Majesty's and His

Royal Highness's commissions of Vice Admiralty, and for commanding their militia, as is set forth in the like articles relating to Rhode Island.

That they have refused to allow of appeals to Your Majesty in council, and give great discouragements and vexation to those that demand the same.

That upon a complaint lately made to Your Majesty by the Mohegan Indians, inhabiting in Connecticut colony, of their being unjustly deprived of their lands by that government, Your Majesty was graciously pleased to grant a commission under the great seal of England, constituting Col. Dudley and others therein named, commissioners for inquiring into the complaints of the said Mohegan Indians.

Whereupon, Col. Dudley and the rest of the commissioners, [on] going to Connecticut to put Your Majesty's said commission in execution, the magistrates of that colony came in a forcible and imperious manner to the commissioners then sitting, and read a protestation against the authority of the court so constituted as aforesaid; and upon Col. Dudley's desiring their patience, and promising them they should be heard in their turn, they answered that the said commissioners had no business there, and that they were no court; that they would not be put upon; and one of the persons complained of, told them he was forbid by that government to make answer to what should be inquired of him. Of all which particulars, relating to the aforementioned colonies, with depositions as transmitted by Col. Dudley, are lying before us.

As to the advantages and conveniences that may accrue, by reducing such proprietary and charter governments to Your Majesty's immediate direction, upon which we are directed to offer our opinion to Your Majesty, we humbly conceive, that from the aforesaid irregular and illegal proceedings, it will be easily judged of what great benefit the re-uniting to the crown the government of all these colonies will necessarily be to Your Majesty's other dominions, by the removal of these inconveniences, and by the uniformity and more due regulation of trade, by the good correspondence that may be established thereby between Your Majesty's several plantations, and by the common and mutual defence of all, as well as by preventing the great and frequent oppositions that are made to Your Majesty's laws and government; by which means Your Majesty's empire in America, which is of so great an extent, will be better secured from the attempts of an enemy, and become in all respects of greater advantage to this kingdom, and to Your Majesty's revenue arising from those parts.

All which is nevertheless most humbly submitted.

DARTMOUTH,
ROBERT CECILL,
PH. MEADOWS,
WM. BLATHWAYT,
JOHN POLLEXFEN,
MAT. PRIOR.

Whitehall, Jan'y 10, 1705-6.

Report of the Attorney and Solicitor Generals, on the letters of Col. Dudley and Lord Cornbury.

To the Queen's Most Excellent Majesty.

May it please Your Majesty :—In humble obedience to Your Majesty's order in council, we have considered of the annexed extract of a representation from the

Lords Commissioners of Trade and Plantations, upon letters received from Colonel Dudley, Your Majesty's Governor of the provinces of Massachusetts Bay and New Hampshire, complaining of great inconveniences happening to him in that government, from disorders in Rhode Island, for want of good government there; and also upon letters received from the Lord Cornbury, Your Majesty's Governor of New York, complaining of the like inconveniences from disorders in the colony of Connecticut; that and Rhode Island being charter governments. And also of the report of the attorney and solicitor general of the late King William and Queen Mary, made in July, 1694; and we do concur with them in their opinions therein mentioned, that upon an extraordinary exigency, happening through the default or neglect of a proprietor, or of those appointed by him, or their inability to protect or defend the province under their government, and the inhabitants thereof in times of war or imminent danger, Your Majesty may constitute a governor of such province or colony, as well for the civil as military part of government, and for the protection and preservation thereof, and of Your Majesty's subjects there; with this addition only, that as to the civil government, such governor is not to alter any of the rules of property or methods of proceedings in civil causes, established pursuant to the charters granted, whereby the proprietors of those colonies are incorporated; on perusal of which charter, we do not find any clauses that can exclude Your Majesty (who have a right to govern all your subjects) from naming a governor on Your Majesty's behalf, for those colonies, at all times.

All which is humbly submitted to Your Majesty's great wisdom.*

EDW. NORTHEY,
SIM. HARCOURT.

* J. Carter Brown's Manuscripts, Vol. VIII., Nos. 504, 520.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th of May, the day before the Election, for the preparation of the Election for the ensuing year 1707.

Col. Samuel Cranston, Governor,
Walter Clarke, Deputy Governor.

ASSISTANTS.

The several assistants were present.

DEPUTIES.

Newport.

Capt. Jonathan Holmes,
Capt. Edward Pellham,
Capt. James Brown,
Capt. John Cranston,
Sergeant Edward Thurston,
Lieut. Edward Smith.

Providence.

Capt. Joseph Jenckes,
Mr. Jonathan Sprague,
Ensign Samuel Comstock,
Lieut. Thomas Olney.

Portsmouth.

Mr. Benjamin Hall,
Mr. Benjamin Shearman,
Capt. Edward Arnold,
Mr. Abraham Anthony.

Warwick.

Mr. Benjamin Barton,
Capt. James Carder,
Capt. James Greene,
Mr. Samuel Greene.

Westerly.

Capt. William Champlin,
Mr. George Denisson.

Kingstown.

Mr. George Hassard,
Mr. Christopher Champlin.

Jamestown.

Mr. Edward Carr,
Mr. John Weeden.

Greenwich.

Mr. Thomas Nichols,
Mr. Thomas Spencer.

Capt. Joseph Jenckes, chosen speaker.
Mr. Edward Thurston, clerk.

Mr. Giles Slocum, Benjamin Belcher, George Golding, Jireh Bull, Capt. Benj. Ellery, Augustus Lucas, Jos. Chanterlin,

John Cranston, Jr., Thomas Mellis, John Bear, John Right, Peleg Chamberlin, James Carey, Nichloss Lang, Joseph Goldsmith, Jonathan Nicholds, Daniel Guild, Samuel Cranston, Jr., all of the town of Newport, admitted freemen of the colony.

George Lawton, George Hall, Joseph Sheffield, Lott Tripp, Thomas Burden, John Slocum, Jonathan Lawton, William Bennington, Jr., George Lawton, son of George Lawton, Jr., deceased, John Vaughan, all of the town of Portsmouth, admitted freemen of the colony.

John Perce, and Christopher Vaughan, of the town of East Greenwich, admitted freemen of the colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1707.

The following were chosen, and severally engaged.

GOVERNOR.

Col. Samuel Cranston.

DEPUTY GOVERNOR.

Walter Clarke.

ASSISTANTS.

Maj. Wm. Wanton,
 Capt. John Rogers,
 Mr. Joseph Williams,
 Capt. Thos. Fenner,
 Mr. George Brown,
 Mr. Thomas Cornell,
 Maj. Randall Holden,
 Mr. Richard Greene,
 Capt. Jeoffrey Champlin,
 Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Capt. Nathaniel Sheffield.

GENERAL ATTORNEY.

Capt. Simon Smith.

MAJOR OF THE ISLAND.

Maj. Wm. Wanton.

MAJOR OF THE MAIN LAND.

Mr. Joseph Jenckes.

The following Justices of the Peace were chosen :

For Newport—Capt. Nathaniel Sheffield, Lieut. Edward Smith, Mr. Edward Thurston.

For Providence—Mr. Philip Tillinghast, Mr. Eleazer Arnold, Mr. Richard Waterman.

For Portsmouth—Mr. Benj. Hall, Capt. Caleb Arnold, Mr. Daniel Pearce.

For Warwick—Capt. Simon Smith.

For Westerly—Capt. William Champlin, Mr. Peter Crandall, Mr. Isaac Thomson.

For Kingstown—Mr. Stephen Hassard, Mr. Christopher Allen, Mr. William Hall.

For Greenwich—Capt. Thos. Fry, Mr. Pardon Tillinghast.

Mr. James Clarke chosen packer, gauger and sealer.

May the 10th, 1707.

Then the Honorable Col. Samuel Cranston, Esq., Governor, made oath before Francis Brinley and Jahleel Brenton, Esqrs., and four of the council, to the act of trade and navigation.

Whereas, it hath been laid before this Assembly by some of the town of Portsmouth, on Rhode Island, that most of the towns in this colony have town charters, whereby they have power given them according to the power given us by His Sacred Majesty, in his charter to us, that we may settle the limits of townships in said colony, and give such power proper and needful for the regulating and ordering each town in their prudential affairs and town orders within their said townships, and for the town of Portsmouth, be it ——— enabling them to make such prudential acts consonant to the privileges of Her Majesty's subjects incorporated within a township.

Therefore, be it enacted by the Honorable Governor and assistants with the house of representatives convened in General Assembly, and it is hereby enacted by the authority thereof, that the freemen of the township of Portsmouth, legally called together, and met on their day or days and time appointed to con-

sider and act on such prudential affairs, in passing acts and orders for the duly governing the affairs only needful, proper and necessary for said town, on any or all said prudential affairs, and such acts so made, shall be good and allowable, and in proper force and strength for them to act by, and so executed any act or acts to the contrary, in any wise, notwithstanding.

And be it further enacted by this Assembly and the authority thereof, that for the encouragement of the Honored Governor for his service done for the colony, it is ordered, that he shall be allowed for a gratuity for this year ensuing, the sum of £40 besides his salary, to be paid out of the first money which is to be assessed on the colony.

Act for the appraisement of goods taken on execution.

Be it enacted by the authority aforesaid, and it is hereby enacted, that all such goods, viz. : as cattle or chattels, that shall be seized or distrained upon, by the sheriff of this colony or his deputy, upon any execution or executions, being justly appraised as money by two town appraisers, freemen of this colony, shall be taken and accepted as money by the person who takes out the execution, being tendered unto him by the sheriff, and the sheriff thereby discharged ; he delivering the whole sum or sums to the person or persons taking out the execution ; any act in this colony to the contrary, notwithstanding. Always provided, that what shall be so seized be kept ten days, that the person executed upon, may replevy the same, if he shall see cause ; but if not replevied within said time, then to be disposed of as aforesaid ; and that the charge of keeping such goods or chattels, be paid out of the same, and the overplus if any, after said execution be satisfied and charges paid, shall be returned to the owner.

And be it further enacted, that whereas Providence and Warwick have agreed about the line that parts their jurisdictions, it is confirmed according to the express boundaries therein mentioned, so far as their said towns doth extend west within this colony, according to purchase or grant.

Be it further enacted, that whereas there were commission-

ers chosen by this colony to treat with the gentlemen of Boston, about the north bounds of this colony, it is ordered that said commissioners shall be allowed out of the general treasury forty-eight shillings, money.

And be it further enacted by this Assembly and the authority thereof, that whereas Christopher Almy hath made his humble petition to this Assembly, praying relief from the judgment given against him at the Court of Trials, the 25th of March last, and the court finding the judgment to be just; and upon his humble acknowledgment and promising better behaviour for the future, this Assembly do order, that £40 of said fine be remitted, and that he pay ten pounds, the remaining part of said fine; and be continued under bonds according to the judgment of said court, for his good behaviour, to the next Court of Trials, and pay all charges that hath arisen upon the same; then he shall be discharged from the prison.

And it is ordered by this Assembly, that there be an audit appointed to audit the general treasurer's accounts, and all other accounts concerning the colony.

The persons appointed, are Mr. Robert Gardner and John Anthony, for Newport and Portsmouth; Lieut. Thomas Olney, for Providence; Capt. James Greene, for Warwick; they, or the major part of them, to sit in Newport the last Tuesday of this month of May, in order against the next General Assembly.

This Assembly having considered the petition of Mr. John Nelson, of Boston, merchant, do not find that there is any matter cognizable before them; but that the said Nelson hath his remedy against the sheriff, if he hath executed contrary to law.

The Assembly having considered the complaint of Mr. Daniel Coggeshall, against Capt. Edward Carr, and Mr. John Weeden, wardens of Jamestown, for mal-administration of their offices, it is by the unanimous vote of the Assembly declared, that the said Carr and Weeden are not guilty of the charge exhibited against them by said Coggeshall.

And it is enacted by this Assembly, that Daniel Coggeshall, of Kingstown, shall pay a bill of cost to Capt. Edward Carr and Mr. John Weeden, for his unjust molestation, and be bound in bonds of £20, for his good behaviour till the next General Court of Trials.

This Assembly having considered the petition of Mr. Thos. Whipple, that he might have execution for the sums of money recovered of him by Resolved Waterman, and the several costs which were given unto him upon reversion of former judgment at the Court of Trials the 25th of March, 1707 :

Ordered, that copies of this Assembly's acts be forthwith published by beat of drum, in the town of Newport, and copies thereof sent to each town, under the seal of the colony within ten days ; and the recorder to have six shillings for each copy paid by the general treasurer, and upon the publication hereof, this Assembly is dissolved.

Board of Trade to the Governors of Rhode Island, Connecticut and Pennsylvania.

To the Lords Proprietors, &c. :

Gentlemen : Her Majesty having been graciously pleased by her commission under the great seal of England, to authorize and constitute us (together with Mr. Stepney) her commissioners for promoting the trade of this kingdom, and for inspecting and improving her plantations in America and elsewhere, we have thought fit to acquaint you, that it is Her Majesty's pleasure and express command, that the Governors of all her foreign plantations, do, from time to time, give unto us frequent and full information of the state and condition of their respective governments and plantations, as well with regard to the administration of the government and justice in those places, as in relation to the commerce thereof ; and more particularly, that the said Governors transmit unto us yearly accounts of their said administration, by way of journal, together with the acts of the Assemblies in the respective plantations. All which things you are therefore accordingly to observe in relation to the colony of Rhode Island (colony of Connecticut [and the] province of Pennsylvania).

Particularly we desire you to inform us what number of inhabitants there are within that whole colony (province), what of freemen, and what of servants, white and black.

To what degree are those numbers increased or decreased within five years last past ?

What is the whole number of the militia of that colony (province) ?

What commodities are exported from that colony (province) to England ?

What trade is there, either by exportation or importation, with any other place? and from whence is that colony (province) now furnished with supplies (particularly of any manufactures) that it was wont to be furnished withal from England?

How and in what particulars is the trade of that colony (province) increased or decayed of late years? and what hath been the reason of such increase or decay?

What are the present methods used to prevent illegal trade? and what further methods do you think advisable for that purpose?

What number of ships or other vessels are there belonging to that colony (province), and what number of seafaring men?

What number and what sorts of those vessels have been built there?

What manufactures are settled in that colony (province) of any sort whatsoever?

To all which inquiries we also further desire you to add whatever else you may in your own prudence think conducive to Her Majesty's service, to the interest of England or to the advantage of that particular colony (province).

An act having been passed the last sessions of Parliament for a perfect and entire union of the two kingdoms of England and Scotland, we send you one of the said acts, that it may be published in the most solemn manner in the colony of Rhode Island (colony of Connecticut, [and] province of Pennsylvania), and that you may take notice, that Scotchmen are thereby to be looked upon for the future as Englishmen to all intents and purposes whatsoever. So we bid you heartily farewell.*

Your very loving friends,

STAMFORD,
DARTMOUTH,
HERBERT,
PH. MEADOWS,
I. PULTENEY,
R. MONCKTON.

Whitehall, May the 7th, 1707.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 28th day of May, 1707.

Col. Samuel Cranston, Governor,
Walter Clarke, Deputy Governor.

ASSISTANTS.

Major William Wanton,
Capt. John Rogers,
Mr. George Brownell,
Mr. Thomas Cornell,

Mr. Richard Greene,
Capt. Jeffrey Champlin,
Capt. John Eldredge.

Capt. James Greene, chosen speaker.

Mr. John Rhodes, chosen clerk.

Be it enacted by the Honorable Governor and council and house of representatives convened in General Assembly, and by the authority of the same it is enacted, that each town in this colony now established, or that may hereafter be established, may be, and have hereby granted unto them full power and authority to settle such coves, creeks, rivers, waters, banks bordering upon their respective townships, as they shall think fit for the promotion of their several towns and townships, by building houses, and warehouses, wharfs, laying out lots, or any other improvements, &c., as the body of freeholders and freemen of each town shall see cause for, or the major part of them, for their most benefit, not prejudicing any particular person in their proper original grants or purchases upon any the aforesaid harbors, coves, creeks, &c., which we doubt not but will much promote the interest of Her Majesty, and the good of her good subjects in said colony, for the promoting of trade and navigation.

It is further enacted by the authority aforesaid, that there shall be a levy of £1500 forthwith, to be levied on this colony, to be paid at two payments; that is to say, £1000 to be collected, gathered and brought in to the general treasurer by the last of August next ensuing; and £500 to be collected and brought in to the general [treasurer] by the 1st of November next ensuing the date hereof.

Newport	£284 18s. 4d.	New Shoreham	£30 00s. 0d.
Providence	161 00 0	Greenwich	29 14 8
Portsmouth	158 06 8	Jamestown	46 06 8
Warwick	58 08 6		
Westerly	55 13 4		£1000 00 0
Kingstown	175 05 0		

And the remaining £500 to be paid to the general treasury by the 1st of November next ensuing.

And it is ordered, that the £1500 be levied in each town in said colony by the last of June next ensuing, in order to be

brought into the general treasury according to the acts of the General Assembly, aforesaid.

And it is further enacted by the authority aforesaid, that each town in this colony take an exact account of all their ratable estates, both real and personal; and bring a true account of the same to the next General Assembly, at Warwick, to the end that a committee be then chosen that may proportion each town's rate in equality; and in case of any town's non-performance of said act, said town shall be liable to be proportioned by said committee; and in case any town neglect, that town shall have no ——— on the committee, notwithstanding any act or acts to the contrary. And that the rate be proportioned according to the late proportion of the £500 rate.

And if Portsmouth or any other town be over rated in said rate, that in the next rate they shall have it returned or abated.

And it is further enacted by the authority aforesaid, that Mr. Ebenezer Slocum have [the] privilege to keep a ferry on the west side of Canonicutt Island, from the highway against the beach at Daniell's landing place, at Kingstown, on the same terms as other ferries are stated, for two years. The said Slocum finding sufficient boats and wharves, and passage for travellers; and performing all other things imposed on other ferries in all respects.

It is enacted by this Assembly and the authority thereof, that the wardens of the town of [New] Shoreham, alias Block Island, have power granted them, and they are hereby authorized and empowered during the time of war, to grant forth their warrants to the constables of their said town, to gather and collect all public and town rates, and to make distrainments if occasion be, returning the overplus according to law. And the said constables are hereby ordered and required to execute all such warrants to them granted; and upon default thereof, to be under the same penalty as is granted by the general treasurer for public rates; any act to the contrary notwithstanding.

And it is further enacted by said Assembly and the authori-

ty thereof, that Mr. John Odlin, of Newport, and Mr. John Anthony of Portsmouth, Capt. Thomas Olney, of Providence, Capt. Benjamin Greene, of Warwick, Capt. Edward Carr, of Jamestown, and Weston Clarke, recorder, or the major part of them, meeting, are appointed a committee to audit the colony and general treasurer's accounts; and to begin their work at the colony house, in Newport, the 1st day of October next ensuing; and to continue on said work till they have fully completed the same; and to make return thereof, under their hands to the General Assembly, at Warwick, the last Wednesday in October next; and said committee to be allowed three shillings per day each man, while on said work.

And it is further enacted, that the Governor of this colony, his dwelling house and conveniences belonging to the same, shall not be liable to any public rate or tax during his continuance in said office, but shall be wholly quit and free from the same.

It is also enacted, that the [militia of the] town of Westerly, upon their humble petition, shall be divided into two companies, as shall be proportioned by the town council of said town, with the advice and approbation of the major on the maine land in this colony; and that the listed soldiers, upon the division, have the power to elect their commissioned officers and others, as is customary, and make return thereof to the Governor.

Upon the humble petition of William Collins, of Newport, tanner, to this Assembly, for the chancerizing of two bonds, one of thirty-six pounds, five shillings, and one of twenty-five pounds; which bonds were sued, with the penalty, by Mr. Nathaniel Newdigate, of Bristol, merchant, at a general Court of Trials, held at Newport, the first Tuesday in September last; which bonds, with the penalty, was found by verdict of jury against said Collins' surety, for one Benjamin Howe.

This Assembly considering the matter, do order and enact, that the said bonds be by the Governor and council truly chancerized to the principal and interest, and entered on said bonds, signed by the recorder.

And it is further ordered by this Assembly, that execution

shall be granted by the recorder for only principal and interest and cost of court ; and that if any execution be already granted contrary hereunto, that the same be stopped and called in again.

Whereas, the body of a negro man which was a late slave to Mr. Thos. Mumford, of Kingstown, and [who had] committed the horrid and barbarous murder upon the wife of the said Mumford, about two weeks since, as is justly concluded, was found dead upon the shore of Little Compton, in the province of the Massachusetts Bay, which said negro, it is believed and judged, after he had committed said murder, threw himself into the sea and drowned himself, by reason he would not be taken alive ; and the said negro's body being now brought into the harbor of Newport :

It is ordered by this Assembly, that his head, legs, and arms be cut from his body, and hung up in some public place, near the town, to public view, and his body to be burnt to ashes, that it may, if [it] please God, be something a terror to others from perpetrating of the like barbarity for the future.

Ordered, that the acts of this Assembly be forthwith published by beat of drum in the town of Newport ; and copies sent forth by the recorder to each town, under the seal of the colony, in ten days ; and the recorder to have five shillings for each copy paid by the general treasurer, and the Assembly is dissolved.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Warwick, the 29th day of October, 1707.

(Present.)

Col. Samuel Cranston, Governor.

ASSISTANTS.

Major William Wanton,
Capt. John Rogers,
Mr. Joseph Williams,
Major Randall Holden,

Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

DEPUTIES.

For Newport.

Capt. James Barker,
Mr. Thomas Gould,
Lieut. John Holmes,
Mr. Henry Brightman,
Mr. William Coddington.

For Providence.

Capt. Richard Arnold,
Capt. Samuel Wilkinson,
Mr. Philip Tillinghast,
Mr. Arthur Fenner.

For Portsmouth.

Mr. George Sisson,
Mr. Joseph Cooke,
Mr. John Coggeshall,
Mr. Thomas Durfee, Jr.

For Warwick.

Mr. Job Greene,
Capt. James Greene,
Capt. Simon Smith,
Mr. Malachi Rhodes.

For Westerly.

Capt. William Champlin,
Mr. John Sanders.

For Kingstown.

Mr. William Knowles,
Mr. Alexander Huling.

For East Greenwich.

Mr. Thomas Nichols,
Mr. Thomas Spencer.

For Jamestown.

Capt. Edward Carr,
Mr. John Hull.

Weston Clarke, recorder.

Mr. Nicholas Lang, sheriff.

Capt. Richard Arnold, chosen Speaker.

Capt. Simon Smith, chosen clerk.

Voted, be it enacted by this Assembly and the authority thereof, and it is hereby enacted, that all executions granted to the sheriff to execute, if the person or persons against whom it was granted, refuse payment to answer the execution, then shall the sheriff execute on his goods, cattle or chattels, so much as will answer the execution, and secure them in his custody ten days for the person or persons to replevin, if he see good; but if he refuse, then the sheriff shall get them appraised by honest and indifferent men, who shall be sworn thereunto, and make tender of the goods so appraised, to the person or persons who took out the execution. And if he refuse to receive them at the appraisement, then to expose them to sale by out-cry, for money, for as much as will answer the execution, and pay all charges thereon arising. And if the sheriff seize more goods than will answer the debt and pay the charges as aforesaid, then to return the overplus to the owner; any act or acts, in this colony heretofore made, to the contrary notwithstanding.

Voted and enacted, that the accounts of the ratable estates now presented, be by each town drawn in a good form, and presented to the next Assembly.

Voted and ordered by this Assembly, that Jonathan Meerom be allowed his wages, as other soldiers for, the time he was out with Col. John Wanton.

Voted, that Mr. Nathaniel Blagrove, upon his petition, be admitted a freeman of this colony, he having purchased a freehold in the colony.

Case of King vs. Carpenter.

An appeal of John King, of Providence, appellant to the General Assembly, sitting at the town of Warwick, from a judgment of a Court of Trials, the first Tuesday in September, 1707, where Jos. Carpenter, of Musketo Cove, on Long Island,

appellee, recovered a verdict of jury and judgment of court, in an action of trespass and ejectment, for sundry lands mentioned in the declaration; and the case on both sides being pleaded and heard before the Assembly, the vote of the Assembly is:

That the verdict of jury and judgment of court in the right of Joseph Carpenter, is good, and ought not to be reversed. And there being a further plea by the appellant, that the Assembly would chancerize the charges expended by William Vinson, deceased, on the land sued for; and after much debate before the Assembly, the appellant and appellee agreed as followeth: that Joseph Carpenter, the appellee, shall pay unto the said John King, for the use of the children of the said William Vinson, deceased, the sum of £20, money; £10, within six months, and the other £10, within twelve months, which will be on the 1st day of November, in the year 1708, at the place called Pawtuxet. And the said King is to have the cost paid into the recorder's office; the officer's fees being deducted. And in consideration of said agreement, the said King is to deliver on the 1st day of November, now coming, quiet and peaceable possession of the housing, lands, premises and appurtenances sued for and recovered, according to the verdict of jury and judgment of court, the first Tuesday in September, 1707; and the said parties have agreed that each of them bear their own charge on all the trials.

Survey of the Northern Boundary line.

Voted, this Assembly having considered the circumstances of the late difference that hath happened between the town of Providence and the town of Mendon, and do well approve of the Honored Governor's letter to the Governor of the Massachusetts; and we judge it expedient for this Assembly to lay the matter before the General Assembly of the Massachusetts, now sitting, for their concurrence with us; and that there may be commissioners now appointed and fully empowered to treat and settle the same, which are, viz.:

Major Randall Holden, Capt. James Carder, Capt. John El-dredge, Capt. Thomas Fry, and Mr. Weston Clarke, or the major part of them, with such as may be appointed by the government of the Massachusetts, if they see good ; but if they refuse, then the matter may be represented to our agent in England, to procure, if it can be attained, Her Majesty's order for the settling the same.

Survey of vacant lands, in Narragansett.

Voted, and it is further enacted by this Assembly, and the authority thereof, that whereas, this Assembly having considered the great confusion that doth arise through the undue and irregular settlement that is made on the vacant lands in the Narragansett country, and there being pretended titles to the same, though never yet legally made out to the satisfaction of the colony ; neither have they taken any care that said lands be settled or improved, so as the colony is much damnified thereby :

It is therefore ordered, that surveyors be appointed by this Assembly to take a true survey of the vacant lands, and make an exact plat thereof, and present it to the General Assembly in May next, that so the settlement of said country may be ordered as the wisdom of said Assembly shall think most proper for the interest of the colony.

The persons appointed to take a survey of the vacant lands, are Capt. James Carder, and Mr. John Mumford ; and it is left to the Honored Governor to appoint the time and give the surveyors their orders to take such assistance as may be convenient, for the assisting the surveyors ; and the charge to be borne by the colony, and paid by the general treasurer.

Voted, and it is further enacted by this Assembly, upon the petition of John Dublin, who was wounded with Col. John Wanton, in the taking the French privateers, that he might have some allowance from the colony for the shot he received in his head, whereby he lost one of his eyes ; and the Assembly seriously considering his condition, and willing to encour-

age such that are willing to defend Her Majesty's interest in this colony, do see cause to allow the said John Dublin twenty pounds, out of the general treasury, to be paid him four pounds per year, annually, for five years.

Upon the petition of the representatives of the town of Portsmouth, for the repealing the act made at the town of Providence, for establishing a fair in the town of Portsmouth; and the said town finding the inconvenience that did attend thereupon not answering the end promised, desire said act may be repealed, which is granted, and said act is repealed; any act to the contrary notwithstanding.

Voted and ordered by this Assembly, that the recorder and Mr. William Coddington draw up the acts of this Assembly in form, that they may be published in the town of Newport, on Wednesday next; and that the recorder send copies thereof, under the seal of the colony, to the several towns, within fourteen days after the publication hereof; and to be paid, out of the general treasury six shillings, money, for each copy.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday of April, 1708.

Col. Samuel Cranston, Governor,
Capt. Richard Arnold, speaker,
Capt. Simon Smith, clerk.

An Act for taking a list of the inhabitants in the colony.

Be it enacted, and it is hereby enacted by the authority aforesaid, that there be a committee elected, chosen and empowered to draw up an answer and form an account in conformity to their Lordships' command and request, in their letter; and

for the better enabling said committee to perform the same with as much exactness as may or can be attained :

It is further enacted, that the assistants, justices or wardens of each town in this colony, with the assistance of the town clerk of their respective towns, shall take a list of the freemen of their said towns, with the number of servants, whites, and blacks ; and that the captain of each company or train band in this colony, do cause the clerks of their respective companies to draw a list of all the numbers belonging thereunto ; and the list, so taken, is by the said assistants, justices, wardens and captains, to be sent in to the committee, at or before the 1st day of October next ; and the said committee are authorized and empowered to inspect into any writings or records published in any office in this colony, for the better enabling them in the accomplishing and performing said answer, &c.

And it is further enacted, that what the said committee shall draw up and form in way of answer, shall be presented to the Assembly in October next, at Providence, for their approbation thereon, and that further order be taken about the same ; and that all reasonable charge that said committee be at in accomplishing said work, shall be allowed and paid out of the general treasury.

The persons chosen for the above said committee : Col. Samuel Cranston, Governor, Mr. Weston Clarke, recorder, Major Henry Tew, assistant, Major William Wanton.

Be it further enacted by the authority aforesaid, that there be a rate of £800, in money, or specie answerable at the usual rates, assessed on this colony, and proportioned on each town therein ; and to be collected and brought into the general treasury, at or before the last day of November next ensuing.

And that Capt. John Rogers, Major Henry Tew, Capt. James Barker, Mr. Samuel Comstock, are chosen and empowered to proportion and affix the rates of grain and other specie that may be brought into the treasury on said account, viz. : said committee having considered the premises, do hereby appoint Indian corn, to be accepted at two shillings per bushel ; barley,

at one shilling and eight pence ; rye, at two shillings and six pence ; oats, at fourteen pence ; wool, at nine pence per pound ; wheat, at three pence per bushel.

And it is further enacted by the authority aforesaid, that the £800, assessed on this colony, shall be appropriated to the uses hereafter mentioned.

That is to say, £100 to be improved for the repairing and finishing the colony house ; £100 for the colony agent in Great Britain, if there be sufficient in the general treasury of the last assessment ; always minding that it is hereby intended the agent shall have but £100 ; any act, to the contrary, notwithstanding. The remaining part to be improved in paying the colony debts, defraying this summer's public expense, and the residue to remain a public stock, or bank, for the colony's use.

The persons chosen and empowered to oversee the repairing and finishing the colony house, are Mr. Weston Clarke, Mr. John Holmes, Mr. John Odlin.

And it is further enacted by the authority aforesaid, that whereas, by an act of Assembly, in Februrary last past, concerning the importing negroes, one article of said act, expressing that three pounds money shall be paid into the treasury for each negro imported into this colony ; but upon exporting such negro in time limited in said act, said three pounds were to be drawn out of the treasury again by the importer :

It is hereby enacted, that said sum for the future, shall not be drawn out, but there continued for the use in said act expressed ; any act to the contrary, notwithstanding.

Whereas, there is an act in this colony that all marriages, births and burials, shall be registered in the several town clerk's offices in each town in this colony, but there being no penalty imposed in said act, upon such persons as shall neglect or refuse to comply according to said act, it has for the most part, or by the greatest part, been neglected, and not complied with :

Be it therefore further enacted by this Assembly and the authority thereof, that if any person or persons in this colony

shall, or do neglect or refuse, after the dissolution of this Assembly, to give or send an account of their marriages, births, and burials, to the town clerk of their respective towns within the time prefixed in said act, with the fees due for registering the same, shall be under the penalty of the forfeiture of three shillings for the use of the poor of the said town where the neglect shall be ; to be taken by a warrant by, or from any one assistant, justice or conservator of said town.

And it is further enacted, that if any town clerk upon the return of any such marriage, births, or burials, with the fee due for registering the same, shall neglect or refuse to make record thereof, in the town book which shall be appointed for that use, shall, for every such neglect, forfeit the sum aforesaid, to be taken and put to the use aforementioned.

Upon the petition of Caleb Carr, of Jamestown, for the judgment of this Assembly upon the verdicts of juries and their explanation, what the execution should go out for, in the case between said Carr, defendant, and John Ward, plaintiff ; and both houses being resolved into a committee for the explanation thereof :

The vote of the Assembly is, that the sheriff shall serve the execution for the £12, mentioned in the bill, with the horse, and cost of court and charges, according to the jury's verdict.

And it is further enacted by this Assembly, that all persons within this colony, or who shall hereafter happen to be in said colony, that hath by any accident lost one of his eyes, shall be dismissed from training in any of the respective training days in any train band, in this colony ; but not to be discharged from watching and warding ; any act to the contrary, notwithstanding.

An Act relative to Narragansett lands.

Be it enacted by this Assembly and the authority thereof, and it is hereby enacted, that whereas, by a late act of the Assembly, in October last past, at the town of Warwick, wherein it was proposed a settlement of land in the Narragansett country, and land settled without title, or order from the colony, in

pursuance of said act, a survey is already made and returned of those lands, which may be deemed vacant; yet, lest any property be included in said draught:

It is enacted, that proclamation be issued out to each town in this government, to manifest that all persons that may or can lay any just claim to any of said lands, may be fairly heard by the committee hereafter named, chosen by this Assembly, who shall have power by virtue of this act, to conclude and agree with such claimers, if any be, or do appear, and to make report thereof, with their proceedings in the premises, to the next Assembly, in October, for confirmation; and the time and place appointed for the hearing and determining of the controversies, if any arise.

And the place appointed for their first meeting, shall be at Capt. John Eldredge's house, in Kingstown, the last Tuesday in June next, and to adjourn from time to time, and place to place, as they, or the major part shall think fit; and the charges accruing thereupon, shall be defrayed by this colony.

The persons nominated, chosen and appointed for a committee are, for Newport, Major Henry Tew, Mr. Weston Clarke; for Providence, Capt. Richard Arnold; for Portsmouth, Mr. George Brownell; for Warwick, Major Randall Holden; what they, or the major part, shall do in the premises, to be presented to the Assembly, in October, as aforesaid.

And be it further enacted, that the Honored Governor and general council on the Island, with the major of the Island, shall have full power, upon emergent occasions, to press any vessel or vessels, or other things that shall be necessary for the colony's use; and all charges shall be defrayed by the colony; any act to the contrary, notwithstanding.

And that these acts shall be published in the town of Newport, within three days after the adjournment of this Assembly; and that proclamation shall be sufficient for all the colony, that these acts be in as full force as if sent to each town, until the Assembly meet again.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th of May, 1708.

Col. Samuel Cranston, Governor,
Walter Clarke, Deputy Governor.

DEPUTIES.

Newport.

Mr. Benedict Arnold,
Lieut. John Holmes,
Mr. Henry Brightman,
Capt. James Barker,
Mr. Thomas Peckham,
Lieut. Benjamin Coggeshall.

Providence.

Mr. Jonathan Sprague,
Major Joseph Jenckes,
Mr. Philip Tillinghast,
Mr. Samuel Comstock.

Portsmouth.

Mr. Abraham Anthony,
Mr. George Cornell,
Mr. John Coggeshall,
Mr. Joseph Cook.

Warwick.

Capt. Simon Smith,
Lieut. John Waterman,
Ensign Samuel Greene,
Mr. Samuel Gorton, Jr.

Westerly.

Mr. Joseph Clarke,
Capt. James Babcock.

Kingstown.

Mr. Stephen Hazard,
Mr. William Hall.

Greenwich.

Capt. Thomas Fry,
Mr. Pardon Tillinghast.

Jamestown.

Mr. Ebenezer Slocum,
Mr. Joseph Morey.

Major Joseph Jenckes, speaker,
Capt. Simon Smith, clerk.

Voted, that both houses be resolved into a committee for the work of the day.

Newport—William Rhodes, William Gibbs, Jer. Wilcocks, John Rogers, Job Almy, John Stephens, Benjamin Stanton, John Sanford, Jer. Pearce, William Heffemon, Josias Bliss,

Joseph Weeden, Joseph Card, Jr., Richard Tew, William Weeden, Jr., Peter Trebby, Jr., Robert Lawton, John Saber, John Hammett, Joseph Wetherhead, Richard Clark, Benedict Arnold, Jr., Peleg Peckham, Benjamin Norton, Isaac Chapman, Nicholas Easton, all admitted freemen of the colony.

Providence—Hazadia Comstock, Daniel Comstock, John Balcom, Fregift Bolkom, Stephen Sly, Jos. Henington, Thos. Henington, Jr., Samuel Inman, Francis Inman, John Inman, Jr., James Blew, Jr., Nath'l Baslue, John Blew, Hugh Pray, John Pray, Jr., John Whipple, Jr., Jeremiah Whipple, Thomas Olney, son of Epinetus Olney, John Tucker, William Edmonds, Jos. Wilkin-son, Samuel Bates, John Guile, Henry Randall, Zachariah Eddy, Peter Barnes, Experience Mitchell, Daniel Sweet, Hosanah Brown, Experience Eldreth, Zachariah Field, Richard Lewis, Shedereth Manton, Jr., William Steare, Zachariah Jones, James Young, John Blackmore, Daniel Abbot, Jr., James Angell, Wm. Field, all of the town of Providence, admitted freemen of the colony.

Thomas Stafford, William Arnold, John Stone, John Greene, son of James Greene, deceased, Zachariah Rhodes, Thomas Weeks, all of the town of Warwick, admitted freemen of the colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of May, 1708.

The following were chosen, and severally engaged.

GOVERNOR.

Col. Samuel Cranston.

DEPUTY GOVERNOR.

Walter Clarke.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thomas Fenner,
Mr. George Brownell,
Giles Slocum, Jr.,
Major Randall Holden,
Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Mr. Stephen Hazard-

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL ATTORNEY.

Capt. Simon Smith.

MAJOR FOR THE ISLANDS.

Major William Wanton.

MAJOR FOR THE MAIN.

Major Joseph Jenckes.

Col. Samuel Cranston, Governor of Her Majesty's colony of Rhode Island, engaged by oath for observing the act of trade and navigation, before Francis Brinley, and Jahleel Brenton, Esq., and five of the council.

The following Justices of the Peace were chosen.

For Newport—Capt. Nathaniel Sheffield, Capt. Edw. Thurston, Capt. James Browne.

For Providence—Mr. Philip Tillinghast, Mr. Richard Waterman, Mr. Eleazer Arnold.

For Portsmouth—Mr. John Coggeshall, Capt. Wm. Arnold,

For Prudence—Mr. Daniel Pearce.

For Warwick—Capt. Simon Smith.

For Westerly—Capt. William Champlin, Mr. Peter Crandall, Mr. Isaac Thompson.

For Kingstown—Mr. William Hall, Mr. Samuel Fones, Mr. Thomas Mumford.

For Greenwich—Capt. Thomas Fry, Mr. Pardon Tillinghast.

Case of Richard Mew vs. Jahleel Brenton.

Whereas, there was an action of trespass and ejectment commenced by Richard Mew, of Newport, merchant, against Jahleel Brenton, of said Newport, Esq., the second Tuesday in

September, 1707, where the said Brenton had a verdict, we find for the defendant and cost of court; upon which judgment, the said Mew re-heard to the Court of Trials, the last Tuesday of March, 1708, where the said Brenton received the like verdict and judgment from verdict and judgment; the said Mew appealed to this Assembly, sitting in Newport, the 5th day of May, 1708, praying that he, the said appellant, may have remedy for his money due upon the mortgage, whereupon the action was commenced, or by this Assembly put into a capacity for the recovering of the said money.

This Assembly having heard the pleas and allegations of the appellant and appellee, and truly weighing the circumstances of the case and matter as it is laid before them:

Do enact, and it is hereby enacted by the Assembly having duly considered the premises, that there is money due to the said Mew from the said Brenton, by his acknowledgment in the Assembly that the said Richard Mew, the appellant, shall or may have his action of debt, if he sees cause, against the said Brenton, appellee, for the recovery of all such money as shall be justly due to him, said appellant; and that there shall be no imparlance, nor non-suit allowed in the case.

And it is further enacted, that the cost of this appeal shall be equally borne between the appellant and appellee.

Case of Caleb Carr vs. John Ward.

And be it further enacted, that whereas, [the case of] Caleb Carr, appellant, against John Ward, appellee, was called before this Assembly, and the appellant prays for relief from the verdicts of juries and judgment of Courts of Trials, the first Tuesday in September, and the last Tuesday in March last past, in an action of debt, recovered by John Ward, against said Caleb Carr, the appellee, the act of the Assembly is, that the former judgment is good, and confirmed for the appellee; and the Assembly doth determine that what cost is due upon this hearing, shall be allowed, or paid by the said John Ward, appellee.

The Honored Governor enters his dissent against the verdict

Whereas, complaint hath been made unto this Assembly, that many little controversies arise between party and party, within this government, to the great trouble and expense of the assistants and justices of the same, by reason of the small allowance for the service in our inferior courts;—

The premises [having been] considered, this Assembly doth enact, and it is hereby enacted by the authority of the same, that whereas, the former table of fees allowed was but two shillings for each judgment given in the inferior courts, now it shall be four shillings for each judgment in any case under forty shillings; any act to the contrary, notwithstanding.

Case of Richard Greene vs. Joseph Williams.

Be it enacted, that whereas, at the General Court of Trials, held for the colony, the first Tuesday in September last past, Mr. Richard Greene, Esq., and Capt. Simon Smith commenced an action against Mr. Joseph Williams, Esq., as reference being had to the papers in the recorder's office, will more plainly appear; in which said court, the said Williams was cast, and entered his review to the Court of Trials, held the last Tuesday in March last past, where, in said court, Mr. Williams was again cast, and appealed to the General Assembly now sitting, the first Wednesday in May, 1708, Major Joseph Jenckes appearing attorney for the said Mr. Williams, having, together with Capt. Thomas Fenner, assistant, laid before this Asssembly that there may be some hopes of agreement between the plaintiff and defendant, concerning their controversy about the lands of Westquodmicke, and having promised that the town of Providence shall not lay out any of said lands in controversy, to act or begin any new work upon the same, to gain any advantage in the law thereby, during the cases depending; and the said Mr. Richard Greene and Simon Smith consented upon these conditions:

This Assembly doth order, that the appeal be suspended, until the General Assembly in the last Wednesday in October next, that the parties, in the mean time, may agree; and if they cannot agree, then the appeal to go on at said Assembly, and

neither party to take any advantage, or to meddle with said land, whilst the case is depending.

Be it further enacted, that whereas Esq. Brenton having made application for the original papers now in the office, relating to the case depending betwixt him and Richard Mew, may be delivered to him :

It is therefore enacted, that the said Brenton may have the original papers, provided he be at the cost and charge of leaving copies attested by the recorder, in the office.

And be it further enacted by the authority abovesaid, that whereas, Major William Hopkins and Mr. John Mumford, made their application to this Assembly, for pay for running the line betwixt East Greenwich and Kingstown, which charge was to be paid by Kingstown, it being four pounds, six shillings :

It is enacted, that they, the said Major Hopkins and Mr. Mumford shall have order from the Honored Governor to take their money of the treasurer of Kingstown, and that the treasurer shall pay the same.

And be it enacted further, that whereas James Mattisson was for misdemeanor bound in bond of twenty pounds court money, to make his appearance at the Court of Trials the last Tuesday in March, 1708, then and there to answer for the same ; but he failing therein, by his non-appearance, the court did declare his bond to be forfeited ; whereupon, said Mattisson making his application to this Assembly, and humbly petitioning for some abatement of the said fine :

This Assembly do see cause to order, and it is hereby ordered, that the said James Mattisson do forthwith pay a fine to Her Majesty, for the use of the colony of the sum of three pounds court money, of New England, out of which all officers' fees shall be paid, as was ordered for the others, bound over with him at the last Court of Trials ; and the remaining part to be estrated into the general treasury ; and the said Mattisson to be bound to his good behaviour for the space of one whole year.

An Act for the defence of Block Island.

Whereas, application hath been made by the men of Shore-

ham, alias Block Island, how that they lay under great danger of the enemy, the French, and want relief :

This Assembly, taking the same into consideration, do enact, that if the men of Block Island have truly laid out the money according to acts of Assembly, viz. : their yearly proportions of rates in arms and ammunition, for their defence, they shall have a quota of men for their defence ; and the charge to be borne by the colony. But if they have not laid out their yearly proportions of rates as aforesaid, their remaining part of said money that is not laid out according to acts of Assembly, shall be collected and carried into the general treasury ; and for the present charge that shall be created, and further charge that shall arise on the government, they shall pay their proportions with the rest of the towns, into the general treasury, and there to be supplied with such necessaries as the colony shall judge convenient. And the quota of men so appointed for their succor, shall not exceed fifteen men, English or Indians, such as will go volunteers ; and if none will go voluntarily, then to be pressed out of the train bands, or towns in this colony, according to their proportions, by order of the Honored Governor.

And that the Honored Governor, assistant, and major of the Island, shall order said quota from time to time as they shall see cause, and to abate the number as they shall see cause for ; and the men of Block Island to use said quota kindly, and find them with provisions (at their own charge) as is convenient for soldiers.

And it is further enacted, that whereas there is an act already concerning the putting the laws of this colony in print :

It is enacted, that those persons that were appointed by said act, be still continued for that purpose, and do the same as soon as may be ; and shall be satisfied as said act doth premise. And that the former treasurer shall receive and pay out the £500 that is now in gathering, and the money to be drawn out of the treasury by order of the Governor, for the uses they were raised for, unless upon extraordinary occasion for the colony service, then the Governor shall draw any money that shall

be in the treasury, rendering an account to the next Assembly, that they may raise more money to supply the uses that such money was raised for. And when the £500 is paid into the general treasury, and paid out again, Mr. Weston Clarke, Mr. John Odlin, Jr., and Mr. John Mumford shall audit the treasurer's account on the second Monday of July next, and give said treasurer acquittance, and deliver the book to John Holmes, the present treasurer.

It is further enacted, that whereas Mr. John Mumford exhibited an account of the charge and trouble he, the said Mumford, Capt. James Carder and Mr. Peleg Spencer were at in surveying and taking a plat of the vacant land in the Narragansett country, according to an act of Assembly, held at Warwick, in October last; the account is in all ten pounds, two shillings and sixpence. The said sum is allowed by this Assembly.

And it is further ordered, that each person be paid by the constable of their respective town, by order from the general treasurer, and to be paid out of the £500 last assessed.

This Assembly is adjourned to the last Tuesday in August next, without the Governor, or in his absence, the deputy governor see cause, upon occasion, to convene it sooner.

And it is enacted by this Assembly, that the acts passed at this sessions, shall be published by beat of drum, in the town of Newport, the 6th instant, being Monday next; and that copies be sent to each town in the colony, under the seal of the colony, by the 20th of said month; and that the recorder have ten shillings for each copy paid by the general treasurer, and this Assembly to be dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday of August, 1708.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Major Joseph Jenckes, chosen speaker.

Capt. Simon Smith, chosen clerk.

Be it enacted, and it is hereby enacted by the authority aforesaid, that there be a committee elected, chosen and empowered to draw up an answer, and form an account, in conformity to their Lordships' command and request in their letter. And for the better enabling said committee to perform the same with as much exactness as may or can be obtained :

It is further enacted, that the assistants, justices or wardens of each town in this colony, with the assistance of the town clerk of their respective towns, shall take a list of the freemen of their said towns, with the number of servants, whites and blacks ; and that the captain of each company or train bands in said colony, do cause their clerks of their respective companies to draw a list of the number belonging thereunto ; and the said list so taken, are by the said assistants, justices, wardens and captains to be sent into the committee at or before the 1st day of October next.

And the said committee are authorized and empowered to inspect into any writings or records published in any office in this colony, for the better enabling them in the accomplishing and performing said answer, &c.

And it is further enacted, that what the said committee shall draw up and form in way of answer, &c., shall be presented to the Assembly in October next, at Providence, for their approbation thereon, and that further order be taken about the same ; and that all reasonable charge the said committee shall be at in ac-

complishing said work, shall be allowed and paid out of the general treasury.

The persons chosen for the abovesaid committee, are Col. Samuel Cranston, Governor, Mr. Weston Clarke, recorder, Major Henry Tew, assistant, Major William Wanton, assistant.

Be it further enacted by the authority aforesaid, that there be a rate of £800 in money or specie, answerable at the usual rates, assessed on this colony, and proportioned on each town therein ; and to be collected and brought into the general treasurer at or before the last day of November next ensuing ; and that Capt. John Rogers, Major Henry Tew, Capt. James Barker, Mr. Samuel Comstock, are chosen and empowered to proportion and affix the rates of grain and other specie that may be brought into the treasury on said account, viz. :

Said committee having considered the premises, do hereby appoint Indian corn to be accepted at two shillings per bushel ; barley, at one shilling and eight pence ; rye, at two shillings and six pence ; oats, at fourteen pence ; wool, at nine pence per pound ; wheat, at three shillings per bushel.

And it is further enacted by the authority aforesaid, that the £800 assessed on this colony, shall be appropriated to the uses hereafter mentioned ; that is to say : £100 to be improved for the repairing and fitting the colony house ; £100 for the colony's agent in Great Britain, if there be not a sufficiency in the general treasury of the last assessment ; always minding, that it is hereby intended, the agent shall have but £100 ; any act to the contrary, notwithstanding. The remainder to be improved in paying the colony debts, defraying this summer's public expense, and the residue to remain as a public stock or bank, for the colony's use. The persons chosen and appointed to oversee the repairing and finishing the colony house, are Mr. Weston Clarke, Mr. John Holmes, Mr. John Odlin.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 27th of October, 1708.

(Present.)

Col. Samuel Cranston, Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thos. Fenner,
Mr. Giles Slocum,

Maj. Randall Holden,
Mr. Richard Greene,
Capt. Jeffrey Champlin,
Mr. Stephen Hazard.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

DEPUTIES.

Newport.

Maj. Wm. Wanton,
Col. John Wanton,
Capt. James Brown,
Mr. John Rhodes,
Lieut. Richard Dunn,
Mr. John Mumford.

Providence.

Mr. Thos. Olney,
Mr. Jonathan Sprague,
Mr. Joseph Whipple,
Mr. Philip Tillinghast.

Portsmouth.

Mr. John Burden,
Mr. Isaac Lawton,
Mr. Joseph Burden,
Mr. William Coggeshall.

Warwick.

Capt. James Carder,
Capt. John Waterman,
Mr. Amos Stafford,
Mr. Malachi Rhodes.

Westerly.

Capt. William Champlin,
Mr. Joseph Stanton, Jr.

DEPUTIES.

Kingstown.

Capt. John Eldredge,

Mr. George Hazard.

Greenwich.

Capt. Thos. Fry,

Mr. Pardon Tillinghast.

For New Shoreham.

Capt. Simon Ray,

Mr. Job Card.

Jamestown.

Mr. Joseph Morey,

Mr. David Greene.

This Assembly being called, the deputies engaged.

Major William Wanton, chosen speaker.

Capt. Thomas Fry, chosen clerk.

Both houses being full, resolved into a grand committee, to hear appeals.

Jahleel Brenton, Esq., appellant, Capt. Stephen Remington, appellee; the vote of the Assembly is as followeth, viz.:

Jahleel Brenton, of Newport, eldest son, and executor of the last will and testament of William Brenton, Esq., deceased, otherwise called Jahleel Brenton, of Newport, aforesaid, Esq., appealing to this Assembly, as a Court of Chancery, for relief against Capt. Stephen Remington, of Jamestown, appellee, for withholding from said appellant a certain tract or parcel of land in the town of Jamestown, alias Cononicutt, in said colony. The said appellant also praying that the judgments of courts and verdict of juries against the appellant, in an action of trespass and ejectment, brought by the appellant against the appellee, at the Court of Trials, in March and September last past, for illegally withholding from [the said] appellant, the said tracts or parcels of land, aforesaid, of two hundred and fifty-six acres, more or less, may be reversed, and that the appellant may be put in possession of said tracts or parcels of land:

This Assembly being resolved into a grand committee, as aforesaid, and settled a Court of Chancery or Equity, and hearing the several papers, evidences, and pleas on both sides, and maturely weighing and considering the same, with the circumstances and equity of the whole case; and whereas, the said

appellant hath produced several laws which doth plainly hold forth, that upon extraordinary occasion, the mortgager shall have liberty to redeem a mortgage, notwithstanding the twenty years being passed ; being the time limited in the law for the redemption of mortgages ; and this case appearing to us to be extraordinary :

Be it therefore enacted by this present Assembly and the authority thereof, that the said Jahleel Brenton, appellant, hath hereby liberty to redeem the mortgage of the above said lands and premises, he paying the principal money, with the interest, and lawful charges thereon, according to the purport of said mortgage ; and the appellee to pay the charges in this Assembly.

Upon which vote of the Assembly, Major Nathaniel Coddington, one of the attornies for the appellee, appeals to Her Majesty in Council, in the kingdom of Great Britain.

Christopher Almy called in the Assembly, with his sureties, Mr. William Coddington and Mr. Richard Mew, and no person appearing to prosecute said appeal :

The resolve of the Assembly is, that execution shall go forth according to the verdict of jury and judgment of the Court of Trials, the first Tuesday in September, 1708.

Voted, whereas sundry gentlemen, merchants and others, have petitioned this Assembly, that there may be a vendue established in the town of Newport, in said colony, to expose to sale such goods and merchandise as may be thought fit :

This Assembly do enact, and it is hereby enacted by the authority of the same, that there shall be a vendue allowed in the town of Newport, and a vendue master chosen and engaged by the townsmen of the said town in their quarter meeting, or on the day of election of town officers, who shall see all things justly performed and executed according to the custom in such cases. And when any thing is to be put to sale, the vendue master giving notice thereof, by setting up a paper, in some public place, ten days before the sale thereof ; and the vendue master to be paid for his pains and trouble by the person or persons that shall expose the same to sale.

An Act to prevent the entertainment of Negroes, &c.

Whereas, there is a law in this colony to suppress any persons from entertaining of negro slaves or Indian servants that are not their own, in their houses, or unlawfully letting them have strong drink, whereby they were damnified, such persons were to pay a fine of five shillings, and so by that means go unpunished, there being no provision made [of] what corporeal punishment they should have, if they have not wherewith to pay :

Therefore, it is now enacted, that any such delinquent that shall so offend, if he or she shall not have or procure the sum of ten shillings for each defect, to be paid down before the authority before whom he or she hath been legally convicted, he or she shall be by order of said authority, publicly whipped upon their naked back, not exceeding ten stripes ; any act to the contrary, notwithstanding.

An Act relative to the settlement of Narragansett lands.

Whereas, at a General Assembly of this, Her Majesty's colony, held at Newport, the first Wednesday in May last past, said Assembly chose Major Henry Tew, Mr. Weston Clarke, Mr. George Brownell, Capt. Richard Arnold, Major Randall Holden, Esq., a committee to hear the claimers of the lands, and what propositions could or should be made to the vacant lands in the Narragansett country, according to the draught thereof made and presented by Capt. James Carder and Mr. John Mumford ; in pursuance whereof, the said committee met at the house of Capt. John Eldredge, and there heard the claims and pretended titles of those gentlemen, called the mortgage men, and Atherton's associates ; and also the claims of Ninegret and his trustees, to his titles and pretended claims to said lands, with several others, claimers, all which the said committee have presented to this Assembly for their act upon the same ; and the Assembly do accept of the return of the honored committee, and do, by virtue of this authority by, and with the Honored Governor, council and representatives in Court :

And it is hereby enacted, that the committee's return and

interpretation upon the Assembly's act in the year 1672, relating to Major Atherton and his associates, viz. :

Their deeds of Boston Neck, and northern deed of Aquitowset, &c., was, and is the full purport of an intent of that act of Assembly at Newport, the 30th of October, 1672, and that the presentation of Ninegret's trustees or attornies be accepted, and that the colony do proceed to lay out the vacant lands in said country as they may think most for Her Majesty's interest, and the benefit of her good subjects in this colony.

And be it further enacted by the authority aforesaid, that the deed of Cojanaquant to Knight and Hall, that what land is contained in said deed that falls within the plat of the vacant lands, which is not already allowed to any person, by particular act of Assembly of this colony, shall be, and remain to the said Knight and Hall, their heirs and assigns forever ; always provided, it shall not extend to any lands contained within the plat of Pettaquamscutt purchase, already made.

And as to the deeds of Cojanaquant to Capt. Cranston and company :

It is enacted, that all the lands therein contained, are already granted and confirmed by former acts of Assemblies of this colony, to the township of East Greenwich, and John Fones and partners.

A plat thereof hath been made by Capt. Peleg Sanford and Mr. John Smith, surveyor, and accepted and allowed of, by the General Assembly of this colony, [and] they ought not to be meddled with ; it not being in the survey of the vacant lands, abovesaid.

And as to the deed of Charles Greene and John Fones and partners, it is further enacted, that said deed is answered in the last paragraph ; there being a plat of said lands, with allowance of Assembly, as above expressed.

An Act relative to East Greenwich lands.

Whereas, there was a petition presented to this Assembly by Mr. John Rice, and Mr. Samuel Stafford, they praying to be

allowed some of the vacant or forfeited lands in East Greenwich :

It is enacted and ordered, that what lands are within East Greenwich are an appurtenance, granted to the fifty proprietors of said East Greenwich, and ought to be improved as the major part of the now proprietors shall think most conducing to Her Majesty's service, and the good of the proprietors.

Voted, and be it further enacted, that Mr. Weston Clarke, Mr. John Mumford, of Newport ; Mr. Philip Tillinghast, of Providence ; Mr. Joseph Borden, of Portsmouth ; Mr. Richard Greene, of Warwick ; Capt. John Eldredge, of Kingstown ; Capt. John Babcock, of Westerly ; and Mr. Thos. Spencer, of Greenwich, be a committee to agree with Ninegret what may be a sufficient competency of land for him and for his men to live upon, and to view the state of the country in Narragansett, in order for the settling a new town, or otherways, as may be thought most fit and convenient for the settlement of the same ; and what the said committee, or the major part of them, shall do in the premises, to return to this Assembly upon their adjournment.

Whereas, the representatives of Shoreham, alias Block Island, have laid down before this Assembly the great charge they have been at in the present war, in being continually on their guard in watching and warding, for the defence of that Island, which is a member of this colony ; and this Assembly taking it into consideration :

Do order and enact, that that paragraph in the Assembly's acts in May last, relating to Shoreham's part of rates, be repealed ; and that act of the 28th of October, 1702, be revised and established, according to the purport of said act ; any act or acts to the contrary, notwithstanding.

Whereas, the business of this colony is grown to a greater extent considerable than it was formerly ; and that there are divers appeals that come from the Courts of Trials, to the Assembly, the which is great trouble and charge to this colony :

Therefore, it is enacted, that henceforward each person that shall appeal to the Assembly, shall pay down £3, in current

money into the recorder's office, before the appeal be granted ; twenty shillings of said sum, for the use of the house of magistrates, and forty shillings to the use of the house of deputies, towards their expense and charge, and three shillings to the recorder, for entering said appeal. Always provided, that if judgment shall pass for the appellant, that he shall have the said three pounds allowed in his bill of cost.

Circular letter from the Board of Trade to the the Governors of the English Colonies, relative to Negro Slaves.

April 17, 1708.

Sir : Some time since, the Queen was pleased to refer to us a petition relating to the trade of Africa, upon which we have heard what the Royal African Company, and the separate traders had to offer ; and having otherwise informed ourselves, in the best manner we could, of the present state of that trade, we laid the same before Her Majesty. The consideration of that trade came afterwards into the house of commons, and a copy of our report was laid before the house ; but the session being then too far spent to enter upon a matter of so great weight, and other business intervening, no progress was made therein. However, it being absolutely necessary that a trade so beneficial to the kingdom should be carried on to the greatest advantage, there is no doubt but the consideration thereof will come early before the Parliament at their next meeting ; and as the well supplying of the plantations and colonies with sufficient number of negroes at reasonable prices, is in our opinion the chief point to be considered in regard to that trade, and as hitherto we have not been able to know how they have been supplied by the company, or by separate traders, otherwise than according to the respective accounts given by them, which for the most part are founded upon calculations made from their exports on one side and the other, and do differ so very much, that no certain judgment can be made upon those accounts.

Wherefore, that we may be able at the next meeting of the Parliament to lay before both houses when required, an exact and authentic state of that trade, particularly in regard to the several plantations and colonies ; we do hereby desire and strictly require you, that upon the receipt hereof, you do inform yourself from the proper officers or otherwise, in the best manner you can, what number of negroes have been yearly imported directly from Africa into Jamaica, since the 24th of June, 1688, to the 25th of December, 1707, and at what rate per head they have been sold each year, one with another, distinguishing the numbers that have been imported on account of the Royal African Company, and those which have been imported by separate traders ; as likewise the rates at which such negroes have been sold by the company and by separate traders. We must recommend it to your care to be as exact and diligent therein as possibly you can, and with the first opportunity to transmit to us such accounts as aforesaid, that they may arrive here in due time, as also duplicates by the first conveyance.

And that we may be the better able to make a true judgment of the present settlement of that trade, we must further recommend it to you to confer with some of

the principal planters and inhabitants within your government touching that matter, and to let us know how the negro trade was carried on, and the island of Jamaica supplied with negroes till the year 1698, when that trade was laid open by act of Parliament; how it has been carried on, and negroes supplied since that time, or in what manner they think the said trade may best be managed for the benefit of the plantations.

We further desire you will inform us what number of ships, if any, are employed from Jamaica to the coast of Africa in the negro trade, and how many separate traders are concerned therein.

Lastly, whatever accounts you shall from time to time send us touching these matters of the negro trade, we desire that the same may be distinct, and not intermixed with other matters; and that for the time to come, you do transmit to us the like half yearly accounts of negroes, by whom imported and at what rates sold; the first of such subsequent accounts, to begin from Christmas, 1707, to which time those now demanded, are to be given. So we bid you heartily farewell.

Your very loving friends,

STAMFORD,
HERBERT,
PH. MEADOWS,
I. PULTENEY,
R. MONCKTON.

P. S. We expect the best account you can give us, with that expedition, which the shortness of the time requires.

Memorandum. This letter, mutatis mutandis, was writ to the Governors of Barbadoes, the Leeward Islands, Bermuda, New York, New Jersey, Maryland, the President of the Council of Virginia, the Governor of New Hampshire and the Massachusetts Bay, the Deputy Governor of Pennsylvania, the Lords proprietors of Carolina, the Governors and Companies of Connecticut and Rhode Island.

Answer to ditto, from Governor Cranston.

May it please your Lordships: In obedience to your Lordships' commands of the 15th of April last, to the trade of Africa.

We, having inspected into the books of Her Majesty's custom, and informed ourselves from the proper officers thereof, by strict inquiry, can lay before your Lordships no other account of that trade than the following, viz.:

1. That from the 24th of June, 1698, to the 25th of December, 1707, we have not had any negroes imported into this colony from the coast of Africa, neither on the account of the Royal African Company, or by any of the separate traders.

2. That on the 30th day of May, 1696, arrived at this port from the coast of Africa, the brigantine Seaflower, Thomas Windsor, master, having on board her forty-seven negroes, fourteen of which he disposed of in this colony, for betwixt £30 and £35 per head; the rest he transported by land for Boston, where his owners lived.

3. That on the 10th of August, the 19th and 28th of October, in the year 1700, sailed from this port three vessels, directly for the coast of Africa; the two former were sloops, the one commanded by Nicho's Hillgroue, the other by Jacob Bill; the

last a ship, commanded by Edwin Carter, who was part owner of the said three vessels, in company with Thomas Bruster, and John Bates, merchants, of Barbadoes, and separate traders from thence to the coast of Africa; the said three vessels arriving safe to Barbadoes from the coast of Africa, where they made the disposition of their negroes.

4. That we have never had any vessels from the coast of Africa to this colony, nor any trade there, the brigantine above mentioned, excepted.

5. That the whole and only supply of negroes to this colony, is from the island of Barbadoes; from whence is imported one year with another, betwixt twenty and thirty; and if those arrive well and sound, the general price is from £30 to £40 per head.

According to your Lordships' desire, we have advised with the chiefest of our planters, and find but small encouragement for that trade to this colony; since by the best computation we can make, there would not be disposed in this colony above twenty or thirty at the most, annually; the reasons of which are chiefly to be attributed to the general dislike our planters have for them, by reason of their turbulent and unruly tempers.

And that most of our planters that are able and willing to purchase any of them, are supplied by the offspring of those they have already, which increase daily; and that the inclination of our people in general, is to employ white servants before negroes.

Thus we have given your Lordships a true and faithful account of what hath occurred, relating to the trade of Africa from this colony; and if, for the future, our trade should be extended to those parts, we shall not fail transmitting accounts thereof according to your Lordships' orders, and that at all times be ready to show ourselves,

Your Lordships' obedient servant,
SAMUEL CRANSTON, Governor.

Newport, on Rhode Island, December 5, 1708.

Governor Cranston to the Board of Trade.

May it please your Lordships: I am here to inform your Lordships of the receipt of your packet sent by his His Excellency, my Lord Lovelace, Governor of Her Majesty's province of New York, bearing date from Whitehall, May the 14th, 1708, in which packet was contained Her Majesty's additional instruction in pursuance to an act passed relating [to] trade and navigation; an act for the ascertaining the rates of foreign coins in Her Majesty's plantations in America; and one other act for the encouragement of the trade to America; with two letters from your Lordships, referring to said instruction and acts, and your Lordships' commands thereupon.

I am also to advise your Lordships, that upon the receipt of said packet, I forthwith convened Her Majesty's Council of this colony, by whose approbation and advice (pursuant to your Lordships' command), I caused Her Majesty's instructions with the aforesaid acts of Parliament, to be published throughout this colony in the usual and most public solemnity; the which instruction and acts we will not be wanting in our duty to see punctually and duly complied with (according to the contents thereof), to the utmost of our abilities. Notwithstanding, I shall take leave to acquaint your Lordships, that as we are linked to the province of the Massachu-

setts (particularly to the town of Boston), as to our traffic and dealing together, that we cannot, without great inconvenience, and prejudice, differ from them, in the valuation and rates of foreign coin.

Therefore, if we should suspend that matter about the coin, till we can see or understand what methods or steps they will take in that province, I hope Her Majesty and your Lordships will pardon us. I do not give your Lordships this intimation by any order from the colony, but as my own sentiments, for which, if I have erred, I humbly beg pardon.

In the above said packet, was also your Lordships' letter relating to the trade to Africa. In answer to which, and in obedience to your Lordships' commands, I have herewith sent you the best and most authentic account relating [to] said affair as I could attain unto, to which [I] refer your Lordships for your information.

I most humbly beg your Lordships' pardon for whatever may appear abrupt in my plain method of writing, or for what else may appear amiss, or be wanting in giving you any further intelligence or account of the circumstance and state of this Her Majesty's colony, assuring your Lordships' I have not wilfully omitted anything material, but have gone as near the truth as possibly I could do in every particular.

I have nothing further that is material to communicate at this time ; but as anything offers, shall notify the same as opportunity will present.

I am your Lordships' most humble and obedient servant,

SAMUEL CRANSTON, Governor.

Newport, on Rhode Island, December the 5th, 1708.

Governor Cranston to the Board of Trade.

May it please your Lordships: Your Lordships' letter of the 7th of May, 1707, came not to my hands till the latter end of July last, upon the receipt whereof, with the advice of Her Majesty's Council of this colony, I caused the act of Parliament for the union of the kingdoms of England and Scotland to be published in the town of Newport, the metropolis of this Her Majesty's colony. At the same time causing the militia of the island to be in arms for the greater solemnity thereof; and after the publication, concluded the same with three volleys of small arms, and the discharge of what cannon we had at the fort and town, which was seconded with loud acclamations of joy, &c.

In October last, it being the first meeting of the General Assembly after the receipt of your Lordships' aforesaid letter, I communicated the same to them, who in obedience to your commands, &c., ordered me to give you the best information and account I could.

In answer to the several particular matters set forth and contained in your said letter, in obedience to your Lordships' command, and in compliance to said Assembly's order, I shall here give you the most exact and impartial account as I am capable of relating the said particulars.

1. As to the state and condition of this Her Majesty's colony, since the present war. It has pleased the Almighty through his infinite mercy and goodness (upon our endeavors) to protect and preserve us from the assaults of the common enemy, though not without great charge and expense, in keeping and maintaining watches

and wards upon the sea coast of this colony, and scouts upon the land side into the country. Our lying so open to the assaults and attempts of the enemy by sea, doth also occasion often and frequent alarms, which doth also create great charge and expense; this colony are also at considerable charge and trouble in maintaining (during the summer season) a quota of men at Block Island, for the defence and safety thereof.

I presume your Lordships are fully informed of our frequent expeditions by sea, in order to secure our coast from being infested with the enemy's privateers, having in our last given your Lordships a full account thereof, as well as our great charge and expense in assisting His Excellency, Col. Dudley, in his expedition to or against Port Royal. We had nothing material that happened the last summer, save one expedition on the 8th of September, upon intelligence given me by an express from Martin's Vineyard, of a privateer that had taken a sloop, and chased a brigantine on shore, upon said island; upon which intelligence, I dispatched (within three hours after the receipt thereof) two sloops under the command of Major William Wanton, and Capt. John Cranston. The enemy fearing our sudden expedition (they being well acquainted of our despatch upon such occasions), burnt his prize, and made the best of his way into the sea, so as our people could not get any sight of him, though they made pursuit after him about twenty-four hours that way, which they were informed he directed his course.

2. As to the strength and defence of this colony, it chiefly consists (under the Providence of God) in our good look-outs, our expeditions by sea, as aforesaid, and in our militia; the which consists of all males, from sixteen to sixty years of age, who are obliged, at their own charge, to be always provided and fitted with a good firelock musket or fusee, a sword or bayonet, cartouch-box with one pound of good powder, and four pounds of bullets, who are to be ready upon any alarm or other expedition or service, to repair to their ensigns at their respective places of rendezvous, to attend such orders as they shall receive from their superior officers, &c., the which obligations and orders are upon all occasions, very cheerfully and readily obeyed and complied with; so that what is before premised and In our militia, consists the strength of this colony, it being impossible for us to fortify ourselves so as to keep an enemy from entering into our bay and rivers, or to obstruct their landing, in most places in the colony; though we have a small fort upon an island that covers the harbor of Newport, which is mounted with fifteen pieces of ordnance, from six to nine pound ball, and is a security to our navigation, and the aforesaid town, against any small force.

3. As to the administration of justice in this colony, we have two general courts of trials, which are held on the last Tuesday in March, and the first Tuesday in September, annually; at which courts are tried all actional and criminal causes happening within said colony; where the laws of England are approved of, and pleaded to all intents and purposes, without it be in some particular acts for the prudential affairs of the colony, and not repugnant to the laws of England.

4. As to the number of inhabitants and servants, with the number of militia, &c., I have herewith enclosed a list of the same in as true and exact a manner as I could procure it from the several towns in the colony to which I refer your Lordships for a full information.

5. As to the trade and commerce of this colony, to and from what places, with the number of ships or vessels that have been built here, and now belonging to the

same, and the number of seafaring men, &c., I have herewith enclosed another list, relating to those particulars for your Lordships further information.

6. As to what commodities [are] exported from this colony to England, and how said colony is now supplied with any manufactories that it was wont to be supplied with from England.

This colony never had any immediate or direct trade to or from England, nor any supply directly from thence, but what commodities any of the inhabitants have had to export for England, hath been exported by way of Boston, where their returns are also made, and from whence we have and are chiefly and for the most part, supplied with the manufactory of England; and it is computed, that not less than £20,000 in cash hath been annually, for some years past, remitted from this colony to Boston upon that account.

7. As to the methods taken to prevent illegal trade, we have a collector and controller of Her Majesty's customs settled by the honorable the commissioners in this colony, and a naval officer by the Governor, who take all due methods and care they can, by searching and inspecting the several cargoes imported, and putting the several masters or commanders upon their oaths, &c. We have had no trade to any place but Corrico, that could give us any suspicion of illegal trade; but that trade is at present wholly laid aside by our traders, so that I know of no other place that they have any trade to or from, that can give us grounds to suspect any fraud.

Your Lordships may assure yourselves, that all due methods will be taken, as there may be occasion, to prevent and suppress any illegal trade, that may hereafter be managed or carried on by any of our traders; and that what orders or directions we shall at any time receive from your Lordships, or the honorable the commissioners, relating to trade, shall and will be punctually and duly observed and complied with in the best manner and method we are capable of.

8. As to the number of vessels built in this colony, we are not capable to inform your Lordships, by reason there hath been no list or memorandum ever kept till since the act for registering hath been in force, from which time you have an exact account in the enclosed list.

9. As to the increase or decay of the trade of this colony, of late years, &c., it doth appear that, about twenty years past, we had not above four or five vessels that did belong to this colony, which hath since gradually increased to the number of twenty-nine, as is set forth in the list.

The reason of which increase (as I apprehend) is chiefly to be attributed to the inclination the youth on Rhode Island have to the sea. The land on said island, being all taken up and improved in small farms, so that the farmers, as their families increase, are compelled to put or place their children to trades or callings; but their inclinations being mostly to navigation, the greater part betake themselves to that employment, so that such as are industrious and thrifty, as they get a small stock before hand, improve it in getting part of a vessel, as many of the tradesmen in the town of Newport also doth, for the benefit of their children that are bred to navigation, in which town consists the chiefest of our navigation; not above two or three vessels belong to all the colony besides.

One other cause of the increase of our trade is, that it has pleased God to protect them from the hands of the enemy, so that they have not lost above two or three vessels taken this war, they being light and sharp for runners; so that very few of the enemy's privateers, in a gale of wind, will run or outsail one of our laded vessels.

10. The colony is putting the several acts of Assembly in a method for the press, as soon as it can be accomplished, and will not fail in sending your Lordships a copy of the whole ; and will, according to your Lordships' command, transmit yearly accounts of their administration, and additional acts of Assembly, as opportunity will present.

Thus, may it please your Lordships, you have the most exact and impartial account I am capable of giving you at this time, though my plain and homely method of writing may not be so acceptable and intelligible to your Lordships as it ought to be, yet I will depend so far upon your Lordships' goodness, that you will pardon my rudeness therein, and accept my good will and inclination to serve Her Majesty and your Lordships, with all faithfulness and integrity, to the best of my capacity and ability, and that you will believe me to be Her Majesty's loyal and dutiful subject, and

Your Lordships' most humble and obedient servant,

SAMUEL CRANSTON, Governor.

Newport, on Rhode Island, December the 5th, 1708.

A list of the number of freemen and militia, with the servants, white and black, in the respective towns ; as also the number of inhabitants in Her Majesty's colony of Rhode Island, &c., December the 5th, 1708.

Towns.	Free-men.	Militia.	White servants.	Black servants.	Total No. of inhabitants.
Newport,	190	358	20	220	2203
Providence,	241	283	6	7	1446
Portsmouth,	98	104	8	40	628
Warwick,	80	95	4	10	480
Westerly,	95	100	5	20	570
New Shoreham,	38	47	—	6	208
Kingstown,	200	232	—	85	1200
Jamestown,	33	28	9	32	206
Greenwich,	40	65	3	6	240
Total.	1015	1362	56	426	7181

It is to be understood that all men within this colony, from the age of sixteen to the age of sixty years, are of the militia, so that all freemen above and under said ages, are inclusive in the abovesaid number of the militia.

As to the increase or decrease of the inhabitants within five years last past, we are not capable to give an exact account, by reason there was no list ever taken before this (the militia excepted), which hath increased since the 14th of February, 1704-5 (at which time a list was returned to your Lordships), the number of 287.

SAMUEL CRANSTON, Governor.

Newport, on Rhode Island, December the 5th, 1708.

vol IV.

A list of the number of vessels that have been built in this colony from the year 1698, to this present year, 1708, with their yearly increase and decrease, as also the number of vessels now belonging to this colony, with their places of trade, and what commodities exported and imported to and from that place, with the number of seafaring men now belonging to the said colony.

Colony of Rhode Island.	Vessels built in this colony from Mar. 25, 1698. to December, 1708.			Vessels now belonging to this colony, 1708.			The places of trade from this colony and to this colony.	The several commodities exported out of this colony to the places before mentioned.	The several commodities imported to this colony from the aforesaid places.	The number of seafaring men belonging to this colony.
	Ships.	Brigantines.	Sloops.	Ships.	Brigantines.	Sloops.				
1698, March 25,	1	2					Jamaica, Barbadoes, Nevis, Antigua, St. Christophers, Mt. Sarratt.	Lumber of all sorts, viz.: staves, heading hoops, board, plank, timber; also beef, pork, butter, cheese, onions, horses, candles, cider.	Sugar, molasses, cotton, ginger, indigo, pimento, rum, English goods both woollens and linens, Sweeds, and Spanish iron.	Total, 140.
1699, March 25,	4	1	6							
1700, March 25,	1	2	6							
1701, March 25,	1	2	5				Bermuda, Bahama Islands, and the salt islands, viz.: Salt Tortudas and Turks Islands.	Indian corn, provisions, rum.	From the Bahama Islands, brasalleta, from the rest salt.	
1702, March 25,		1	5							
1703, March 25,			5				South and North Carolina.	Rum, sugar, molasses, butter, cheese.	Rice, pitch, pork, peltry, walnut wood, bear skins, and deer skins	
1704, March 25,			7				Virginia and Maryland.	Rum, molasses, butter and cheese.	Pork, wheat and English goods.	
1706, March 25,	1		8				Pennsylvania, Jerseys and New York.	Rum, butter, cheese and money.	Flour, wheat, biscuit, dressed leather and bacon; and from New York, rigging of all sorts.	
1706, March 25,		3	12							
1707, March 25,			16				Connecticut.	Rum, molasses, sugar, New England Iron.	All sorts grain, flax, pork and boards, tar, pitch, rosin and turpentine.	
1708, March 25,	1	1	10				Province of the Massachusetts Bay.	Butter, cheese and money.	All sorts of European commodities.	
Total,	8	11	84	2	27		Madeira and Fayal.	Staves, wheat, Indian corn, wax and money.	Wines.	
							Surinam.	Provisions, butter, cheese, onions and horses.	Molasses.	
							Curacoa.	Provisions, boards, butter, cheese and onions.	Pieces of eight, salt and cuicap.	

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 22d of March, 1709.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Major William Wanton, chosen speaker.

Capt. Thomas Fry, chosen clerk.

Voted, the committee chosen to agree with Ninegrett for his competence of land, have returned that they have agreed with Ninegrett for the quantity set off in the plat of the vacant lands, and do find the lands in said country, a great deal thereof, to be very poor, and some good ; and that there may be a convenience for a town or township, if thought meet by the Assembly.

Vote relative to Narragansett.

Whereas, there is a certain tract of land lying and being within that part of this colony called the Narragansett country, a plat whereof has been by this colony taken by Mr. John Mumford and Capt. James Carder, the which was at the general election in May last presented and accepted ; and whereas the said tract of land doth of right belong to this colony, and many persons have made settlement on some part of the afore-said tract of land, contrary to an act of Assembly of this colony, and as yet have made the colony no satisfaction for the lands whereon they have so settled, and many other persons are desirous to be accommodated with lands in said country, and to pay for the same according to such value as the authority may judge reasonable ; and this Assembly having taken the premises into their serious consideration, and being wil.

ling to accommodate all such persons as are willing and desirous to settle on said land in an orderly way, as aforesaid, have, for the better effecting the same, thought fit to nominate, constitute and appoint Major Henry Tew, the recorder, Major Randall Holden, Mr. Richard Greene, Mr. Philip Tillinghast and Mr. John Mumford, surveyor, to attend them, the said committee, as they may have occasion for a surveyor, giving and granting to said committee full power and lawful authority to divide and lay out the aforesaid tract of land, as in their wisdom they shall think fit and convenient; and for such sum or sums of money as the parties, buyer and seller can agree. And that on the behalf of the Governor and company of this colony, to make sale and deliver such deed or deeds, or other instruments of conveyance as may be necessary and convenient.

And as to all those lands which are already settled upon by any person or persons, without allowance from the government, this Assembly do farther empower the aforesaid committee to make such instruments, and to agree with the possessors, as may be for the colony's interest, with such deeds or conveyance, as aforesaid; and the money such lands shall be sold for by said committee, paid into the general treasurer of this colony.

And we do further order, that what the aforesaid committee, or the major part of them shall do, act or perform in the premises, shall be of as great force, and as valuable in the law, as if the General Assembly had been the immediate actors of the same.

And said committee to have a commission from His Honor the Governor, with full authority to require aid and assistance in said work, as occasion may require, with order to the authority, viz.: assistants, justices and constables and other officers, to be aiding and assisting in keeping and preserving the peace, &c.

And it is further ordered, that the aforesaid committee shall be sufficiently paid for their labor and charge in that behalf out of the general treasury of this colony.

And be it further enacted by the authority aforesaid, that

the Governor have full power to give a letter of attorney, under the seal of the colony, to our aforesaid committee, for the suing themselves into the possession of all such lands as may be unjustly detained from them, and to meet at the house of Capt. John Eldredge, on the 18th of April, to proceed on said work, and to adjourn from time to time as the major part shall agree.

And it is further enacted by this Assembly and the authority thereof, that the gentlemen, trustees or attornies for Ninegrett, sachem, for the good service and charge they have been at in propagating the interest of the colony, shall be allowed £25 apiece in money, to all the committee or trustees that are concerned for Ninegrett; except Joseph Hull, and the children of Major John Dexter, deceased, the sum of sixteen pounds, ten shillings. That is to say: sixteen pounds, ten shillings, to Hull; and sixteen pounds, ten shillings, to the children of Major Dexter, to be paid as aforesaid, out of the monies the vacant lands be sold for, or in land as the trustees and committee aforesaid, can agree.

Voted, and it is further enacted by the authority aforesaid, that the committee nominated and appointed at the Assembly at Warwick, October, 1707, to run the colony north line and easterly line between the province of the Massachusetts, and our colony, be still continued, and are ordered to proceed on said work the 16th of May next.

Voted, upon the petition of Nicholas Mowrey, that the Assembly would give an explanation on the verdict in the case between himself and Jahleel Brenton, Esq., the Assembly see no room to alter the verdict, but grant the said Mowrey liberty to sue by a writ of error, if he see good.

Voted, the Assembly having perused the agent, William Wharton, Esq., his letter to the Governor, bearing date from London, August the 16th, 1708, in one paragraph of said letter he set forth the allowance given to other agents; and also makes a computation of his annual charge and expense in the colony's service, which amounts to £30 one year with another, and upon the whole charges the colony debtor for his service

one hundred pounds, as appears by his account; the Assembly also being informed by William Penn, Esq., that by virtue of the power to him given from this colony, he agreed with the said William Wharton to solicit and appear in behalf of the colony in all cases relating to the same, and to pay him for his service £40 per annum.

The Assembly taking the whole matter into their consideration, and being sensible of the fidelity and good service of said Wharton, to the colony, do see cause for his encouragement to continue in the colony's interest, to allow him, according to his computation, £30 for his charge and expense for every year he hath been in their service, or after that rate, to the 29th of this instant March; which, according to his own account, amounts to five years and three quarters, the said sum of £30 to be added to the £40 annual allowance as per agreement with William Penn, is £20 per annum.

And said Assembly, for farther encouragement of said Wm. Wharton to continue in their interest and service :

Do enact, that the said William Wharton shall, from and after the 29th of this present March, 1709, be and paid out of the general treasury of this colony, the sum of £80 per annum, for his salary and expenses in the colony's service, or after that rate, for the time he shall continue in their service, as agent in the kingdom of Great Britain, aforesaid.

Whereas, there is an act of this colony, that all persons that are licensed to keep a public house, to retail strong liquor, &c., shall pay forty shillings to the use of the town where the license is granted; but that sum being deemed too small in some towns where such houses have great trade and custom, as the creating of many unnecessary public houses, which is rather a nuisance than a benefit :

Be it therefore enacted by this Assembly, and the authority thereof, that it shall be in the power of the respective town councils in this colony, to raise the price or value to be paid by such licensed persons, to such greater sum or sums as they shall think needful, not exceeding ten pounds for each license, hereby giving and granting to said respective town councils

full power and authority in the premises ; any act, or clause to the contrary, notwithstanding. And that the fine for selling without license, may be also in the council's power to raise or abate.

And it is further enacted by the authority aforesaid, that the respective town councils shall and have hereby full power and authority to set such sum or sums for security of their respective towns, for strangers that shall come to inhabit in their said towns as they shall think meet and convenient ; any law, usage, or custom to the contrary, notwithstanding.

Voted, and it is further enacted by this Assembly and the authority thereof, that there be a rate or tax assessed on this colony of the sum of £500, according to the proportion of the last £500 rate, for each town to be assessed, and paid into the general treasury, by the last day of June next ensuing ; and to be paid in the same specie and price as the last £800 rate was paid in.

Voted, and be it further enacted, that whereas, there is one Bradford, son to Bradford, the printer, of New York, who hath offered himself to set up a printing press in this place, and to find paper and print all things that may relate to the colony and government, for £50 per annum, if it be but for one year or two :

The Assembly considering the premises, are, upon the conditions aforesaid, willing to allow him, the said Bradford, £50 for one year ; and so yearly, if the colony see good to improve him.

Whereas, the Assembly did empower Mr. John Holmes, Mr. John Odlin and Mr. Weston Clarke, to be undertakers to repair the colony house, in Newport, and ordered £100 to be laid out thereon ; and they having, for the greatest part, very credibly carried on and disbursed £140 10s., this Assembly well liking of their proceedings :

Do order the general treasurer to pay what is over and above the £100 out of the last £800 rate, and to go on and fully finish said house ; and the money to be paid out of £500 rate now assessed on the colony ; and for their labor and pains

in what they have done, this Assembly allow them £6, to be paid out of the treasury.

Voted, and be it further enacted by the authority aforesaid, that Major Henry Tew, Major Randall Holden and Mr. Weston Clarke, with the sheriff, Mr. Lang, account for their service as a committee, in settling the bounds of the colony with Connecticut, and a committee at Kingstown, to hear and take account of the several claims there to the lands in the Narragansett country ; we do allow their account, which amounts to £24, and order it to be paid out of the general treasury.

And others that were concerned with them in said service, to be allowed the same proportion, as in the accounts above allowed.

Voted, and be it further enacted, that the committee appointed at Providence to agree with Ninegrett about settling and stating his proportion of land, and to view and inspect into the vacant lands in the Narragansett country, is by this Assembly allowed for their travel, trouble and expense in their several journeys, the sum of twelve pounds, to be paid out of the general treasury.

Voted and ordered, that this Assembly's acts be published in the town of Newport, the 11th day of April next, by beat of drum ; and that copies thereof shall be sent to each town in this colony, by the 17th day, under the seal of the colony ; and the recorder shall have twelve shillings for each copy, paid by the general treasurer.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1709.

Col. Samuel Cranston, Governor,
Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thomas Fenner,
Mr. George Brownell,

Mr. Giles Slocum, Jr.,
Major Randall Holden,
Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Capt. Edw. Thurston.

GENERAL ATTORNEY.

Capt. Simon Smith.

DEPUTIES.

Newport.

Mr. Benj. Arnold,
Capt. James Barker,
Mr. John Holmes,
Mr. Henry Brightman,
Capt. John Brown,
Mr. Job Almy.

For Providence.

Mr. Jonathan Sprague,
Capt. Sylvanus Scott,
Mr. Philip Tillinghast,
Mr. James Brown.

Portsmouth.

Mr. Jacob Mott, Jr.,
Mr. William Anthony,
Mr. Thos. Durfee, Jr.,
Mr. George Cornell.

Warwick.

Mr. Benj. Barton,
Capt. Benj. Greene,
Mr. Job Greene,
Capt. Simon Smith.

DEPUTIES.

Westerly.

Capt. James Babcock,
Mr. Joseph Crandall.

For New Shoreham.

Capt. Simon Ray,
Mr. Job Card.

Kingstown.

Capt. John Eldredge,
Mr. George Hassard.

Greenwich.

Mr. Benj. Spencer,
Mr. Peleg Spencer.

Jamestown.

Capt. Edward Carr,
Mr. Ebenezer Slocum.

MAJOR OF THE ISLAND.

Maj. Wm. Wanton.

MAJOR OF THE MAIN LAND.

Maj. Joseph Jenckes.

Capt. Simon Smith, chosen speaker.

Capt. Edward Carr, chosen clerk.

John Rathbone, Jr., William Rathbone, Jr., John Sands, John Dogge, Jr., Peter Ball, Sands Raymond, Roger Dickings, Ackens Tosh, John Ball, Nathaniel Dodge, Joseph Niles, all of Shoreham, admitted freemen of the colony.

John Dennis, Joseph Burden, Francis Brayton, Jr., David Brayton, Joseph Lawton, all of Portsmouth, admitted freemen of this colony.

John Weeden, Jr., of Jamestown, admitted a freeman of this colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1709.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

Weston Clarke, recorder.

The charter read, and the Governor, deputy governor, assistants, and other officers engaged.

Capt. Simon Smith, chosen speaker.

Capt. Edw. Carr, chosen clerk.

The following Justices of the Peace were elected, and engaged.

For Newport—Capt. Nathaniel Sheffield, Capt. Edw. Thurston, Capt. James Brown.

For Providence—Mr. Philip Tillinghast, Mr. Richard Waterman, Mr. Elez. Arnold.

For Portsmouth—Capt. William Arnold, Mr. Benj. Hall, Mr. Jeremiah Smith.

For Warwick—Capt. Simon Smith.

For Westerly—Capt. William Champlin, Mr. Peter Crandall, Capt. John Babcock, Mr. John Sanders.

For Kingstown—Mr. William Hall, Capt. Nathaniel Niles, Mr. Samuel Fones.

For Greenwich—Capt. Thos. Frye, Mr. John Spencer, Mr. Pardon Tillinghast.

James Clarke, chosen packer and sealer in the colony.

Voted, Major William Wanton's propositions concerning the vessels, be accepted; and that Mr. Job Almy, Mr. Philip Tillinghast, are desired to inspect and view the said vessels, and judge what value they are worth, and make return to the Assembly.

Be it enacted by this Assembly, and the authority thereof, that there be £1000 levied upon this colony, in like manner and specie as in the last £500 rate, to be paid in to the general treasury by the 1st of September next.

All which, is to be gathered in the like manner as in the last £500 rate.

Expedition to Canada.

It is enacted by the authority abovesaid, that the Governor shall have Major William Wanton, Major Henry Tew, Col. John Wanton, Mr. Job Almy and Capt. John Brown, for a special council, to assist him at this juncture of time, for advice, to manage the affairs for the more speedy expedition of the great design now intended against Canada; and whereas, at this emergent occasion there is need of shipping for the transportation of the soldiers:

It is further enacted, that the colony shall pay unto Major Wanton for his new sloop, called the Dimond, £400, at the rate of eight shillings ———; and for the quarter of the sloop, called the Endeavor, that belongs to him and Henry Beere, &c., £112 10s., at the rate of eight shillings ———, as abovesaid; and that Major Wanton shall have £100 paid forthwith, if he desire it; and the former treasurer to take up said sum on the colony's account. And for the remainder which shall be due to him for said sloop, he shall be paid out of the £100 rate assessed upon the colony, when it comes into the treasury.

And for what money the treasurer shall take up, viz.: the £100 abovesaid, he shall be reimbursed out of the last £500 rate, if there be enough to pay him; and what is wanting,

to make him satisfaction, he shall have it out of the £1000 rate.

And be it further enacted by the authority aforesaid, that Capt. Edward Thurston is appointed and chosen commissary, in behalf of the colony; and that he, the said Capt. Edward Thurston, is to take effectual care for the raising and providing all naval stores for the colony use, as arms, ammunition, provisions, clothing, transports and all other things needful and necessary for the present expedition to Canada, according to the directions of the Governor, with the advice of the committee, appointed and to take an account of the soldiers, and to keep a list, to pay them at the expiration of the expedition. And him to account and do in that affair to all intents and purposes, not only in this expedition, but in all others, for the colony's service.

And it is further enacted by this Assembly, that Capt. Edw. Thurston, commissary, shall have £12 10s., paid him out of the general treasury for his salary, for the year ensuing, for his good service.

It is further enacted, that whereas the committee chosen for stating the bonds betwixt this colony and the province of Boston, appointed to meet at Providence on the 1st of this instant:

It is ordered, that they shall meet the last Monday in June next.

Case of Marsh against Barker.

Voted, William Marsh, appellant to this Assembly from two judgments given against him in the Courts of Trials, the first Tuesday in September, 1708, and the last Tuesday in March, 1709, Robert Barker, appellee; in which said Court of Trials, the verdicts and judgments were for the appellee, the Assembly having heard the whole matter and the true circumstances of the case:

Do order, enact, declare, and decree as followeth, that the appellant shall make up his account with the appellee, re-

lating to what estate the appellant has in his hands, concerning his brother Jonathan Marsh, before the town council of Jamestown, by the next sitting of this Assembly by adjournment; and upon the making up said accounts to the executrix and council's satisfaction, he, the said Marsh, shall then give in such security as the said council, with the executrix, shall judge convenient for the security of the said Jonathan's estate, willed him by his father. But if said Marsh shall refuse or neglect to perform the decree of this Assembly, then execution shall be forthwith granted against said Marsh for the forfeiture of the bond, according to the judgments and verdicts aforesaid; and the appellant to pay all costs on the several trials. And upon the appellant's complying with this order of the Assembly, the bond said William Marsh gave Robert Barker, to be void and of none effect.

Voted, and be it further enacted by the authority aforesaid, that the proprietors of Jamestown, alias Canonicut, did appoint a committee to lay out a highway through the island, from sea to sea, on the south line of the township, four rods wide, the premises being duly considered that the highway being for Her Majesty's service :

It is ordered and enacted by this Assembly, and the authority thereof, that there shall be a jury appointed by the Governor's warrant to the sheriff, to summon a jury to lay out said highway by the last Monday in this instant May; and that John Mumford, surveyor, be ordered to attend said jury on said work, and to make return to the next sitting of this Assembly.

Voted, and it is further enacted, that the last £500 rate that was assessed upon this colony shall be paid into the former treasurer; and after that to make up accounts with the colony.

And be it further enacted by the authority aforesaid, that Mr. John Odlin, and Mr. Benj. Newbury and Capt. Edward Thurston, shall account with the former treasurer by the 1st of August next, and give him a discharge, and receive the books into their hands, and deliver them to the now present treasurer of the colony.

And it is further enacted by this Assembly, and the authority thereof, that for the kind acceptance of Col. Nicholson and Col. Veatch, into our government, it is left to our Honored Governor, Samuel Cranston, Esq., to treat them, and the charge to be borne by the colony, and paid out of the general treasury for the same.

And it is further enacted by the authority aforesaid, that the present treasurer shall take up £21 15s. upon the colony's account, to answer Major Wanton's bill that is presented to this Assembly, and shall be reimbursed out of the last £500 rate if there be sufficient; and what is wanting, he shall have out of the £1000 rate, that is now assessed upon the colony.

And be it further enacted, that this Assembly be adjourned to the last Wednesday in August next, without the Governor, or in his absence, the deputy governor, see cause to call it sooner; and the acts made at this session of Assembly, be published in the town of Newport, at the colony house, on Friday next, being the 13th instant, by beat of drum, under the seal of the colony; and to be of as full force, power and authority in and throughout this colony, as if it had been upon the dissolution of this Assembly; and upon the concurrence of this vote, the Assembly is adjourned.

Governor Cranston to Col. Nicholson.

Rhode Island, June 27th, 1709.

Honorable Sir:—I have herewith enclosed a few lines from myself and council by way of address to Your Honor, with my most hearty and grateful resentments of your most generous and noble condescension, in taking upon you the supreme command of the united forces of the several governments appointed to attack the enemy by land. Though I am no way surprised at it, by reason the whole course of your life doth bespeak you a man of honor, zeal and generosity. Honor in your loyalty, courage and conduct, in promoting the interest of the nation; zeal for the honor and glory of God in promoting the gospel; generosity in the many noble gifts and presents bestowed upon the Protestant churches, to which may be added your charity to the poor; all which being summed up together, we may fully conclude that the blessing of God will accompany you, and give you success in accomplishing the ends premised on this noble expedition.

Besides your own just merits, Your Honor may depend upon the prayers and supplications of all good christians and loyal hearted subjects, that the Lord of Hosts will crown you with success and victory over Her Majesty's enemies, against whom

you are to be engaged. And Your Honor's success therein, I shall hold myself highly honored and obliged to receive the happy news thereof, or of any thing else that may be of importance for Her Majesty's service or the interest of your Honor during your expedition.

Assuring you that my care and thoughts for Her Majesty's honor and your prosperity and success, with the rest of Her Majesty's forces upon this noble expedition, are never idle ; and there is nothing that I can do towards the promoting thereof, but will and shall, with a clear, full and loyal heart be readily endeavored and complied with to the utmost of my ability.

I am, Honorable Sir,

Your most humble and obliged servant,

SAMUEL CRANSTON.

Col. William Wanton with the forces of this colony, sailed from hence for Nantasket, the 19th inst., and arrived there the 22d. Before they went from hence, Major George Leigh, whom I have commissioned in that post, had improved our people so well as to exercise them by beat of drum.

To the Hon. Col. Francis Nicholson, Esq.

Governor Cranston to Col. Nicholson.

To the Honorable Col. Francis Nicholson, Esq. The humble address of the Governor and council of Her Majesty's colony of Rhode Island and Providence Plantations in New England, &c.

May it please your Honor :—The Honorable Col. Samuel Vetch (by a letter from New York, of the 15th inst.) having acquainted us (that upon the humble addresses of the several governments of New York, Connecticut, East and West Jersey and Pennsylvania) Your Honor hath taken upon you the supreme command of all and sundry the troops which are to be jointly employed by said governments in the expedition against Canada, by land

We do assure Your Honor, that we cannot but acknowledge the great goodness of God in putting it into their hearts to address Your Honor upon that head. Your Honor's loyalty, courage, conduct and other qualifications and virtues for such a command, being so generally known, that we presume there is no good subject in these parts but will rejoice when they hear of Your Honor's accepting said command, as we heartily now do ; presuming that God Almighty hath a particular regard for the success of this expedition ; in that he hath by his good providence enabled you to continue your wonted courage and zeal for the honor, common good and welfare of the crown and nation (notwithstanding the fatigue and great difficulties Your Honor will be exposed to) as to take upon you the aforesaid command, to the general satisfaction and encouragement, and spiriting the soldiery in having so worthy a person to lead and conduct them.

We pray Your Honor that constant and good correspondency may be promoted and maintained with us in conjunction with the government of the province of the Massachusetts Bay and New Hampshire, &c., during your present expedition ; and that no opportunity may be slipped or omitted to communicate to each other what may accrue and be needful for the promoting and accomplishing what our most gra-

cious sovereign hath, at such great charge and expense, set on foot for the comfort and future prosperity of her good subjects in these parts.

That the great God will more and more inspire Your Honor with courage, wisdom, and conduct, and give you health and strength in the management of the honorable and just enterprize you are now engaged in, and bless and prosper you, and all Her Majesty's forces engaged in this present expedition, and crown you with success and victory, is, and shall be the prayers of *

Your Honor's most humble and obliged servants,

SAMUEL CRANSTON.

Newport, June 27th, 1709.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Wednesday of August, 1709.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Capt. Simon Smith, chosen speaker.

Capt. Edw. Carr, chosen clerk.

Whereas, there hath been a committee of both houses, to inspect into the debts and credits of the colony, and they think it necessary to raise money to defray the same :

Voted, that there be £1000 assessed on this colony to pay the colony debts, and to be paid in to the general treasury by the several towns of the colony, according to their several proportions in the last thousand pounds rate assessed on this colony, and to be paid into the general treasurer by the last day of December next ensuing the date hereof.

Voted, that the monies that come into the general treasury for the land sold in the Narragansett country, shall be improved towards the Canada expedition.

Whereas, there has been some quantities of provisions taken

* New York Colonial Mss., LIII. 104.

up by Capt. Edward Thurston, commissary, and billeting soldiers at Newport, on the Canada expedition, and no price set on said provisions, nor billeting the soldiers, have ordered the prices as followeth :

Pork, £3 per barrel ; beef, forty shillings per barrel ; bread, at nineteen shillings per hundred ; flour, nineteen shillings per hundred ; for billeting each soldier, five shillings and sixpence, per week.

Voted, whereas there hath been two petitions to this Assembly by Capt. Josiah Arnold and Mr. Robert Barker, of Jamestown, for settling the ferries of Jamestown, for some considerable time, and we have considered the premises, have determined to settle the ferries at Newport and Kingstown also, in manner following :

That Mr. John Carr shall have the ferry at Newport for seven years ; he paying £4 per year for said ferry, into the general treasury. And Mr. Robert Barker shall have the east ferry at Jamestown, for seven years, he paying £4 per year into the general treasury, as aforesaid. And Capt. Josiah Arnold shall have the west ferry, at Jamestown, for seven years, he paying £4 per year into the general treasury. And John Smith and Jeremiah Smith shall have the ferry at Boston Neck, in Kingstown, for the term of seven years, [they] paying £4 per year into the general treasury ; and every of said sums to be for the colony's use.

And every one of the said ferries shall transport all the general officers, justices, deputies, jurymen, and the post, when upon public concern for the colony, ferry free. And if either of said ferry men above mentioned, refuse these offers of this Assembly, do empower Mr. Benjamin Arnold, Mr. John Holmes, and Capt. John Brown, or any two of them, to let out said ferry to others ; but not under £4 per year for each ferry.

Voted, whereas our honored Governor hath laid before this Assembly some bills of exchange, drawn upon him by our late, agent, William Wharton, for monies due from the colony, the Assembly do order the Governor's acceptance thereof ; and the bill or bills to be answered out of the colony's money assessed at the Governor's discretion.

Voted, that the recorder shall send forth copies of the whole Assembly's acts within fifteen days after the dissolution of this Assembly, to the several towns, under the seal of the colony ; and to have six shillings for each copy out of the general treasury ; and this Assembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, by special warrant from the Governor, at Kingstown, the 30th of September, 1709.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thos. Fenner,
Mr. George Brownell,

Mr. Giles Slocum,
Major Randall Holden,
Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

DEPUTIES.

Newport.

Col. John Wanton,
Capt. Nathaniel Sheffield,
Capt. John Cranston,
Capt. Richard Dunn,
Mr. Benedict Arnold,
Capt. James Brown.

Providence.

Mr. Jonathan Sprague,
Mr. Philip Tillinghast,
Capt. Nat. Jenckes,
Mr. Richard Brown.

Portsmouth.

Mr. Abraham Anthony,
Mr. William Coggeshall,
Mr. Robert Fitch.

Warwick.

Capt. James Greene,
Capt. Peter Greene,
Capt. Simon Smith,
Mr. Malachi Rhodes.

Westerly.

Capt. John Babcock,
Mr. John Lewis.

DEPUTIES.

Kingstown.

Mr. Stephen Hazzard,
Capt. Edward Greenman.

Junestown.

Capt. Josiah Arnold,
Mr. John Hull.

Greenwich.

Capt. Thos. Fry,
Mr. Thos. Nicholds.

Capt. Simon Smith, chosen speaker.
Capt. Thomas Fry, chosen clerk.

Whereas, there is an appointment for a meeting of the several Governors with Col. Veach and Col. Nicholson, in order to consult what methods may be used concerning the negotiation of the late expedition against Canada, &c.; and what methods may be used in reduction of the forces which were provided in answer to Her Majesty's commands, &c., and for other matters that may appear to be expedient, relating to said affairs; and whereas, our honored Governor hath called this Assembly for advice and assistance in the premises:

This Assembly having taken the matter into consideration, do order, and it is hereby enacted by this Assembly and the authority thereof, that a committee be chosen out of both houses to assist the honored Governor with their advice and council in said meeting, who shall have full power as if the whole Assembly were present.

And the committee so appointed, is the deputy governor, Major Tew, Major Jenckes, Major Holding and Mr. George Brownell, assistants; and Col. John Wanton, Capt. Nat. Jenckes, Capt. James Greene, Mr. Abraham Anthony, Capt. Thomas Fry, and Capt. Josiah Arnold, deputies; who shall have full power, they or the major part of them, to act and do, relating to said affairs as if the whole Assembly were there present as above said.

And for their labor and charges, they shall be allowed to be paid out of the general treasury of this colony so much as they in reason shall judge due; as also what further may be neces

sary to be expended for the honor of the colony, &c. ; and that this act be in force immediately after the dissolution of this Assembly, and that copies of it be sent to each town within this colony, under the seal of the colony, before the October Assembly next; and the recorder to have two shillings per copy, and the Asssembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1709.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thos. Fenner,
Maj. Randall Holden,

Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

GENERAL ATTORNEY.

Capt. Simon Smith.

SHERIFF.

Mr. Nicholas Lang.

DEPUTIES.

Newport.

Mr. William Barker,
Lieut. John Holmes,
Mr. John Mumford,
Mr. James Barker, Jr.,
Mr. Joseph Peckham,
Mr. John Rogers, Jr.

Providence.

Mr. Jonathan Sprague,
Mr. Philip Tillinghast,
Capt. Nat. Jenckes,
Mr. Richard Brown.

DEPUTIES.

Portsmouth.

Mr. Abraham Anthony,
 Mr. Joseph Cook,
 Mr. William Coggeshall,
 Lieut. Robert Fitch.

Warwick.

Capt. Benjamin Greene,
 Mr. John Warner, Jr.,
 Mr. John Weeks,
 Mr. Jabez Greene.

For Westerly.

Mr. James Noyes,
 Mr. William Wilkinson.

Kingstown.

Mr. Samuel Wickham,
 Mr. Elisha Coale.

Greenwich.

Mr. John Spencer,
 Mr. William Bennett.

For Jamestown.

Mr. John Hull,
 Mr. David Greene.

Mr. Abraham Anthony, chosen speaker.

Mr. Samuel Wickham, chosen clerk.

The House resolved into a committee to hear appeals.

Samuel Albrow, plaintiff, upon appeal.

Weston Clarke appeals in behalf the General Council.

The case being called, and counsel —, judgment was given for the appellee, in that the bond should be chancer'd; and that the costs and damages allowed the appellee should amount to £15 01s., and to draw all the money out of the recorder's office, to all bills of cost, officers' fees excepted; and the charge of officers' fees in this Assembly to be equally borne between the appellant and appellee; which money is hereby also intended and ordered after collection, shall be paid by the recorder unto Mr. James Noyes; he taking his, the said Noyes's receipt in full thereof, whereupon, the bond sued for, shall become null and void.

Jacob Norton, appellee.

Capt. Stephen Mumford, appellant.

The case being fully debated in the Assembly by their attorneys, the vote of the Assembly is, that the verdict of the jury in September court, 1709, whereof the jury found for the

appellee the possession of the land sued [for], shall be reversed and of no effect.

And it is voted of this Assembly, that Capt. Stephen Mumford, the appellant, pay all the cost in the former Courts of Trials, according to the several bills of cost, and the cost of this Assembly.

An Act for the establishing of wages for the soldiers and commanders, and seamen engaged in the intended expedition to Canada, as followeth, viz. :

Colonels per week	£4 04s. 10d.
Majors, “	2 10 00
Captains, “	1 10 00
Lieutenants, “	0 15 00
Ensigns, “	0 12 00
Clerk and sergeant, per week	0 09 00
Corporal and drummer, per day	0 07 00
Sentinels, “	0 06 00

The Assembly do see cause to allow Capt. Sweet £3 for his services as surgeon and doctor.

Sea wages, per month.

Masters, per month	£4 10s. 0d.
Mates, “	2 15 0
Sloops, per tonnage, per month	0 06 6
Boatswain, “	2 00 0
Carpenter, “	2 00 0
Cooper and steward, and advances, per month	0 12 0
Pilot, “	3 00 0
Sailor, “	1 10 0
Carpenter. “	2 00 0
Gunner, “	2 00 0

And be it further enacted by the authority aforesaid, that for the extraordinary expense of Col. William Wanton, in the promoting that present expedition, intended to Canada, that he

shall be allowed £50, to be paid by the general treasurer of this colony.

And it is further enacted, that no officer in the said expedition shall be allowed any more wages than what is above expressed, with the allowance above said.

An Act for disbanding the soldiers in the expedition to Canada.

Whereas, this Her Majesty's colony, in obedience to Her Majesty's commands by the Honorable Colonel Samuel Veach, bearing date 28th of February, 1708-9, did fit out and equip several transports with stores, and two hundred effective men for an intended expedition against Canada; and whereas, the said transports and men have been waiting and attending upon the intended expedition for the space of five months and upwards, and no prospect of any further projection of said expedition at present, the season of the year being far spent, and considering the great charge the colony hath been at:

This Assembly truly considering the premises, do enact, and it is hereby enacted, that upon the dissolution and adjournment of this Assembly, which shall first happen, the aforesaid forces shall be disbanded and discharged from the colony's payments.

An Act for empowering His Honor, the Governor, Capt. Nath'l Sheffield, Col. John Wanton, and Mr. John Holmes, or the major part of them, to improve the colony's vessels, or sell them to the best advantage, for the colony, as they shall see good.

An Act for the commissary to receive the colony's stores.

It is enacted by the Assembly, and the authority thereof, and it is hereby enacted, that all stores of provisions, or any other stores which were provided for in the expedition, that is now remaining, shall be forthwith delivered into the custody of the commissary, to be disposed of for the benefit and interest of the colony, as he shall see fit.

And it is further enacted by this Assembly, that all the

arms sent over by Her Majesty for the intended expedition, be lodged in the commissary's hands and custody, till the last day of May next, except Her Majesty see cause to improve them sooner. But in case Her Majesty shall not see cause to give further encouragement by the last of May, to proceed in said expedition, and should not go forward, that every soldier have his arms delivered to him, according to Her Majesty's encouragement.

And it is further enacted, that the soldiers be allowed their coats clear of all charge, officers excepted, under commission.

An Act for stating the lines between this colony and the Massachusetts.

Be it further enacted by the authority aforesaid, that Capt. John Eldredge, Capt. James Carder, Major William Hopkins, and Capt. Thomas Fry to run the lines, are appointed as near as they can between our colony and the province, according to both their charters; and to begin said work on the second Tuesday of November. And Major Joseph Jenckes, and Mr. Jonathan Sprague, to be assistants to said persons for advice, &c., and run the north line from Pawtucket Falls to the south line of the said province.

An Act for stating Her Majesty's highways in Jamestown, according to a petition of the proprietors.

Voted, and it is enacted by this Assembly, that all persons concerned, are to move off their fences of the highways by the 10th day of December next; which if they refuse or neglect to do accordingly, then it shall be lawful for the wardens, or any one of them, in said town, to give forth their order or warrant, to a constable or constables, to take sufficient aid if occasion require, to lay open the said highways; and to see all other things complied with or done, according to the purport of said petition.

An Act for adjourning the Assembly to Newport.

This Assembly having truly weighed and considered what

His Honor, the Governor, hath laid before them, the great want of money to defray the colony charge ; and having truly considered the premises, that at this session we cannot see the treasurer's accounts whereby we [can] be informed what sum of money may be wanting, and some other business yet unsettled :

It is the vote of the Assembly, that it be adjourned to Newport, to the last Tuesday of February, without the Governor, or in his absence, the deputy governor, see cause to call them sooner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 28th of February, 1709-10.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Mr. Abraham Anthony, chosen speaker.

Mr. Samuel Wickham, chosen clerk.

An Act for the raising £1200.

Be it further enacted by this Assembly, and the authority thereof, that there be a tax or levy of £1200 assessed on this colony, to be raised and paid by the last of June next ensuing the date hereof ; and each town's proportion to be as followeth, viz. :

The town of Portsmouth being behind in the last rate of a £1000, in the sum of £3 :

It is now ordered, that it shall be added to their proportion in the £1200 rate, in money, or according to the species or prices herein after named, viz. : wheat, at four shillings, sixpence, per bushel ; Indian corn, at two shillings, sixpence, per bushel ; barley, at two shillings, per bushel ; oats, at one shilling,

three pence, per bushel ; wool, at eleven pence, per pound ; rye, at two shillings and sixpence, per bushel ; all which said species to be sound and merchantable, to be levied and gathered by the time in this act afore premised.

Voted by this Assembly, upon the petition of Capt. Edward Thurston, to be discharged from the forfeiture of a bond, given by said Thurston, for the appearance of one Stewart, who was committed a prisoner from the town of Westerly, and who made his escape in the time said Thurston was employed in the colony's service ; the Assembly, upon the consideration of the premises, see cause to discharge the said [Thurston] from the forfeiture of said bond.

Voted, that whereas at the sessions of this Assembly, at Warwick, the 26th of October, 1709, was preferred to said Assembly a petition signed by Edward Kerr Clarke, by order of a committee appointed by the proprietors of Jamestown, to lay out highways in said town, for Her Majesty's service :

And for the explanation of said act, this Assembly do declare, that the intent thereof was only for a confirmation and opening of two highways, viz. : the highway from ferry to ferry, across the Island, stated and confirmed by the proprietors and a jury, run by John Mumford, surveyor ; and one other highway, that extends through said Island down to the beach, at the head of Mackerel Cove. And the said act hath no reference to any man's property, save what may fall within the highways, if any.

Voted, and further enacted, that where there was a mistake in the town of Portsmouth last rate, in their proportion of the £1000, which should have been £149 16s. 6d., so that said town is £3 behind, which by this Assembly is ordered shall be added to said town's proportion in the £1200 rate assessed on the colony, in this session of Assembly.

Whereas, there hath been several committees appointed by the authority of this colony, to meet with such of the province of the Massachusetts Bay, as should be by them appointed for the stating and settling of the lines of jurisdiction, according to

each of their charters, and there being appointed by this colony several meetings upon that head, which hath proved to no effect ; that when met, the gentlemen of the province appointed, having no full commission to complete the premises, which hath proved a considerable charge to the colony, and our endeavors frustrated. But some of our last committee, by order, run said lines, which this Assembly judges to be according to our charter ; yet, this Assembly being desirous to have a unanimous agreement for the stating of the same, have appointed and empowered the persons above mentioned in this act, at Warwick ; and this Assembly do desire and fully empower our Honored Governor to signify the same to the General Assembly of said province, that they will appoint persons fully commissioned for the stating said lines, and appoint the time of meeting ; and if our propositions be refused by said Assembly of the province, then to proceed as may be thought best by the Assembly of this colony.

An Act for the persons hereafter named, to draw the acts of this Assembly, in form for publication, and to account with the treasurer and commissary, and make up the agent's accounts.

Be it further enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that Maj. Henry Tew, Mr. Giles Slocum, assistant, Capt. Benjamin Greene, and Mr. Samuel Wickham, with the recorder, are appointed to draw the Assembly's acts in form for publication ; and they, or the major part of them, meeting at Newport, the 16th of this instant March, in order thereunto. And upon the completing thereof, to be published in the town of Newport, at the colony house, by beat of drum ; and copies thereof, under the seal of the colony, to be sent to each town by the 28th day of this instant March ; and the recorder to have fifteen shillings in money for each copy, to be paid out of the treasury.

And it is further enacted, that the above said persons are appointed to audit the general treasurer's accounts and commissa-

ry, and the agent, Mr. Wharton's accounts; and to make return to the Assembly in May next; and to have three shillings per day, during their service therein.

And the Assembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1710.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

The assistants from the several towns.

DEPUTIES.

For Newport.

Col. John Wanton,
Capt. Nathaniel Sheffield,
Lieut. Thos. Weaver,
Mr. Edw. Smith,
Capt. James Brown,
Mr. Joseph Gardiner.

Providence.

Mr. Jonathan Sprague,
Mr. Joseph Whipple,
Lieut. Andrew Harris,
Mr. William Hopkins.

For Portsmouth.

Mr. Thomas Cornell,
Mr. Thos. Coggeshall,
Mr. William Anthony,
Mr. George Cornell.

For Warwick.

Mr. Job Greene,
Capt. Simon Smith,
Mr. Charles Holden,
Mr. John Rice.

Westerly.

Capt. William Champlin,
Mr. John Lewis,

For New Shoreham.

Capt. Simon Ray,
Lieut. Nath'l Mott.

For Kingstown.

Capt. Edw. Greenman,
Mr. Samuel Wickham.

For East Greenwich.

Capt. Thos. Fry,
Mr. Thomas Spencer.

DEPUTIES.

Jamestown.

Mr. Nicholas Carr.

Mr. John Weeden,

Col. John Wanton, chosen speaker.

Capt. Thomas Fry, chosen clerk.

Voted, the two houses resolved into a grand committee, for the work of the day.

Henry Stanton, Timothy Peckham, Peleg Wood, Eseck Brown, Henry Bull, Samuel Lindall, Henry Clark, John Taylor, William Marsh, Hugh Mosher, George Jeffers, John Reynolds, Jonathan Sabin, Peter Coggeshall, Samuel Eusten, Benj. Bull, Richard Ward, William Dyre, Jr., Robert Carr, Samuel Dyer, Jr., Robert Carr, Jr., John Bennet, Jr., Job Bennet, Kendal Nicholds, Jedediah Howland, Samuel Buffum, all of Newport, admitted freemen of the colony.

Zachariah Jenkins, Michael Spencer, shipwright, Wm. Corry, Samuel Gardiner, John Tibbets, Joseph Edmonds, all of Greenwich, admitted freemen of the colony.

John Cook, Joseph Dennis, Stephen Brayton, John Dexter, Thomas Brown, all of Portsmouth, admitted freemen of the colony.

Major Tew, Major Jenckes, Mr. George Brownell, Capt. Jeoffrey Champlin, to open the proxies.

Col. John Wanton, Mr. Jonathan Sprague, Mr. John Coggeshall, Capt. Wm. Champlin, and Capt. Thos. Fry, to receive the votes.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1710.

Col. John Wanton, chosen speaker.

Capt. Thos. Fry, chosen clerk.

The Assembly resolved into a committee, for the work of the day.

The charter opened and read.

The following were chosen, and severally engaged.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes.
Capt. Thos. Fenner,
Mr. George Brownell,
Mr. Giles Slocum,

Mr. George Cornell,
Major Randall Holden,
Mr. Richard Greene,
Capt. Jeffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Capt. Edward Thurston.

GENERAL ATTORNEY.

Mr. Simon Smith.

MAJOR FOR THE ISLANDS.

Capt. Nath'l Sheffield.

MAJOR FOR THE MAIN.

Major Joseph Jenckes.

The following Justices of the Peace were chosen and engaged:

For Newport—Major Sheffield, Capt. Edw. Thurston, Capt. James Brown.

For Providence—Mr. Ebenezer Arnold, Mr. Philip Tillinghast, Mr. Richard Waterman.

For Portsmouth—Mr. Benjamin Hall, Mr. William Anthony, Mr. Jeremiah Smith.

For Warwick—Capt. Simon Smith.

For Westerly—Capt. William Champlin, Mr. Peter Clark, Capt. John Babcock, Mr. John Sanders.

For Kingstown—Capt. Nath'l Niles, Mr. Samuel Fones, Mr. George Hassard.

For Greenwich—Capt. Thomas Fry, Mr. John Spencer, Mr. Pardon Tillinghast.

Mr. James Clark, chosen packer and gauger.

At a General Assembly, held at Newport, the 3d day of May, 1710.

Joseph Knowlton, appellant, John Pellet, appellee.

The case called and debated in the Assembly ; the appellant praying relief of a reversion of the two last judgments in September and March last past, the Assembly having heard the case, after long debate, being put to vote, the majority of the Assembly voted, that there should be an abatement of the former verdicts and judgments of court given for said Pellet, which was in these words :

We find for the plaintiff £32 12s. 9d., and cost of court. The Assembly again voting what the abatement should be, was carried in the affirmative, that the said Knowlton, appellant, shall pay to the appellee, John Pellet, £24, and the costs due in all the courts, to the appellee, officers' fees excepted.

The Assembly adjourned to the third Tuesday in August next, &c.

*Instructions to the Governors of Massachusetts, New Hampshire,
Virginia, Maryland, Carolina and Rhode Island.*

An additional instruction to our trusty and well beloved Samuel Cranston, Esq., Governor of our colony of Rhode Island and Providence Plantations, in New England, in America; or, to our commander in chief of our said colony, for the time being. Given at our Court, at Windsor, the third day of July, 1708, in the seventh year of our reign.

Whereas, in the third and fourth years of our reign, an act of Parliament has been passed, entitled "An Act for granting to Her Majesty a further subsidy on wines and merchandize imported;" wherein, among others, there is a clause in the words following, viz.: "And whereas, by the acts made in the twelfth and twenty-fifth years of the reign of His late Majesty, King Charles the Second, the former entitled, 'An Act for the encouraging and increasing of shipping and navigation, and the latter entitled, 'An Act for the encouragement of the Greenland and East-land trade, and for the better securing the plantation trade,' certain commodities therein enumerated, of the growth, production or manufacture of any of the English plantations in America, Asia or Africa, are obliged to be imported into this kingdom of England, dominion of Wales, or town of Berwick-upon-Tweed, or to some other of the said plantations, under the securities and penalties in the said acts particularly mentioned, to the end this kingdom might be made a staple, not only of the commodities of those plantations, but also of the commodities of other countries, for supplying them; since the making of which laws, several commodities which are not in the said acts particularly enumerated, such as rice and molasses, are produced and made in the said plantations, and carried to divers foreign markets in Europe, without being first brought into this kingdom, dominion of Wales, and town of Berwick-upon-Tweed, contrary to the true intent and meaning of the foresaid laws, to the great prejudice of the trade of this kingdom, and the lessening the correspondence and relation between this kingdom and the aforesaid plantations :

"For the prevention whereof, for the future, be it enacted by the authority aforesaid, that from and after the 29th day of September, 1705, all rice and molasses shall be under the like securities and penalties, restrained to be imported into this kingdom, dominion of Wales and town of Berwick, aforesaid, as by the fore-recited acts or either of them, is provided for the goods therein particularly enumerated."

It is therefore our will and pleasure, that you take particular care, and give the necessary directions in our province of the Massachusetts Bay, under your government, that the true intent and meaning of the said clause be strictly and duly complied with.

And whereas an act of Parliament passed in the third and fourth years of our reign, entitled "An Act for encouraging the importation of naval stores from Her Majesty's plantations in America;" as likewise an act passed in the fifth year of our reign, entitled, "An Act for an union of the two kingdoms of England and Scotland," (in which last are contained certain articles relating to the plantation trade, more particularly the fourth, fifth and sixth) have been already sent you.

And whereas, two other acts have also been passed, in the sixth year of our reign,

entitled "An Act for ascertaining the rates of foreign coins, in Her Majesty's plantations, in America," and "An Act for the encouragement of the trade to America," copies whereof you will herewith receive :

It is our further will and pleasure, that you use your best endeavors that the said acts, with all the clauses, matters and things therein contained, be in like manner strictly and duly observed in our said province, according to the true intent and meaning thereof.

Board of Trade to Governor Cranston.

TO COL. CRANSTON.

Sir: We have considered three letters from you, dated the 5th December, 1708, containing full and satisfactory answers to what we wrote to you; and we shall from time to time expect the accounts you promise us, as well in regard to negroes, as other matters, concerning the administration of the government under your care, to the welfare and prosperity of which, we shall contribute as much as in us lies.

As to what you write about the suspending of the act for settling the rates of foreign coins, till you see what methods shall be taken by the province of the Massachusetts Bay, in that matter; we are to acquaint you, that you ought not, on any account, to delay the execution of the said law, but to pay an exact and punctual obedience thereunto. We do write to Col. Dudley by this conveyance, that he take care the said act be duly complied with.

So soon as the several acts of the colony shall be finished, we expect that you will transmit the same to us; as likewise all such other acts of Assembly, as shall be passed for the future, as opportunity shall serve. So we bid you heartily farewell.*

Your very loving friends,

STAMFORD,
PH. MEADOWS,
JOHN PULTENEY,
ROBERT MONCKTON.
CHA. TURNER.

Whitehall, January 16th, 1709-10.

* J. Carter Brown's Manuscripts, Vol. VIII., Nos. 506, 512.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, by the Governor's special warrant, July the 25th, 1710.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Col. John Wanton, chosen speaker.

Capt. Thomas Fry, chosen clerk.

The Assembly met, and called. Upon consideration, adjourned to the 30th of July, 1710.

30th July, 1710.

[The Assembly was] then called and full.

It is enacted by the authority aforesaid, that this colony shall forthwith raise, to be employed in the present intended expedition to Port Royal, the number of one hundred and forty-five effective men, who are to be proportioned out of the several towns in this government, as followeth, viz.: out of

Newport	.....40, whereof.....	12 Indians.
Providence	.....31, “	8 “
Portsmouth	.....11, “	3 “
Warwick	.....10, “	3 “
Westerly	.....12, “	4 “
Kingstown	.....31, “	8 “
Greenwich	.....7, “	3 “
Jamestown	.....3, “	2 “

The stores appointed to subsist said men for three months.

Bread	.....9,000 lbs. weight,	Beef	.....20 barrels,
Flour	.....30 casks,	Butter	.....4 firkins,
Peas	.....60 bushels,	Beer	.....20 barrels,
Indian corn	.....40 “	Rum	.....4 hogsheads.
Pork	.....70 barrels,		

And be it further enacted by the authority aforesaid, that Capt. James Brown, Capt. Henry Beer, Capt. Benjamin Ellery, and Capt. Job Almy, be a standing committee to assist His Honor, the Governor, and the commissary general in taking up vessels, with all other necessities not above-premised, to proceed on said expedition; and that His Honor, the Governor, with the advice of the majors of this colony, shall appoint all commissioned officers for the said expedition; the lieutenant colonel and major only excepted, who by this Assembly is elected already.

And further, that the Honored Governor, together with the commissary general, and the committee, aforesaid, or the major part of them, are hereby empowered to appoint a commissary and pilots, to proceed on said expedition; and the commissary so proceeding, to be allowed £3 per month, and the pilots the same allowance.

And further, it is enacted by the authority aforesaid, that the commissary general be allowed the like salary which was given him the last year; he having been so honorable as to accept the same conditions.

And it is further enacted by the authority aforesaid, that what Indians shall be raised or enlisted for the intended expedition, aforesaid, shall be proportioned to the advantage of every town in this colony, according to their established quota, for the expedition aforesaid.

Whereas, this Assembly has been credibly informed that His Excellency, Colonel Dudley, has declared, that if Major Joseph Jenckes was empowered thereto, he doubted not but that they two should settle the misunderstanding about the lines of partition between his and this government:

It is therefore enacted by the authority aforesaid, that the said Major Joseph Jenckes shall be hereby amply empowered to treat with His Excellency, Col. Dudley, and effectually to settle the misunderstanding about the bounds of this colony from Pawtucket Falls on the north and west lines of partition between that province and this colony, which so long has been contended. Always provided, it be accommodated in six

months from the sitting of this Assembly ; and His Honor, the Governor, by the first opportunity to inform His Excellency of this act.

And be it further enacted by the authority aforesaid, that the rates for officers' and soldiers' wages hereunto affixed, shall be an establishment for the present intended expedition, and by this colony duly paid, viz :

Wages per week.

	£ s. d.		£ s. d.
Lieutenant colonel.....	3 15 0	Ensign.....	0 17 0
Major George Lee.....	2 00 0	Sergeant, if impressed..	0 09 0
Captain	1 10 0	If volunteers.....	0 13 0
Lieutenant	1 00 0		

Wages per month.

	£ s. d.		£ s. d.
Corporals and drummer,		Sea captain.	5 00 0
if volunteers	0 11 0	Mates, stewards, carpen-	
If impressed, but.....	0 08 0	ters, coopers, boat-	
Sentinels impressed....	0 06 0	swain, over and above	
If volunteers	0 10 0	sentinel wages.....	0 06 0
Clerks, if impressed....	0 09 0	Pilot	3 00 0
If volunteers	0 13 0		

Vessels per ton, according to the Massachusetts establishment ; and the lieutenant colonel to be allowed fifty pounds for his extraordinary expense, which is in full of all charges, over and above his wages.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that all volunteers that shall enlist themselves in Her Majesty's service against Port Royal, &c., and were last year enlisted for the intended expedition to Canada, &c., shall have forty shillings per month paid them for their service, during their continuance therein ; and have twenty-

five shillings allowed each of them on the account of their guns for their last year's service, and their guns gratis, pursuant to Her Majesty's royal gift; and shall be hereby protected from impressing in Her Majesty's service in this colony, for three years to come, from the setting of this Assembly, and have freedom to return at the conclusion of this expedition, with their respective officers. And that His Honor, the Governor, be hereby empowered to put forth his proclamation to publish the same, according to said encouragement.

And it is further enacted by the authority aforesaid, that each soldier that was last year enlisted in Her Majesty's service for Canada, and does not now appear to enlist, shall have the allowance of twenty-five shillings for his gun, to be paid out of the general treasury.

An Act for issuing bills of credit.

Be it enacted by the authority aforesaid, and it is hereby enacted, that there shall be forthwith raised the sum of £5,000, in bills of credit on this colony, to be formed thus, viz.:

One thousand pounds, in five pound bills; one thousand pounds, in three pound bills; five hundred pounds, in forty shilling bills; five hundred pounds, in twenty shilling bills; five hundred pounds, in ten shilling bills; five hundred pounds, in five shilling bills; five hundred pounds, in two shilling and six penny bills; five hundred pounds, in two shilling bills. And each bill to be in equal value to current silver money of New England; and to have an anchor and Hope, affixed in the escutcheon, with such other impress as shall be thought meet by the signing committee, &c., to impress.

The bills to be formed thus:

This indented bill, of ———, due from the colony of Rhode Island and Providence Plantations, in New England, to the possessor thereof, shall be in equal value to money, and shall be accordingly accepted of by the general treasurer and receivers subordinate to him, in all public payments, and for

any stock at any time, in the treasury. Newport, August the 16th, 1710. By order of the General Assembly, for the colony, abovesaid.

And be it further enacted by the authority aforesaid, that Lieut. Col. John Wanton, Lieut. John Odlin, Major Nathaniel Sheffield, Major Joseph Jenckes, Mr. John Coggeshall, of Portsmouth, and Mr. Job Greene, are hereby appointed and empowered, or any three of them, to sign the aforesaid bills, which shall give sanction to each bill so signed; and said committee for their so doing, to be paid out of the general treasury.

And said bills to pass as aforesaid, for the space of five years ensuing the date, unless the Assembly of this colony see cause to call them in sooner; and when called in, the possessor of such bills to be reimbursed the sum mentioned in such bill or bills, in current money, by the general treasurer of this colony; and the money to be so paid, shall be levied and collected by act of Assembly; being proportioned by tax on the inhabitants of each town in this colony.

And be it further enacted by the authority aforesaid, that it shall be accounted felony in any person or persons to counterfeit or deface any bill or bills of credit by this Assembly appointed to be made; and such person or persons so offending, shall be punished by cropping of ears, whipping, fining at discretion, and imprisonment for twelve months, &c.

And it is further enacted by the authority aforesaid, that Lieut. Col. John Wanton, and Lieut. John Odlin, are hereby empowered to agree with the engraver and printer for the engraving the plates, and stamping of said bills of credit; and that they, with the advice of the Governor, order the forms of the flowers to be fixed on the verges of the escutcheon that shall be affixed to each bill. And that they shall, with all convenient speed, get the sum of five thousand pounds printed, fit to be signed by the committee, aforesaid; and then lodged in the general treasury until the Assembly shall appoint how many of them shall be signed; and the charge of printing to be paid out of the treasury, when lodged therein.

And it is further enacted by the authority aforesaid, that

when the full number of bills shall be stamped, that all the stamps or plates, and all other utensils thereto belonging, shall be forthwith put into the general treasury, where they shall remain, until by act of Assembly they shall be otherwise disposed of.

And be it further enacted by the authority aforesaid, that as soon as three thousand pounds, in bills of credit, can be stamped, the same shall be signed with all possible speed by said committee, or any three, and forthwith improved for this colony's use, as the Honorable the Governor shall order the general treasurer to disburse the same.

An Act relative to the expedition to Canada.

Be it further enacted by the authority aforesaid, that there shall be ten men added to the one hundred and forty and five men to be employed on the present intended expedition, viz.:

One commissary, one pilot, and eight sailors. And if so many doth not appear as volunteers, they shall be impressed for said service, and their allowance and wages shall be according to the accustomed rates, or as above expressed.

And be it further enacted by the authority aforesaid, that in case the number of one hundred, fifty and five men shall not appear to list as volunteers, His Honor, the Governor, is hereby empowered by his warrant, directed to proper persons, to execute the same, to impress so many men within this colony, as shall complete said numbers.

And be it further enacted by the authority, that all such vessels as shall be taken up for this intended expedition, the owner or owners of such vessels shall be allowed by this colony for their hire, according to Boston establishment, after the rate of one ton-and-half per man, that such vessel shall accommodate.

Voted, that this Assembly be adjourned to the last Tuesday in September next ensuing, to the colony house, in Newport, except the Governor or deputy governor see cause to call it sooner; and that the acts of this Assembly be published in the town of Newport, on the 7th instant, by beat of drum, un-

der the seal of the colony ; and then to be of as full force and power in the law throughout this colony, as if they were published at the dissolution of this Assembly.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 14th of August, 1710.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Major John Wanton, chosen speaker.

Capt. Thomas Fry, chosen clerk.

Expedition to Port Royal.

Whereas, by the solicitation of the Right Honorable Colonel Francis Nicholson, General of Her Majesty's forces, bound for the reduction of Port Royal, &c., together with the Governor of Boston and Connecticut, and the rest of the honorable council of war, we are required for said expedition to send two hundred men, &c.:

This Assembly, upon due and mature consideration of the premises, and upon the urgent and pressing instances and kind admonition of our Honorable Governor, notwithstanding said number is more than our equal proportion with the other colonies, yet for the loyal duty we have and do bear to Her Majesty, and for the forwarding so hopeful an expedition, under the commands of so honorable and worthy a general, the Assembly do grant the demands of the council of war, upon their promise that they will assist us in our application to Her Majesty for lessening our number of men as abovesaid.

And this act of granting more than our proportion, is no ways to be construed and drawn up into a precedent in any

ways hereafter; but is allowed upon consideration, as above-said.

Therefore be it enacted by the authority aforesaid, and it is hereby enacted, that there shall be two hundred men raised and sent out of this colony, under the command of Lieut. Col. John Cranston, who is to follow and observe such orders and instructions as he shall receive from his general, and such other orders as he shall from time to time receive from our Honorable Governor, and other his superior officers. That is to say, so many to be added to the number of one hundred, fifty and five men, which was before raised by the colony, as will make two hundred men; to be under the same circumstances as the others were, in all respects whatsoever. And they are to be raised out of every town, and added to those that are already raised, and to be ready by the time prefixed for the rest. And the number of men so raised and added, shall be proportioned to each town, as followeth, viz.:

To Newport, thirteen men; Providence, nine men; Portsmouth, four men; Warwick, three men; Westerly, four men; Kingstown, nine men; Jamestown, one man; Greenwich, two men.

And be it further enacted by the authority aforesaid, that for the more speedy conveyance of said forces for said expedition, the Honored Governor, with the same committee already appointed for the taking up the vessels and providing the stores, shall have full power to press or take up another vessel with other stores, for the men now added, according to the proportion that was allowed for the one hundred and fifty-five men first ordered by this Assembly.

And be it further enacted by the authority aforesaid, that a tax or rate be assessed on this colony of five thousand pounds, to refund and answer the bills of five thousand pounds that are already enacted by the last session of this Assembly, to be made; that is to say: the colony shall pay into the general treasury, annually, for five years succeeding, by the last day of June, each year, the sum of £1000, current money, as the former rate hath been paid by each town, according to their due



proportion—Block Island, alias New Shoreham, to be included, and pay their proportion of said £5000 into the general treasury as other towns in this colony are obliged to do.

And be it further enacted by the authority aforesaid, that whereas, the colony's proportion of men which they now send upon this expedition to Port Royal, is more than our proportion with the neighboring colony's :

Therefore, we appoint and desire our Honorable Governor to make our humble address to Her Majesty on our behalf, for our relief in the premises, confiding in His Honor, as one who knows all our grievances, to lay down all to the best of his judicious understanding, and to use such assistance as he shall think meet ; and to address Her Majesty in behalf of this colony, with their humble and dutiful thanks for the assistance she hath been graciously pleased to supply us with, towards the reduction of Port Royal.

This Assembly taking into consideration that there is no table of fees settled for the collector's office within this colony, by which neglect the collectors have opportunity to extort such fees as they think fit, to the discouraging of trade :

Therefore, be it enacted by the authority aforesaid, that the table of fees hereafter mentioned, shall be the stated fees for the collector's office, within this government ; and that no collector from the 30th day of this instant August, forward, shall ask or demand of any master of vessel any more or larger fee than is hereby established.

The whole voted into an act of this Assembly, and the same forthwith proclaimed by beat of drum, at the colony house ; and copies thereof sent to each town in the colony by the 27th day of August ; and the recorder to be allowed for each copy the sum of twelve shillings, money.

And this Assembly is dissolved.

God save the Queen.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 25th day of October, 1710.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Major Henry Tew,	Major Randall Holden,
Capt. John Rogers,	Mr. Richard Greene,
Major Joseph Jenckes,	Capt. Jeoffrey Champlin,
Capt. Thomas Fenner,	Capt. John Eldredge.

Col. William Wanton, chosen speaker.

Mr. William Hall, chosen clerk.

✓An Act relative to bills of credit.

Be it enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that for the future and better encouragement of the bills of credit, put out by this colony, that all the said bills of credit in all public taxes and assessments, payable into the general treasury for the future, shall be accepted and receivable by the general treasurer, at five per cent. advance.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that the impression of the said colony bills, as to quantity and sum in each parcel of bills, be left to the discretion of the committee afore appointed in former acts, so as not to exceed the sum or sums in the whole quantity ordered by act of Assembly, to be put forth from time to time.

And be it further enacted by the authority aforesaid, that there be forthwith impressed and signed to the value of £1000 more of the said colony bills, to be put into the general treasury, for the defraying the colony's debts; and also that the remainder of the £5000, ordered to be lodged in the general

treasurer's hands, of blank bills unsigned by the last Assembly, be forthwith signed by the committee appointed for the same, and delivered into the general treasurer's hands for the use of the colony.

And it is also hereby enacted, that the committee appointed for signing the bills of credit be allowed five shillings per day for each person whilst they are about the same; and for those on the main land, to be allowed pay as aforesaid, for one day out and one day home.

And be it further enacted by the authority aforesaid, that whereas there was, by order of the last Assembly, a £1000 to be raised and paid annually, in the month of June, towards the refunding the bills of credit put out by said colony, be forthwith proportioned on each town, in order that the treasurer issue forth his warrant for collecting the same; and to be paid in colony bills or silver money, to be proportioned on each town according to the last £1000 rate.

Mr. Daniel Pearce, Mr. Daniel Coggeshall, Mr. George Lawton, and Mr. Adam Lawton, enter their dissent for the proportioning the £1000 rate, according to the last proportion of each town.

Be it further enacted by the authority aforesaid, that whereas, there was no establishment of wages by the last Assembly for mates of vessels in our last expedition to Port Royal:

It is now ordered and enacted, that a mate's pay per month shall be fifty shillings, according to the last establishment, and to be paid accordingly by the general treasurer.

Be it further enacted by the authority aforesaid, that His Honor, the Governor, would be pleased to address Her Majesty in respect of the late conquest at Port Royal; as also to press Her Majesty for abatement in our proportion and quota of men, if the like occasion should offer for the future, as he shall judge most convenient for the service of the colony.

And it is hereby further enacted, that the general treasurer pay unto Major George Lee, as a gratuity for his good service in this government; and also his extraordinary charge and

expense in bringing the welcome news of the reduction of Port Royal, the sum of ten pounds.

And be it further enacted, that whereas, Major Joseph Jenckes, being commissioned to treat with Governor Dudley concerning the settling of bounds between the province of the Massachusetts and this government, that in case Gov. Dudley and himself should not agree so as to issue the matter, then Maj. Jenckes is hereby empowered and authorized to offer and conclude on such other terms as he may judge most proper for the interest of the colony, in the ending and settling the said controversy.

And whereas, there are many actions brought to our General Court of Trials, and some of small concerns, that cause long debate, and much to the detaining the Courts, and great expense to the judges in their long sitting :

Be it therefore enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that every person or persons that shall bring any action to the Court of Trials, shall pay down five shillings money, to the recorder, for the use of the magistrate then sitting in Court ; and if the plaintiff that brings the action, recover the case, shall have five shillings allowed in the bill of costs.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that whereas, there is a small tract of land whereon James Cooper now lives, within the colony of Rhode Island, lying between Kingstown and Greenwich line, and being within the jurisdiction of no town within the said colony, that from the sitting of this present Assembly, the said tract of land shall be in the jurisdiction of East Greenwich.

Whereas, the General Assembly, that sat in May last past, made an act for stating the collector's and naval officer's fees, and said act being weak and inconsistent in itself :

Therefore, be it enacted by this Assembly, that said act be made void, and is repealed and made void, and of no effect.

And it is further enacted by this Assembly and the authority thereof, and it is hereby enacted, that these tables of fees hereafter mentioned, shall be the stated table of fees for the

collector and naval office within this colony. And that the collector nor any under him shall take of any master of vessel or any so concerned, above the sums in the said table of fees mentioned, on the penalty of paying twenty shillings for such a default; and the same to be paid into the general treasurer, for the colony's service. And the naval officer to be under like penalty as the collector, for the same offence.

And it is further enacted, that if the collector or naval officer, or any under them, shall ask, receive or exact from any master, commander or owner of any vessel, from and after the 1st day of November, 1710, more than is hereafter stated, on complaint thereof being made to the authority, it shall be in the power of any justice of the peace to grant forth his warrant to apprehend the said person or persons so offending, and on proof and conviction thereof, to grant execution against or on the estate of said offender, for the above said sum of twenty shillings, and the charge accruing thereon. And for want of estate, to seize the body of the offender.

The Assembly is adjourned to the last Tuesday in February next, to Newport; without the Governor, or in his absence, the deputy governor, see cause to call it sooner.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, by the Governor's warrant, the 27th day of November, 1710.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Col. John Wanton, chosen speaker.

Capt. Thomas Frye, chosen clerk.

An Act relative to bills of credit.

Be it enacted by this present Assembly, and the authority aforesaid, and it is hereby enacted, that if any person or per-

sons within this colony, shall be taken and convicted of counterfeiting of any of the bills of credit put out by the province of the Massachusetts Bay, in New England, New Hampshire bills, or those of the colony of Connecticut; such person or persons so taken and convicted, after the publication of this act, shall be liable to, and suffer the pains and penalties of having his or their ears cropped, whipping and fining, at discretion; and imprisonment, according to the nature of his or their offence.

And if any such offender shall happen to be found within this colony, which hath so done in any of the neighboring governments, such offender or offenders, being taken, shall, at the request of the respective governments whereto he or they did belong, and against whom the more particular injury is done, such offender shall be delivered up to be punished according to the laws made and provided in the government, for such offenders.

And be it further enacted by the authority aforesaid, and it is hereby further enacted, that there shall be forthwith impressed the sum of £1000 of bills of credit for this colony's use, which said bills shall have the same stamp, the same escutcheon, and the same signers, to give sanction thereunto, as the late £5000 had, which was appointed to be made by the Assembly of this colony, in or on the 2d of May last past; which said sum of £1000 shall be assessed by tax on the inhabitants of this colony and duly proportioned on each town therein to be paid in June next.

And further, that Col. John Wanton and Lieut. John Odlin are hereby empowered to agree with the printers or stamper for the impressing the £1000 aforesaid.

And it is further enacted, that there shall be the sum of £1000 taxed on this colony, the same to be assessed on the several towns therein proportionably; and the same to be paid in bills of credit, or money, at or in the month of June next at the same time; and proportioned with the £1000 granted by this Assembly, when sitting at Providence the last Wednesday in October, last past.

And be it further enacted by the authority aforesaid, that

the sum of £250 sterling money, of Great Britain, shall be appropriated and improved in Great Britain, aforesaid, to answer this government's arrearages, and defend this colony's interest; which said £250 sterling shall be drawn out of the £1000 granted by this session of Assembly; and the same ordered and improved for the use aforesaid, as the Honorable, the present Governor, Col. William Wanton, Major Sheffield, and Capt. Ben. Ellery, shall think most conducing to the public good of this government.

And the Honorable, the Governor, and said committee are hereby empowered to assign the person appointed to carry the packet to New York, in order to have the same sent to Great Britain in the packet boat, for such consideration as they shall think fit; and that His Honor, the Governor, together with the said Col. William Wanton, Major Sheffield, and Capt. Ellery, are hereby fully empowered to transmit all such papers and information to Great Britain, as by them shall be thought most useful and serviceable to defend this colony's interest.

And be it further enacted by the authority aforesaid, that the sloop lost in this colony's service in the late expedition to Annapolis Royal, shall be paid for out of the remainder of the said £1000 by this Assembly last assessed, according to the appraisal, with lawful interest from the appraisal, until the same be paid.

And it is further enacted by the authority aforesaid, that the before-recited acts be forthwith published by beat of drum, and then to be of full force and virtue as if the Assembly had been dissolved.

Whereupon, the Assembly is adjourned to the last Tuesday in March, 1711, except the Governor or deputy governor, see cause to call it sooner.

Governor Cranston to the Board of Trade.

Colony of Rhode Island, &c.,

Newport, Nov. 15, 1710.

May it please your Lordships: I have had the honor to receive your Lordships' letter, dated from Whitehall, January the 16th, 1709-10, the which I communicated to the General Assembly of this colony, who most gratefully acknowledge your Lordships' favor, for so freely expressing your satisfaction in the answers to the several particular heads your Lordships were pleased to require from them, and return their most humble and hearty thanks for the most noble and kind offer your Lordships have expressed in contributing (what in you lies) towards the welfare and prosperity of this government, and have requested me to assure your Lordships, that there will be nothing wanting on their parts (so far as it shall please God to give them understanding and ability) to serve Her Majesty and to oblige your Lordships, to favor them in the continuance of your friendship in contributing to their welfare and prosperity; and that your Lordships (in your great wisdom) should any thing hereafter through weakness or want of ability in them, be represented or construed to their ill conduct or remissness, will be pleased to put the best constructions thereon, and give them such correction and advice as your Lordships in your great wisdom, may think proper for Her Majesty's service; which will oblige them at all times to be more circumspect in their duty, and redressing what may be deemed amiss.

Her Majesty was graciously pleased the last year, to order an expedition against Canada, wherein this colony was at considerable trouble and expense in setting forth transports and two hundred men towards said expedition, which lay at the colony's charge upwards of six months; Her Majesty having occasion to employ her British forces upon some other service, the said expedition did not proceed this year.

Her Majesty saw just cause to send ships of war, and war like stores, with British troops, under the command of the Right Honorable General Nicholson, Esq., for the reduction of Port Royal and the country of Nova Scotia, and La-Accada' towards which service this colony equipped the like force as they had done the last year (but to better effect), who under the good conduct and command of the aforesaid General (in conjunction of the rest of Her Majesty's arms) soon reduced that strong and important fort and country to Her Majesty's royal obedience.

Your Lordships will have a more particular account of the reduction of that important place and country than I am capable of giving you, having instanced the aforesaid expedition to your Lordships in discharge of our duties to you, it being what we have, that is any ways material to communicate at this time, it having pleased God to favor us this last summer, so as we have not been disturbed with the enemy's privateers upon our coast, as they were accustomed to do.

I am also to inform your Lordships, that the colony's time having been taken up (so much) upon the aforesaid expedition, that they have not got their laws perfected for the press, so as to comply with your commands at this time, but are now forwarding the same with all expedition, and beg your Lordships' pardon for their remissness therein.

May it please your Lordships, I am required by the aforesaid General Assembly to represent unto your Lordships the discouragement that is given to the traders and

coasters of this and our neighboring colonies, trading to this colony, by the late collectors commissioned for this and our said neighboring colonies, in exacting of fees above the usual custom of our former collectors, who faithfully served Her Majesty without any salary allowed them, praying that your Lordships will be pleased to take the same into your wise and prudent consideration; and if your Lordships shall judge it proper, to procure the enclosed table of fees (which is confirmed here by an act of this colony) to be allowed and approved of as the stated fees till it shall be thought expedient to make any alteration thereof; but if said fees be not approved of, then it is humbly prayed that such emendation may be made, or other reasonable fees stated, as your Lordships in your great wisdom, shall think meet; so as we may not be imposed upon by such as covet their own private interest and gain more than Her Majesty's interest.

I am also to inform your Lordships, that in this and the neighboring colony, there are sundry ports allowed of, where naval officers are settled by the several governments thereof; some of which ports are upwards of one hundred miles distant from each other. Notwithstanding which, the late collectors will not allow of any more than one port (for entering and clearing) in each government, threatening to seize all vessels and coasters trading from one colony to the other, that do not make their entering and take their clearing from them at such a particular port where they reside.

The which is also deemed as a very great imposition upon Her Majesty's subjects, and to the great discouragement of trade; we having small sloops and open boats constantly trading from one colony to the other, some for provisions, others for lumber, as staves, boards and timber, &c. And it often happens, that the wind and weather are such, that they cannot (without great danger, or to the ruin of their voyage) reach that particular port that the said collectors do so impose upon them; and their freight and profit being very small, the masters of such sloops and boats will be exposed to the expense of the greatest part of their fruit, should they be imposed upon to travel one hundred miles (some more and some less) to enter and clear their vessels.

We therefore most humbly pray that the collectors of the particular governments may be directed to settle their deputies or offices at each trading port allowed of by the several governments, or that the entries and clearings from the naval officers may be approved of. All which is most humbly submitted to your Lordships' wise and judicious considerations.

May the Almighty bless and preserve your Lordships, grant you long life and health, and add more and more to your great and consummate wisdom in the management of the weighty and most important affairs of Her Majesty, and her imperial dominions, is the prayer of

Your Lordships' most obedient, most humble and most faithful servant,
SAMUEL CRANSTON, Governor.

Secretary Popple to Governor Cranston, in reply.

TO SAMUEL CRANSTON, ESQ., GOVERNOR OF RHODE ISLAND.

Sir:—The lords commissioners of trade and plantations, having received your letter of the 15th November, 1710, they have commanded me to acknowledge the receipt thereof, and to acquaint you that they shall expect a collection of the laws of

Rhode Island, as promised. In sending which laws, you will do well, if there be any amongst them that are of a particular nature, to explain to their Lordships the reasons for passing the same, unless such reasons be expressed in the preamble of the act.

Their Lordships have sent to the commissioners of Her Majesty's customs, what you write in relation to the collectors' demanding and taking unusual fees, to the allowing but one port for entering and clearing vessels, and doubt not but what shall be thought proper, will be done therein.*

I am, sir, your most humble servant,

WM. POPPLE.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday in March, 1711.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Col. John Wanton, chosen speaker.

Capt. Thomas Frye, chosen clerk.

Be it enacted by this Assembly, and the authority thereof, and it is hereby enacted, that whereas Major Joseph Jenckes, and Capt. Samuel Wilkinson were commissioned and empowered by this Assembly, at their last sitting, November, 1710, to treat and agree with Col. Joseph Dudley about the north bounds of this colony, which being accomplished to satisfaction, the said Major Jenckes is hereby allowed £10, and the said Capt. Samuel Wilkinson £5, in money, for their said service; to be paid out of the general treasury of this colony.

And it is further enacted by the authority aforesaid, that Major Joseph Jenckes and Mr. John Mumford, are hereby empowered to run the partition line between this colony and the Massachusetts, pursuant to the articles made for that purpose,

* J. Carter Brown's Manuscripts, Nos. 507, and 526, Vol. VIII.

dated January 19, 1710; always conforming to such necessary instructions as they from time to time shall receive from His Honor, the Governor, who is hereby fully empowered to grant the same; and when return is made of their proceeding, the said Major Jenckes and Mr. John Mumford to be paid for their so doing out of the general treasury of this colony.

And be it further enacted by the authority aforesaid, that whatever person shall commence any action or case at any superior or inferior court within this colony, at any time or times after the publication of this act, and shall have judgment against him or them, for cost, the plaintiff or defendant, at the conclusion of such action in such cases, all the former charges that hath accrued in the action, according to the table of fees in such cases, shall be charged in the bill of costs and allowed good in law, to be paid to him or them that recovers the case, at the last hearing of any such action; any law to the contrary, notwithstanding.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that no open boat or lighter, trading within this colony, and up and down the rivers here adjacent, and as far as into the colony of Connecticut, shall be obliged to pay any fees or reward for entering or clearing; and one general entry of all goods shipped on board any vessel as aforesaid, to be taken from the master's report, shall be sufficient; and for all goods that pay no custom, the officer shall receive no fees. ✓

And be it further enacted by the authority aforesaid, that His Honor, the Governor, shall take with him such council or assistance as he thinks most suitable, and order or cause all the laws of this colony to be transcribed into a good and true form fit for the press, that they may be printed; and if possible, to cause said work to be perfected by the sitting of the Assembly in May next ensuing; and the whole charge to be paid out of the general treasury of this colony. •

And be it further enacted by the authority aforesaid, that His Honor, the Governor, with such assistance as he shall think fit, shall write an answer to the government of Boston's letter, and account, dated the — day of March, 1710–11, according

to the opinion of this Assembly, that there shall be paid out of the general treasury £58 19s. 4d., toward the charges of the pinks, and five open sloops, appointed to transport Her Majesty's stores to Port Royal.

And be it further enacted by the authority aforesaid, that Abigail Carr, wife of William Carr, late of Jamestown, in this colony, shall be allowed either weekly or monthly, a reasonable subsistence by that town council of said Jamestown; and to be paid by Caleb Carr, of said Jamestown, so long as the estate of the said William Carr shall remain in the custody of the said Caleb Carr; but if he, said Carr, shall neglect or refuse to comply herewith, then the estate, aforesaid, shall be at said council's discretion to order such part thereof, as shall be sufficient to subsist said Abigail Carr, according to her quality.

And be it further enacted by this Assembly, and by the authority thereof it is enacted, that Mr. Weston Clarke, with the assistance of Col. William Wanton and Major Sheffield, shall draw all the acts of this Assembly from their first sitting, to the dissolution of the same, into one body, according to the purport of the schedule delivered to them; and to have twenty shillings for their pains and service. When drawn into a body, then the recorder shall send forth copies, under the seal of the colony, to the several towns in this colony, and to have twelve shillings for each copy; and that the recorder shall send the same within fifteen days after the dissolution of this Assembly. And the persons above mentioned, shall draw said acts into a body within six days from the above said dissolution.

And to be published in Newport by the 7th of April, under the seal of the colony, by beat of drum.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1711.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

DEPUTIES.

Newport.

Col. Wm. Wanton.

Maj. Nathaniel Sheffield,

Maj. James Brown,

Col. John Cranston,

Capt. Benjamin Ellery,

Capt. Richard Dunn.

For Providence.

Mr. Peleg Rhodes,

Mr. James Dexter,

Capt. Wm. Crawford,

Mr. Jonathan Sprague, Jr.

Portsmouth.

Mr. Abraham Anthony,

Mr. Daniel Coggeshall,

Mr. John Coggeshall,

Capt. George Lawton.

Warwick.

Mr. Job Greene,

Capt. Simon Smith,

Capt. James Greene,

Capt. John Waterman.

Westerly.

Capt. William Clarke,

Mr. Daniel Lewis.

For New Shoreham.

Capt. Simon Ray,

Capt. Thomas Rathbone.

Kingstown.

Mr. Samuel Fones,

Lieut. Christ. Allen.

Greenwich.

Ensign Tho. Nicholds,

Mr. Peleg Spencer.

Jamestown.

Mr. Ebenezer Slocum.

Mr. Joseph Mowrey.

Capt. Simon Smith, chosen speaker.

Mr. John Coggeshall, chosen clerk.

Henry Godard, and Edward Carr, Jr., of Jamestown, are admitted freemen of the colony.

Elisha Arnold, Stephen Arnold, John Bates, John Greene, son of James Greene, Samuel Gorton, son of Benjamin Gorton, Preserved Pearce, William Remington, Philip Sweet, John Nicholds, John Low, Francis Mattisson, all of Warwick, are admitted freemen of the colony.

Jonathan Clarke, Robert Taylor, Charles Tillinghast, Abraham Anthony, Jr., all of Newport, admitted freemen of the colony.

John Groundnut, of Kingstown, freeman of the colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1711.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thos. Fenner,
Mr. George Brownell,

Mr. George Cornell,
Major Randall Holden,
Mr. Richard Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Capt. Edw. Thurston.

GENERAL ATTORNEY.

Capt. Simon Smith.

MAJOR OF THE ISLAND.

Capt. James Brown.

MAJOR OF THE MAIN LAND.

Maj. Joseph Jenckes.

Col. Wm. Wanton, chosen speaker.

Capt. Simon Smith, chosen clerk.

Col. John Cranston, chosen speaker ; Col. Wanton being absent on urgent occasion.

The following Justices of the Peace were elected, and engaged.

For Newport—Capt. Benj. Ellery, Capt. Edward Thurston, Major James Brown.

For Providence—Richard Waterman, Ebenezer Arnold, Philip Tillinghast.

Portsmouth—John Coggeshall, William Anthony, Daniel Pearce.

For Warwick—Capt. Simon Smith.

For Westerly—Capt. Wm. Champlin, Peter Crandall, Capt. John Babcock, John Sanders.

For Kingstown—Lieut. Chris. Allen, Samuel Fones, George Hazzard, Jeremiah Gould.

For Greenwich—Capt. Thomas Frye, John Spencer, Pardon Tillinghast.

Lydia Checkley, appellant, Thomas Hix, appellee.

The appeal of Lydia Checkley and Samuel Checkley, appellants, against Thomas Hix, appellee, being in this Assembly fully debated and truly considered, do see good cause to confirm the two verdicts of juries and judgments of the Courts of Trials, in September and March last past, for the appellee ; and that the appellants pay the costs of this Assembly, according to law.

John Pellet, appellant, Joseph Knowlton, appellee.

Whereas, Joseph Knowlton, the now appellee, received two verdicts of juries and judgment of the Court of Trials, in September and March, last past, against John Pellet, in an action of the case, damage £20, from which verdicts and judgments the appellant appeals to this Assembly for relief ; and upon consideration, and that jury found all the damages sued for ; and the damages not being chancerized, as is usual in all such cases :

We are of opinion, and it is also the vote of the Assembly, that the £20 found by the juries in the aforesaid Courts of Trials, be mitigated to the appellant, and he to pay the appellee the £10, and the several costs of courts, and the cost in this Assembly.

Voted by this Assembly, that whereas the law of this colony allows but two deputies for the town of Westerly, and there being four returned under the town clerk's hand, the which is contrary to law :

Whereupon, the Assembly do not judge that return lawful, but that His Honor, the Governor, give them an order forthwith to come to a new choice of deputies to attend this Assembly.

Whereas, there is a petition of several of the inhabitants of that part of the colony of Rhode Island, which lieth on the north side of Pawtucket river, in the jurisdiction of this colony, that they may be supported in the rights and property in said jurisdiction :

The Assembly having taken the same into their serious consideration, have thought fit, and do hereby enact, that the Honored Governor, or those whom he shall appoint in the name and behalf of this government, shall grant forth a prohibition, that none shall presume to exercise any jurisdiction of authority within the lines already run, except it be by the authority of this colony.

And it is further enacted by the authority aforesaid, that that part which the petitioners petition for, shall be under the jurisdiction of the town of Providence ; and the authority of said town shall take care that no encroachment be made by any other province or colony upon that which is in the jurisdiction of this colony.

And be it further enacted, that whereas, there was a petition presented by the deputies of the town of Shoreham, for a supply of twelve soldiers, for the ensuing summer :

The Assembly, considering the premises, do grant the same ; and that the soldiers shall be victualed on the said Island ; and

they to find their own arms and ammunition, and to have thirty shillings per month ; otherwise, to be as the former allowances have been.

An Act for the prevention of counterfeiting bills of credit.

Whereas, there is being a great necessity that this present Assembly take into their mature consideration the passing an act for the more perfect and speedy preventing the many and great abuses so frequently of late practised in passing, exposing, or counterfeiting the several bills of credit, as well those put forth by the province of the Massachusetts, New Hampshire, and the government of Connecticut, as also our own colony bills ; the which is of so dangerous and ill consequence, that it tends to the universal ruin and destruction of government, trade and commerce in these Her Majesty's said governments :

Be it therefore enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that from and after the date hereof, whatsoever person or persons within this Her Majesty's government, that shall pass, offer to pass, expose or be seen to have about him or them, any bill or bills of credit, put forth either by this government, the province of the Massachusetts government, of New Hampshire or Connecticut government, that proves to be defaced and counterfeit, or counterfeited, or any bill or bills in the likeness or any ways imitating or resembling the true bills of said colony (and not to be so) ; and that shall not first immediately inform some person or persons in authority thereof, in order that the said bill or bills may be suppressed, such person or persons so offending, and being convicted thereof, shall, for the first offence, forfeit all such bill or bills exposed or found about him or them ; and pay as a fine into the general treasury of this colony, the sum of forty shillings, and be imprisoned for the space of ten days ; and upon his enlargement, to give bond for his good behavior, according to the discretion of the judges of the court where the fact shall be tried.

And also, that any person or persons that shall at any time

or times from and after the date hereof, see any person or persons to have any of the aforementioned counterfeited and defaced bills offered to them in any way of trade or traffic for pay as money, or otherwise, and shall not forthwith inform some one in authority thereof, such person or persons so offending, upon complaint made, and lawful conviction, shall pay a fine into the general treasury, of the sum of forty shillings.

Nevertheless, it is to be understood, and that no innocent person may suffer.

It is also hereby enacted, that it shall be in the power of the judges to mitigate the extremity of this law, according to their discretion, and as the nature of the fact requires.

It is also to be understood, that any person or persons which shall be convicted of actually counterfeiting any of the aforementioned colony bills, shall have no benefit by this present act but shall be tried as a felon, as by a former act of Assembly of this colony, made and provided for the same, may appear, reference thereunto being had.

An Act for building bridges at Providence, &c.

Whereas, at a General Assembly, held at Providence, in October last past, there was encouragement given for building three bridges, part at the colony's charge, and part by contribution; and men were appointed to raise money by contribution, and in pursuance thereof, there hath been a considerable sum of money collected for said service; and by said encouragement several gentlemen have been at considerable charge to provide timber for said bridges:

Therefore, for the encouragement of so good a work, this Assembly doth enact, and by the authority thereof it is enacted, that this colony do give, for the encouragement of said work, the sum of £200, to be paid out of the general treasury; and that the persons that have been at the abovesaid trouble of taking care that the said bridges be built with the contribution money, and the money given by the colony.

And it is further enacted, that the persons that undertake the above said work, shall have power and liberty to raise what

money more they can, in any town in this colony, by contribution; and that the authority give a sanction to their proceeding, to gather money by contribution, to finish said work.

And the men appointed for the bridge at Pawtucket, are Major Joseph Jenckes, and Capt. Nathaniel Jenckes.

And that at Weybosset, are Capt. Wm. Crawford, and Mr. Nicholas Power.

And that at Pawtuxet Falls, shall be Mr. Peleg Rhodes, who shall have power to appoint the bridges in the most convenient places.

It is always intended, that the colony shall be at no more charges in building and maintaining said bridges, than the above mentioned £200.

An Act for the raising of a troop of horse on the main land.

Whereas, several troopers having agreed to certain articles, bearing date January the 13th, 1710-11, to accouter and fit themselves, as is therein signified, within the space of eight months after the date hereof:

Be it therefore enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that each respective trooper that hath signed, or shall at any time hereafter sign unto the abovesaid articles, and shall not comply therewith, according to the contents and true meaning of said articles, shall, for said default, pay a fine of ten shillings for each week's neglect in not fitting and accoutering himself, according to said articles.

And also, that each respective trooper, for each day's neglect in not appearing in the field when legally called thereunto by his superior officer or officers, shall pay a fine of six shillings; but in case of an alarm, for each default, in not appearing, the sum of twelve shillings.

All which said fines and penalties shall be collected and gathered, according to the military laws formerly made and provided by this colony for the same.

And that all such fines shall be improved by the commissioned officers of said troop, for the use and benefit thereof.

Whereupon, the Assembly is adjourned to the last Tuesday in August next, unless His Honor, the Governor, or lieutenant governor, see cause to call it sooner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 28th day of June, 1711.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Col. William Wanton, chosen speaker.

John Hammet is chosen clerk of the Assembly till the next election of general officers.

The Assembly having been made sensible of the death of Mr. Rich. Greene, and both houses resolved into a grand committee for the election of another in his room: and

Mr. Job Greene is chosen in his room, and engaged.

Ordered, the Honored Governor, together with what assistance he shall see cause to improve, to write two congratulatory letters.

First, to Her Most Sacred Majesty, to render her most hearty thanks for her indulgent care and thoughtfulness of us, in these Her Majesty's plantations, so as to endeavor the suppression of our enemies in those parts.

And also, to His Excellency, Colonel Francis Nicholson, rendering him hearty thanks, in behalf of this house, for his great service and zealous affection for those Her Majesty's plantations, and his hearty zeal for the suppression of our enemies in those northern parts of America.

Whereas, the Honored Governor, presented to this house a letter from Her Royal Majesty, from St. James, dated February the 28th, 1710-11, together with the Honorable Colonel Nich-

olson's instructions relating to our quota of men for the present intended expedition to Canada ; and that the said design may be carried on :

It is ordered, that there shall be one hundred and sixty-two effective men, to be raised under their own officers (Indians included), the which, His Honor exhibited before the congress at New London ; and the congress would not accept thereof, unless officers and sailors were not therein included.

Whereupon, it is ordered, that seventeen men shall be added thereunto, the which completes the number of one hundred and seventy-nine, who are to be returned as soon as the expedition is over.

Ordered, that if there be not men enough appear as volunteers to go on the intended expedition, that the Governor shall grant press-warrants to the majors, or orders to impress what shall be wanting of the said quota.

Ordered, that each soldier's pay shall be eight shillings per week from the time of their being enlisted, till their return and being disbanded ; and that each person who shall voluntarily enlist himself in Her Majesty's service for this present expedition, shall have the encouragement of £3, to be paid out of the public treasury immediately upon their enlisting themselves, besides Her Majesty's royal bounty.

Ordered, that the wages for all the officers shall be the same allowance as was allowed them for the last expedition to Port Royal.

Ordered, that Major James Brown and Mr. George Goulding shall be hereby authorized and empowered to be assistant as a committee, with the commissary general, to buy a vessel for the colony's service in the intended expedition to Canada, and the same to be paid out of the public treasury.

Ordered, that the commissary general shall take up provisions of all sorts suitable and needful for said expedition.

The stated prices for all sorts of provisions and necessities for the intended expedition, is as followeth, viz. :

£ s. d.

Connecticut and Rhode Island pork, repacked and pickled, per barrel.....	3	10	0
Beef repacked and pickled, per barrel	3	00	0
Peas, per bushel.....	0	06	0
Flour, per barrel	0	19	6
Bread, per —	0	19	0
Butter, not to exceed per lb.....	0	00	7
Rum, at per gallon	0	03	3

And all other necessities requisite for said expedition, not already enumerated, shall be left to the discretion of the commissary general, with the committee to be appointed for his assistance therein.

The stated wages for all the officers and sailors of the ship, for the colony's service to Canada, is as followeth, per month, viz.:

The master, at 5; the mate, at 4 10; the carpenter, at 3; the boatswain, at 3; the gunner, at 3; the pilot, at 4; the seamen, at 2 pounds.

Mr. William Coddington is chosen commissary for the stores of the colony, and to be allowed £5 per month.

Ordered, that Col. William Wanton, Col. John Cranston, and Capt. Benjamin Ellery, join as a committee with His Honor, the Governor, and commissary general, who shall have hereby full power and authority to make choice of the above said officers for the ship, and also to choose and agree with a surgeon for the expedition; together with all other essential conveniences and stores, not already enumerated.

Ordered, that any person or persons after he or they shall be enlisted to serve in this present intended expedition for this colony, and shall neglect said service, such delinquent person or persons, shall be dealt with according to the discretion of the Assembly of this colony.

But as to the penalties and punishments of deserters, it shall be determined and executed according to the discretion of the council of war, of this colony.

Ordered, that each and every person who shall be impressed for this expedition, if he neglect or refuse the same, or to hire one in his room, such person or persons shall pay a fine of £10 money, which shall be paid to the major of each regiment, to hire men in their room; and such major to give an account thereof upon oath, of such money so paid.

And any person or persons who shall neglect or refuse to pay said fine, the same shall be taken by distraint by virtue of a warrant from His Honor, the Governor, or any magistrate in this colony.

And further, that if no estate can be found to the value as above said, belonging to the delinquent person or persons, he or they shall be proceeded against at the discretion of the council of war in the regiment to which the delinquent belongs.

Ordered, that the same committee that was appointed with His Honor, the Governor, to meet with the Governor of Connecticut, concerning a man-of-war sloop, for a guard-sloop for this government, be the men appointed to wait upon the Honored Governor to New London; and also, that His Honor, the Governor, give orders to the commissary general forthwith to take up a sloop, together with all necessaries fitting for the voyage, and the same to be paid out of the public treasury of this colony.

Ordered, that the £1000 lately ordered to be collected and paid into the public treasury towards refunding the bills of credit put forth by this colony, shall be paid out towards the defraying the charge of the present intended expedition to Canada.

And also, that there shall be the sum of £6000 printed forthwith, and the same to be signed for sanction by the former committee commissioned for signing the former bills of credit put forth by this colony; and the same put into the general treasury, for the use and service above said.

Yet, nevertheless, it is to be understood, that the sum of £3000, part of the £6000 above mentioned, shall be forthwith

signed, as abovesaid ; and the other £3000 to be lodged in the public treasury, till further orders.

And that the same committee formerly commissioned for agreeing with the printer for printing the former bills of credit, shall have the same power and authority to agree for the printing the above mentioned £6000 also ; and the charge thereof, to be paid as formerly.

Be it further enacted by the authority aforesaid, that the quota of men for this colony, for the expedition to Canada, shall be one hundred and sixty-seven, besides twelve sailors.

Proportioned on each town as followeth, viz. :

Newport, 47 ; Providence, 35 ; Warwick, 10 ; Kingstown, 35 ; Greenwich, 8 ; Westerly 14 ; Jamestown, 3 ; Portsmouth, 15.

And be it further enacted, that the general treasurer forth with produce a book suitable for recording the acts of the Assembly, and deliver the same to the clerk of the Assembly.

And it is further ordered, that the recorder and clerk shall draw the schedules of this Assembly into a body, and present the same to the next sitting of the Assembly ; and to have twelve shillings for the copy.

Whereupon, the Assembly is adjourned to the last Tuesday in August next, unless the Governor, or in his absence, the lieutenant governor sees occasion to call it sooner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, by adjournment, August the 28th, 1711.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Mr. George Brownell,

Mr. George Cornell,
Capt. Jeoffrey Champlin.

Col. Wm. Wanton, chosen speaker.

John Hammet, chosen clerk.

Capt. George Lawton, chosen justice of the peace in the room of Mr. John Coggeshall, of Portsmouth; also, the said Capt. George Lawton is chosen one of the committee for signing the bills of credit for this colony, in the room of the said Coggeshall.

In answer to the letter directed to the Honored Governor, from Mr. Wharton's widow, relating to the money due to said Wharton for service done for this colony :

It is the general opinion of this Assembly, that whereas the said Wharton, was solicitor to Sir Wm. Penn, our agent, that the said Penn, in the colony's behalf, make up accounts with the said Wharton's widow, and send us the just balance, and we shall remit what shall be due to her.

Whereas, there is a petition preferred before the Assembly, under the hand of Mr. Daniel Lewis and company, for the confirmation of certain lands purchased by them within the jurisdiction of this government, the same being already surveyed by Mr. John Mumford, surveyor, as appears by a map of the same, under his hand :

Therefore, be it enacted by this present Assembly and the authority thereof, that the recorder general, upon demand, shall give unto the said Daniel Lewis and company, their heirs and assigns, a firm and authentic quit claim for said land, in the colony's behalf, sealed with the colony seal, in order that the colony may be for ever debarred from laying or challenging any claim, right or title thereunto, or to any part thereof.

Whereas, there is a petition exhibited before the Assembly, under the hands of Wm. Champlin, Esq., and John Hill, requesting that the highway which Mr. John Mumford laid out in Westerly, beginning at the bridge at the east side of Samuel Clarke's land, and leads down to the Westerly main road, may be perpetuated to be an open road :

Therefore, be it enacted by the authority aforesaid, that the said road shall be an open and public road, and so to remain and continue for ever hereafter; and shall be stated according to the draft of the same, drawn by Mr. John Mumford, surveyor; reference thereunto being had.

And also, that the gentlemen chosen at the sitting of the Assembly, in May last, to audit the general treasurer's account, be still continued for said service; and the same to be performed by the 20th of September next.

And that the recorder and clerk shall add the schedules of this Assembly to the former, and that copies thereof, be sent to each town in the colony by the 20th of October next; and they to have fourteen shillings for each copy.

Whereupon the Assembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the 14th day of November, 1711.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Major Joseph Jenckes.	Capt. Jeoffrey Champlin,
Capt. Thos. Fenner,	Capt. John Eldredge.
Maj. Randall Holden,	

Capt. James Greene, chosen speaker.

John Hammet, chosen clerk.

Be it enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that the address of the Honorable, the Governor and council to Her Royal Majesty, bearing date October 24th, 1711, is allowed to be an act of this Assembly; and that the charge thereof shall be paid out of the general treasury.

Upon reading and deliberately considering a remonstrance and representation from the government of Boston and Connecticut, &c., concerning the encouragement of the Five Nations of Indians:

Be it enacted by the authority aforesaid, and it is hereby enacted, that this government shall be at a common and proportionable charge with said governments for the encouragement of the said Five Nations; for which purpose, we have appointed assistance to His Honor, the Governor, viz.:

Of the council—Major Joseph Jenckes, Major Randall Holden.

Of the Assembly—Major Nathaniel Sheffield, Capt. Benjamin Ellery.

Be it enacted by the authority aforesaid, and by the authority thereof it is enacted, that from the date hereof, till otherwise ordered, all soldiers that are, or shall at any time hereafter enlist themselves volunteers to go to Shoreham, alias Block Island, for the assistance of the people of said island, for their defence against the common enemy, shall have thirty shillings per month for their service ; and if they find themselves arms and ammunition, they shall have forty-six shillings per month. But if impressed, then to have but twenty-eight shillings per month ; all which shall be paid out of the general treasury.

Whereas, Capt. James Greene of the town of Warwick, preferred a petition to this Assembly for the payment of nine months' service, and his expense in waiting on his uncle, Major John Greene, when he went a messenger for this colony to Great Britain, in the year 1686, desiring the improvement of £300, in colony bills of credit, for the space of four years next ensuing, interest free, in compensation and payment for the said service and expense :

Therefore, be it enacted by the authority aforesaid, and it is hereby enacted, that there shall be the sum of £300 in bills of credit of this colony forthwith printed and signed by the committee empowered [to sign] the former bills of credit of this colony ; and the same put into the general treasury, and let out to the said Capt. James Greene, by the general treasurer, for the space of four years next ensuing, interest free ; the said Capt. James Greene paying for the printing and signing said bills, and all other incidental charges accruing by letting the same. And also, shall give good and sufficient land security to the general treasurer of this colony, and his successors in office, in the colony's behalf, for the payment of the said £300. And that Col. John Wanton and Lieut. John Odlin forthwith agree with the printer, and give order for printing the same.

Whereas, upon complaint of Mr. William Wilkinson, and Mr. Thomas Arnold, Jr., both of the town of Providence, that the constable of said town, by virtue of a warrant from Major

Joseph Jenckes, made distraint on the estates of said Wilkinson and Arnold, for that they refused to go in Her Majesty's service in the late intended expedition against Canada;—

Be it enacted by this present Assembly and the authority thereof, that the said Major Joseph Jenckes is hereby fully authorized and empowered to order and determine the case relating to said fines, according to his discretion, without any manner of restriction or limitation.

Be it enacted by the authority aforesaid, and it is hereby enacted, that Major Joseph Jenckes, Major Randall Holden, and Mr. John Spencer, they, or the major part of them, are hereby nominated, appointed, authorized and empowered to be a committee to proportion the money gathered by contribution; and also, the £200 given by the colony for the building the three bridges enacted to be built, by a former act of Assembly; and that the same be performed and done with all possible speed.

And also, that the said £200 be paid out of the general treasury, by His Honor, the Governor's order, to the undertakers of said bridges, according to the proportion of said committee; and said committee to be paid for their service therein, out of the general treasury.

Be it further enacted by the authority aforesaid, and it is hereby enacted, that Major Nathaniel Sheffield, Capt. Benjamin Ellery, Capt. Benjamin Greene, Capt. William Coddington, and Mr. Pardon Tillinghast, they, or the major part of them, shall be an audit to audit the general treasurer's accounts, and shall begin said work on the 26th day of December next ensuing, at the general treasurer's house, or any other place agreed on by themselves; and so to continue on said service till they have perfected the same, and when perfected, to make return thereof to the next session of the Assembly; and to have four shillings per day for their service therein, to be paid out of the public treasury. And that the clerk of the house of representatives shall forthwith send an order to those persons so chosen to attend said service on the day above said, with a copy of this act, also.

Whereas, by the providence of God, the Assembly appointed. to sit at Warwick, according to custom, on the last Wednesday in October last past, was, by the extremity of the weather, neglected, and there being several cases of appeal depending on a determination of the Assembly :

Therefore, be it enacted by this present Assembly, and by the authority thereof, that all those cases depending by appeal and should have been brought to said Assembly, shall have a fair trial at the next session of this Assembly, where those gentlemen concerned therein, are ordered to attend.

Whereupon, the Assembly is adjourned, to meet at the colony house, in Newport, the last Wednesday in February next, at 8 of the clock, in the morning, if the providence of God, through some casualty, do not prevent ; but if prevented by providence, as aforesaid, the meeting is to be continued to the Thursday, Friday or Saturday, following, at the like place and hour of the day ; always provided, upon urgent occasion, it shall be in the power of His Honor, the Governor, or in his absence, the lieutenant governor, to call it sooner.

And that the acts passed at this session, be in full force upon the adjournment of this Assembly.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 27th of February, 1711-12.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Major Joseph Jenckes,

Capt. Jeoffrey Champlin,

Capt. Thomas Fenner,

Capt. John Eldredge.

Major Randall Holden,

Representatives from the several towns.

Mr. John Spencer, chosen speaker.

John Hammet, chosen clerk.

An Act for preventing clandestine importations and exportations of passengers, or negroes, or Indian slaves into or out of this colony; and for the more effectual putting in execution an act, entitled an act for supporting the Governor in the performance of his engagement to the act of navigation, made at Newport, April 30, 1700.

Whereas, among other things in the above mentioned act, it was therein enacted and ordained, that no masters of vessels coming into this harbor of Newport, or any bay or river within the bounds of this colony, shall land or bring on shore from his said vessel any passengers but shall give the Governor an account thereof, nor carry off nor out of this colony any persons that are allowed inhabitants in this colony, or in any town within the same, or known seamen without a permit from the Governor, deputy governor, or any two assistants in this colony, upon forfeiture of £50 current money, for which all masters shall give bond;—

Notwithstanding which good and wholesome laws, several

ill affected persons, to the great detriment of the inhabitants of this colony, and of other Her Majesty's good subjects in our neighboring governments, have found out clandestine ways and means to elude the good intentions of said act ;—

Be it enacted, and it is hereby enacted and ordained by the authority aforesaid, that from and after the publication of this act, if any person or persons, inhabitant or inhabitants of this colony, or any others, that have resided within this government for the space of three months, shall have a mind to transport themselves or families to any other place out of this colony, that then they shall, ten days before their departure, set up their names, and the design of his, her or their departure, at the most public place within the town where he, she, or they inhabit, where it shall stand up the aforesaid time of ten days, to public view, to the end that all persons may be acquainted with their intent of departing this government; and that they may be under writ by those with whom they have contracted any debts or other hindrances that might be a lawful let to his, her or their departure; the which it shall be lawful for any person to do, that can give a just cause for their so doing.

But if the person so underwriting, cannot make good his allegations against the person he hath so underwrit, that then he shall be liable to pay all costs and damages that shall be sustained by the persons so underwritten, when lawfully made to appear. And at the end or expiration of the above said ten days, the person or persons whose name or names hath been so set up and not underwrit, shall produce from the magistrate of the town wherein he, she, or they inhabit or reside, a certificate under his hand, which shall specify his, her or their names, and that they have been set up in the said town according to this act, and hath not been underwrit by any person; which said certificate shall be delivered to the Governor, or in his absence, the deputy governor; or the next justice of the peace in the town of Newport, who is hereby authorized to grant a permit for his, her or their transportation, to the master of the vessel that is to transport them.

And whereas, the town of Newport is the capital place of trade within this government ;—

It is hereby enacted, that the naval office shall be the place where all persons desiring to depart this town for any other government, shall set up their names, as above said, which shall be publicly exposed to view of all persons, at the door of the naval office, for the above said time of ten days ; and then it shall be lawful for the naval officer, if the person or persons whose name or names hath been so set up, and not been underwrit, to deliver to him, her or them a certificate, which shall specify the same as above said, which certificate shall be delivered to the Governor, or in his absence, to either of the officers of the peace, as above said, who shall proceed as above written, to the masters of all vessels that shall transport any passenger or passengers from this town.

And it is further enacted, that the naval officer shall keep a fair register of all persons that shall so transport themselves from the said town of Newport, with their name or names, the time of their being set up, the name of the master and vessel they go with, the time of their departure, and place they are bound to, for the view of all persons concerned therein.

And whereas, there was an act of Assembly made at —, in the year —, entitled an act, &c. :

It was then and there enacted, that for all negroes imported into this colony, there shall be £3 current money, of New England, paid into the general treasury of this colony for each negro, by the owner or importer of said negro ; reference being had unto the said act will more fully appear.

But were laid under no obligation by the said act, to give an account to the Governor what negroes they did import, whereby the good intentions of said act were wholly frustrated and brought to no effect ; and by the clandestinely hiding and conveying said negroes out of the town into the country, where they lie concealed :

For the prevention of which for the future, it is hereby enacted by the authority aforesaid, that from and after the publication of this act, all masters of vessels that shall come into the

harbor of Newport, or into any port of this government, that hath imported any negroes or Indian slaves, shall, before he puts on shore in any port of this government, or in the town of Newport, any negroes or Indian slaves, or suffers any negroes or Indian slaves to be put on shore by any person whatsoever, from on board his said vessel, deliver unto the naval officer in the town of Newport, a fair manifest under his hand, which shall specify the full number of negroes and Indian slaves he hath imported in his said vessel, of what sex, with their names, the names of their owners, or of those they are consigned to ; to the truth of which manifest so given in, the said master shall give his corporal oath, or solemn engagement unto the said naval officer, who is hereby empowered to administer the same unto him ; which said manifest being duly sworn unto, the said naval officer shall make a fair entry thereof in a book, which shall be prepared for that use, whereunto the said master shall set his hand.

But if the said master shall refuse to give to the said naval officer such a manifest as aforesaid, or to swear to the said manifest when so delivered to the said naval officer, then upon complaint of said naval officer, (whose oath shall be sufficient evidence in this case,) to the Governor, or in his absence, to the next officer of the peace in the town of Newport, the Governor, or the officer to whom the complaint is made, shall immediately issue out a warrant of distrainment unto the sheriff or his deputy, to apprehend the body of the said master, and him to commit to Her Majesty's jail, there to remain without bail or mainprize until he hath paid the full sum of £40 current money, of New England, to the treasurer of this colony, for the use of said colony, with all other charges that shall accrue through his contempt.

And when the said master hath delivered his said manifest and sworn to it, as abovesaid, and before he hath landed on shore, or suffer to be landed, any negroes or Indian slaves as aforesaid, he, the said master, shall pay to the naval officer the sum of £3 current money, of New England, for each negro ; and the sum of forty shillings of the like money for each Indian that shall be by him imported into this colony, or that

shall be brought into this colony in the vessel whereof he is master.

But if he hath not ready money to pay down, as aforesaid, he shall then give unto the said naval officer a bill, as the law directs, to pay unto him the full sum above mentioned, for each and every negro and Indian imported as above said, which bill shall run payable in ten days from the entering the manifest as above said ; and if at the end of the ten days, the said master shall refuse to pay the full contents of his bill, that then the said naval officer shall deliver the said bill unto the Governor, or in his absence, to the next officer of the peace, as aforesaid who shall immediately proceed with the said master in the manner above said, by committing of him to Her Majesty's jail, where he shall remain without bail or mainprize, until he hath paid unto the naval officer, for the use of this colony, double the sum specified in his said bill, and all charges that shall accrue thereby ; which money shall be paid out by the said naval officer, as the General Assembly of this colony shall order the same.

And it is further enacted, that the naval officer who now is, and who ever shall be for the future put into said office, shall at his entering into the said office, take his engagement to the faithful performance of the above said acts. And for his encouragement, shall have such fees as are hereafter mentioned at the end of this act.

And for the more effectual putting in execution those acts, and that none may plead ignorance :

It is enacted by the authority aforesaid, that all masters of vessels trading to this government, shall give bond, with sufficient surety in the naval office, for the sum of £50, current money of New England.

Upon reading a letter from Major Joseph Jenckes, to His Honor, the Governor, relating to the building of a bridge over Pawtucket river, therein informing His Honor that it is supposed by several persons of the Massachusetts government, that they will be ready and willing to do a considerable part thereof, if countenanced by this government ; therefore

Be it enacted by the authority aforesaid, that the recorder, in behalf of this government, shall write and send a letter forthwith to the Massachusetts government, to inform them of said report, and that if they incline to be concerned therein, to send us their propositions concerning the same, for our perusal.

Francis Colegrave, petitioned for an abatement of the sum of £11 18s. 4d., due from him to the colony, for land lately bought of the colony's committee in the Narragansett country, alledging that his eldest son, who was his chief help and support, being lately dead, in Her Majesty's service, in behalf of this colony, in the late expedition against Port Royal, whereby he is rendered incapable to pay the same ;—

Wherefore, be it enacted by the authority aforesaid, that the said sum of £11 18s. 4d., shall be, and is hereby remitted and given to the said Francis Colegrave.

✓ Whereas, this Assembly having taken into their serious consideration their jurisdiction and authority as an Assembly, for the trial and determination of appeals from the Court of Trials, especially respecting title of land ; together with the judgment and determination of Her Majesty and council upon the appeal of Remington against Brenton, wherein the proceedings of the Assembly were utterly condemned ;—

Whereupon, notwithstanding a former act of this colony, which hath constituted and empowered the Assembly to be a Court of Chancery, we judge that they had no power or authority to make any such law, by reason we cannot find any precedent that the legislators or Parliament of Great Britain, after they had passed an act or law, took upon themselves the executive power or authority of constituting themselves a Court of Chancery, or any other Court of Judicature ;—

Yet, notwithstanding, considering the power and authority of the General Assembly of this colony, granted them by, and in our royal charter, do find that their power and authority is very large and copious as legislative, to make laws and constitute courts of judicature for the trial and decision of all matters and cases happening within this colony or government, as they shall judge proper, according to the constitution thereof,

so as they be not repugnant, but as near as may be agreeable to the laws of England :

Therefore, be it enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that the act or law of this colony, which constitutes, authorizes and empowers the Assembly to be a Court of Chancery, shall be, and is hereby repealed, made null and void, and of none effect ; and that no appeal from the Court of Tryals for the future, be granted, allowed or brought before the Assembly of this colony ; and that the gentlemen appealing to this Assembly be dismissed, without any cost, save officers' fees.

And also, that the Assembly of this colony, according to, and by virtue of their power and authority afore recited, shall erect, set up and establish a regular Court of Chancery, within this government, according to the methods and precedents of Great Britain ; any act or acts, law or laws in this government to the contrary hereof, in any wise, notwithstanding.

Always provided, the said appeals may be by way of petition to this, or any other Assembly in this colony, have relief in any matter or thing that may be cognizable before them ; or that may at any time hereafter, when a proper Court of Chancery be stated, have their appeals continued to said court of relief, if they shall think fit to prosecute the same. ✓

Be it enacted by this Assembly, that Col. John Wanton and Lieut. John Odlin shall have, and be paid out of the general treasury of this colony, the sum of £6, for their service in agreeing with and giving order to the printer for the printing of £13,000, in colony bills of credit, late enacted to be printed.

Whereas, Mr. James Clarke, regulator of the weights and measures of this government, complaining that the weights and measures of this colony do not agree with those of the neighboring governments ; also proposing that there might be measures of brass or copper produced, the which will not be so subject to variation as those of wood, which we now have, for the standard of this government :

Therefore, be it enacted by this Assembly, and the authority

thereof, and it is hereby enacted, that the said regulator shall procure such weights and measures as seemeth to him most proper, and get them compared with the standard of the Massachusetts government, and then the same to be the standard of this government also ; and all the charge accruing thereon, to be paid out of the public treasury of this colony.

Be it enacted by this present Assembly, that the naval officer of this colony be allowed a book suitable and fitting for the business relating to the importation of negroes, &c., pursuant to an act herein mentioned, relating to the same.

And also, that the general treasurer be allowed a book suitable for the accounts of the colony ; and the charge of both said books to be paid by the general treasury.

Whereas, many of the bills of credit put forth by this colony, are worn out and impaired, so that they are hardly passable ; and if no measures are taken, whereby they may be repaired, time will render many of them useless, to the damage of the last possessor ; and also a hindrance to the currency thereof, especially in our neighboring governments, and there being a rate to be levied on this colony of £1000, by former act of Assembly :

Therefore, be it enacted by this present Assembly, and by the authority thereof, and it is hereby enacted, that the said broken and defaced bills shall continue in the owners' and possessors' hands, till the said £1000 be paid into the general treasury ; and then the general treasurer of this colony shall take and receive of any person or persons all such bills as aforesaid, which shall be so worn out and defaced, as renders them not fit to pass, and give them good whole bills of credit, out of the said £1000, for the same value he shall receive ; and that the said treasurer keep said broken and defaced bills in his custody till the next sitting of the Assembly after such bills shall be so changed, in order that the said Assembly may give order for the disposition thereof.

And whereas, there was a petition preferred to this Assembly by Capt. Samuel Greene, attorney to John Knight, requesting that an appeal might be granted to said Knight, from the

Courts of Trials of this colony, relating to a certain controversy between said Knight and Mr. Job Babcock, &c., concerning lands in the Narragansett country, in this colony, to Great Britain.

Whereupon, be it enacted by the authority aforesaid, and it is hereby enacted, that the said John Knight shall, and may have, and is hereby allowed an appeal from the said Courts of Trials, to Great Britain, concerning the premises above mentioned ; he, the said Knight, complying with and conforming to the laws and acts of this colony, in such cases made and provided.

The Assembly taking into consideration the great disadvantage they lie under, for want of convenience for their sitting in the colony house, the which may be made commodious and convenient for the same, both in summer and winter, with a small charge, the which, doubtless, will greatly tend to the dispatch of business :

Therefore, be it enacted by this present Assembly and the authority thereof, and is hereby enacted, that there shall be so much money paid out of the general treasury as will fit the said house, so that it may be made convenient and suitable for the purposes afore mentioned.

And also, that there shall be a room built on the side of the colony house, of about sixteen feet square, and about eight or nine feet stud, for His Honor and council to sit in.

And His Honor, the Governor, and Major James Brown, are hereby desired and empowered to employ workmen to do the same, as soon as the weather will possibly permit.

And the same to be performed according to the discretion and dictates of His Honor, and said Major Brown.

Be it enacted by the authority aforesaid, and it is hereby enacted, that Major Nathaniel Sheffield, Capt. Benjamin Ellery and Capt. William Coddington, they, or the major part of them are hereby authorized, commissioned and empowered to be a committee to audit the commissary's accounts ; and also to take an exact inventory of all the colony's stores of what na-

ture or denomination whatsoever, and to present the same to the Assembly in May next.

And each of them who shall be actual in said service, to be allowed and paid the sum of four shillings per day for their service therein, to be paid out of the general treasury.

Be it enacted by this present Assembly, that the clerk of the house of representatives shall draw the acts of this Assembly into a body, and the same to be proclaimed in the town of Newport by beat of drum, within nine days after the dissolution hereof; and also, shall write a copy thereof for each town in this government; and to be paid out of the general treasury of this colony ten shillings for each of them; and to be allowed and paid as aforesaid, the sum of forty shillings for his extraordinary trouble and service; and that the recorder general shall sign and seal each of the said copies with the seal of the colony, and send a copy to each and every town in this colony, within thirty days after the dissolution hereof, and to be paid out of the general treasury for his so doing, the sum of six shillings for each copy.

Whereupon, the Assembly was dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th day of May, 1712.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

Weston Clarke, recorder.

Both houses being full.

Mr. Ebenezer Slocum, chosen speaker.

Mr. Joseph Burden, chosen clerk.

Voted, that both houses be resolved into a committee to make preparation for the election.

Assistants Major Henry Tew, Mr. Joseph Jenckes, Mr. Geo. Cornell and Mr. Job Greene, are appointed to open the prox-
cive votes.

Deputies Mr. Benedict Arnold, Mr. Thos. Cornell, Capt. Sam'l Greene, Mr. Geo. Hassard, Capt. Wm. Champlin, Mr. Jonathan Sprague are to receive the votes and put them into the hat.

Inhabitants of Kingstown freemen of the colony :

John Eldred, son of Thomas Eldred, William Bentley, Jr., Samuel Boon, Francis Runnall, Jr., Wm. Whittman, John Daully, Joseph Runnall, Jr., Thomas Bentley, Robert Runnall, John Sweet, Jr., James Bentley, Benjamin Merry, Jr., Thomas Jackwais, Silas Greenman, John Hall, John Kennion, Richard Updike, James Allin, Robert Hall, Isaac Shelding, Peter Wells, Jr., Paris Wittford, John Watson, Jr., Samuel Brown, Robert Hassard, Jr., John Bridgs, James Runnals, son of Francis, Philip Griffith, Samuel Watson, James Browman, Job Babcock, Jr., Wm. Gardner, Thomas Mumford, Jr., Peter Crandall, Moses Barber, Jr., John Sheldon, Joseph Carpenter, Samuel Crandall, Joseph Case, Jr., Abel Sherman, Wm. Case, Wm. Barber, John Albro, James Eldred.

Inhabitants of the town of Providence admitted freemen of the colony :

Wm. Sprague, Stephen Dexter, Silas Carpenter, Wm. Turpin, Wm. Sprague, Jr., James Whipple, Stephen Arnold, Jr., Wm. Whipple, Hope Angel, John Field, Ezekiel Hopkins, John Angel, son of James Angel.

Inhabitants of the town of Warwick, admitted freemen of the colony.

John Low, Zachariah Rhodes, Jr., John Greene, son of Thos. Greene, deceased, James Arnold, Nathaniel Cahoone, Francis Greene.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 7th of May, 1712.

Both houses being full.

Mr. Ebenezer Slocum chosen speaker.

Capt. Joseph Burden, chosen clerk.

The charter publicly read, [the Assembly] then proceeded to election.

Col. Samuel Cranston, Governor.

Walter Clarke, Deputy Governor.

ASSISTANTS.

Major Henry Tew,
Capt. John Rogers,
Major Joseph Jenckes,
Capt. Thomas Fenner,
Mr. Giles Slocum,

Mr. George Cornell,
Mr. Randall Holden,
Mr. Job Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Capt. Edward Thurston.

GENERAL ATTORNEY.

Mr. Richard Ward.

MAJOR FOR THE ISLANDS.

Major Nath'l Sheffield.

MAJOR FOR THE MAIN.

Capt. Thos. Fenner,

Mr. James Clarke, chosen packer and sealer of weights and measures, and prover of weights, &c.

Voted, upon the petition of Edward Dyer, of Kingstown,

concerning a highway near adjoining to his land in the Narragansett country, that it may be stated according to the original grant.

Be it enacted by this Assembly, and the authority thereof, and it is hereby enacted, that His Honor, the Governor, will be pleased to grant his warrant to the sheriff to empanel a jury of inquiry, upon their engagements, to inspect into and lay out the said highway as near as may, according to the bound and limits heretofore known and judged to be the intent of the proprietors of said purchase originally; and that the general surveyor of the colony, to wit, Mr. John Mumford, run the lines by the jury appointed, and that the charge of the whole to be borne by the said Dyer, in case his information be wrong laid; but if otherwise, then by the person or persons who have been the cause of molestation in the premises; and that the return be made to the Assembly next at Providence.

Voted, and it is further enacted by this Assembly, upon the request of the naval officer, concerning the act of importation of negroes and Indians, that any negroes or Indians brought into the harbor of Newport, or any other part of the colony, and an entry made of the vessel, and a manifest given by the master, is an importation within the act.

Voted, upon request of Capt. Wm. Champlin, for a bridge to be built over Pawcatuck river, by contribution, is allowed; provided, it be built in the highway.

This Assembly taking into consideration that the colony's ship lying in a decaying condition:

It is hereby ordered, if no further expedition present by the 10th of June next, then the committee herein appointed, to wit: Col. John Wanton, Major James Brown, Major Nathaniel Sheffield and Mr. Joseph Burden, are appointed to make sale of the said ship and appurtenances, for the use of the colony.

This Assembly is adjourned to the last Monday in June next, unless the Governor or deputy governor, see cause to call it sooner.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, the 30th of June, 1712.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Mr. Ebenezer Slocum, chosen speaker.

Capt. Joseph Burden, chosen clerk.

An Act for establishing the ferries from Newport to Jamestown, from Jamestown to Kingstown, and from Kingstown to Jamestown, as followeth :

Whereas, there was an act of the Assembly, in August, 1709, that John Carr should have the ferry from Newport to Jamestown ; Robert Barker, the east ferry from Jamestown to Newport ; Josiah Arnold, the west ferry from Jamestown, to Kingstown ; and John and Jeremiah Smith, the ferry from Kingstown to Jamestown, in consideration of £4 per annum, for seven years ; and to perform the conditions in said act mentioned :

This Assembly having inquired into the premises defined by those empowered to receive the above said sums, that some of the said ferry keepers above mentioned, have neglected and refused to comply with the terms mentioned in said act ;

This Assembly, upon good consideration, sees cause to appoint a committee to take care and settle the said ferries, and take bond of the persons the ferries are settled upon.

The committee appointed, is Major Nathaniel Sheffield, Capt. John Eldredge, Mr. Stephen Hassard, and Mr. John Holmes, or the major part of them agreeing.

The Assembly having now ordered that the ferry between Kingstown and Jamestown, shall be stated on the said Smiths and William Gardner, and the other ferries, as afore mentioned, they, and every of them, keeping a good sufficient boat and all other necessities as the committee shall agree for ; and, to car-

ry all general officers, jurymen, deputies in, or on any public concerns for the colony, ferry free, and the public post.

And each of said ferries for transportation from one side to the other, for a man and horse, eight pence ; for a single man, eight pence ; if more than one man, four pence ; for every neat beast, one shilling.

And it is further enacted, that one man belonging to each ferry in this colony, shall be discharged from any duty in the militia.

And if either of the above said ferry men shall refuse to accept of the terms aforesaid, and give bond to the committee, the said committee shall, and have hereby full power to state it on such others as they shall appoint, and will accept of the same.

And whereas, there is no provision made in the premises for Gardner and Smith to land their passengers ;—

It is further enacted, that the said Gardner and Smith have liberty to land their passengers at any place customary for ferry boats to take off and land passengers.

Voted, that both houses be resolved into a grand committee for the choice of attorney general and commissary.

Mr. John Hammett, chosen attorney general, and engaged.

Mr. Joseph Whipple, Jr. chosen commissary, and engaged.

Whereas, this Assembly is informed that some of the former majors and captains had money given them for the releasing of some men that were impressed ; and also, money laid on the hands of some persons, by Portsmouth people and others, for hiring of soldiers in the last expedition, and have given no account thereof :

This Assembly doth order, that if any such persons be, they should be summoned before the town council in that town where he liveth, to give account of such money and sums.

It is further enacted by this Assembly, that there be a committee chosen to audit the general treasurer's accounts, and all other accounts of any person in this colony, forasmuch as several accounts signed and allowed by His Honor, the Governor,

have been disallowed and not approved of; and that the said audit, after perusal of all accounts of charge on the colony's affairs, and allowed of by said audit, and signed, shall be a sufficient warrant to the treasurer for payment.

The audit appointed, is Major Sheffield, Major James Brown, Capt. William Coddington and Mr. Joseph Burden, or the major part of them, meeting from time to time.

And whereas, it hath been moved by the house of deputies for the sinking of £500 of the colony bills of credit :

It is referred to the next Assembly. And that in the mean time, the general treasurer take all lawful means to get in the debts due to the colony by bond, or otherwise, without favor, &c., and make return to the next Assembly.

And it is further enacted by this Assembly, that the recorder and clerk of the house of deputies draw the minutes of the acts in form, and to be published in ten days, by beat of drum, in the town of Newport, under the seal of the colony; and to be paid for the first draft, by the treasurer, fifteen shillings. And that copies of said acts be sent to each town in this colony within twenty days, under the seal of the colony; and the recorder to have ten shillings for each copy, paid him by the general treasurer. And the Assembly is dissolved.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of May, 1713.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

With the several assistants.

DEPUTIES.

Newport.

Col. Wm. Wanton.
 Col. John Wanton,
 Major James Brown,
 Major Nathaniel Sheffield,
 Capt. Benjamin Ellery,
 Mr. Robert Gardiner.

Providence.

Capt. Nat. Jenckes,
 Mr. Philip Tillinghast,
 Capt. Wm. Crawford,
 Mr. Daniel Abbott.

Portsmouth.

Mr. Thos. Durfee,
 Mr. Thos. Hicks,
 Mr. Gideon Freeborne,
 Mr. Benjamin Hall.

Greenwich.

Mr. Josiah Jones,
 Mr. Wm. Bennett.

Warwick.

Mr. Benj. Barton,
 Mr. John Weeks,
 Mr. Anthony Low,
 Mr. Benj. Gorton.

For New Shoreham.

Capt. Simon Ray,
 Capt. John Sands.

Westerly.

Capt. John Babcock,
 Mr. John Sanders.

Kingstown.

Mr. George Hassard,
 Mr. Elisha Coale.

For Jamestown.

Mr. Ebenezer Slocum.
 Capt. Nicholas Carr.

Col. John Wanton, chosen speaker.

Mr. Robert Gardiner, chosen clerk.

Job Peckham, Edward Card, Samuel Casey, Thomas Coggeshall, Edward Boss, Josiah Easton, Richard Mitchell, Thomas Smith, Samuel Rodgers, Jr., James Dunn, Samuel Mott, Joshua Easton, son of John Easton, Peter Easton, Jr., John Vaughan, Thomas Richardson, Thomas Weaver, Jr., Daniel Peckham, Samuel Rhodes, Christopher Lindsay, Jonathan Weeden, Jeremiah Weeden, Jr., all of the town of Newport, admitted freemen of the colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th day of May, 1713.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,
Major Nathaniel Sheffield,
Major Thos. Fenner,
Mr. Richard Waterman,
Mr. Samuel Clarke,

Mr. George Cornell,
Major Randall Holden,
Mr. Job Greene,
Capt. Jeoffrey Champlin,
Capt. John Eldredge.

RECORDER.

Weston Clarke.

SHERIFF.

Mr. Nicholas Lang.

MAJOR FOR THE ISLANDS.

Major James Brown.

GENERAL TREASURER.

Capt. Edw. Thurston.

GENERAL ATTORNEY.

John Hammett.

MAJOR FOR THE MAIN.

Capt. Thos. Fenner.

Mr. James Clarke, chosen packer, gauger and sealer.

Whereas, Col. Wm. Wanton was chosen deputy for the town of Newport, to serve in the Court of Election, and at said election he being chosen an assistant, the Assembly chose Col. John Wanton, speaker, during said Assembly; and also Major Sheffield being chosen a deputy, and at the election chosen assistant, whereupon Mr. Jonathan Nichols and Mr. Joseph Gardiner, was chosen deputies in their rooms.

Be it enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that for the future there shall be a clerk of the Assembly chosen annually to serve in the

house of representatives ; who is not to be a member of said house, and he to be chosen by the major vote of the said house of representatives, with the approbation of the Governor and house of magistrates ; and to be engaged to said office, and to be paid six shillings per day, for each day's service, to be paid out of the general treasury ; any law in this colony to the contrary hereof, in any wise, notwithstanding.

Whereupon, John Hammett is chosen clerk of the Assembly, for the ensuing year.

Whereas, John Gavet, petitioning the Assembly to be released and acquitted from martial discipline, by reason of an incurable lameness in one of his feet, he having been cleared in Boston, formerly, for said impotencies, as appears to us ;—

Be it enacted, and it is hereby enacted, that the said John Gavet shall be, and is hereby acquitted and discharged for ever hereafter from all manner of martial discipline, alarms only excepted.

An Act for the continuance of the military in their several offices, till the 16th day of June next.

Whereas, this Assembly having been credibly informed of the irregular proceedings of the soldiers in their election of military officers ;—

Be it enacted, that all the commissioned officers of the militia of this colony be retained and continued in their several and respective offices till the next session of this Assembly, which will be on the 16th day of June next, without any intermediate election, choice or alteration, by any way or method whatsoever ; any act or acts, or clauses of acts in this colony to the contrary hereof, in any wise, notwithstanding.

The return of auditors of the general treasurer's account, is as follows, viz. :

That there is due to the colony the sum of £2912 0s. 7d., as appears by the accounts. And in answer to what has been inquired into relating to the officers' fees for the last year, they are inserted in said account presented. And as to the money

due to the colony by bonds in the treasurer's hands, for the Narragansett lands :

It is hereby enacted and ordered, that the general treasurer forthwith execute said bonds, according to law for the recovery and gathering in the money due to the colony thereby.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that an annual rate or tax of £1000 per annum, is hereby, and shall be levied on this colony, till the £8000 raised on the colony's credit be fully refunded. And this act to be in force and executable immediately after the £5000, already ordered to be paid annually, be brought in ; and the said £8000 to be levied and brought in to the general treasury, according as the £5000 were ordered by a former act of Assembly, to be levied and collected.

And be it further enacted by the authority aforesaid, and it is hereby enacted, that all the colony stores in the commissary's hands, shall be demanded and taken out by Major James Brown and Capt. Benjamin Ellery ; and what may be perishing or of little benefit to the colony, are to be disposed of by said Major James Brown and Capt. Benjamin Ellery, and the money for which they are sold, to be put into the general treasurer's hands ; they taking the treasurer's receipt for the same. And also, that the powder be put into the treasurer's hands, to be secured for the colony.

And the great guns belonging to the colony, are hereby ordered to be brought, by order of said Major Brown and Capt. Ellery, to the Governor's wharf, and there be tarred and laid on logs ; and the charge thereof, to be paid out of the general treasury. And what stores the said persons shall receive from the commissary, they are to give him a receipt for the same.

Whereas, the sheriff presented an account of the charges of laying out a highway between Edward Dyre and Nicholas Spinke, in the Narragansett country, and upon consideration whereof ;—

It is ordered, that the general surveyor and sheriff shall be paid for the laying out the said road out of the general treasury.

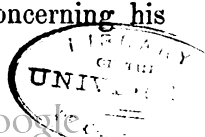
Whereas, complaint hath been made to this Assembly, that the public road leading through this colony from Pawtucket river to Pawcatuck river, is in several places stopped up, crooked and not passable for travellers; and the Assembly taking the same into consideration, have nominated and appointed a committee of five men, viz.:

Mr. Philip Tillinghast, for the town of Providence; Mr. Malachi Rhodes, for the town of Warwick; Capt. Thomas Frye, for the town of Greenwich; Mr. George Hassard, for the town of Kingstown; and Capt. John Babcock, for the town of Westerly, to be a committee for the regulating the said common road, and if need be, to lay open any man's land or freehold, for making the same more straight, fair and passable. Always provided, that due satisfaction may be made to such person or persons as may be hurt or damnified thereby.

Also, His Honor, the Governor, is hereby fully empowered and desired to grant and issue forth his warrant or commission with such needful instructions and directions, as to him shall seem meet for the accomplishment thereof; and to state and prefix the time when said work shall be begun and finished; and the charge of the said committee, and those attending them, shall be paid out of the general treasury.

Whereas, this Assembly hath been credibly informed that there has been great injury done to Ninecraft, the Narragansett sachem; and also to the colony, in buying land of said sachem, and right to cut wood and timber for almost nothing, and hiring lands for years; all which, being contrary to an agreement made by said sachem with the colony, as appears by an instrument under his hand and seal;—

Therefore, be it enacted by this present Assembly and the authority thereof, and it is hereby enacted, that for the prevention of the force and injury of any afore mentioned bargain, or seals, &c., that all and every such bargain, sale, lease or mortgage, is hereby made null and void, and of none effect in the law. And that for the future, it shall be unlawful for any person whatsoever, to contract or make any bargain or agreement whatsoever, with the said sachem, any ways concerning his



lands, or any part of them, without license first had and obtained for the same, from the General Assembly.

And that no recorder or town clerk, within this colony, shall record any deed, bargain, contract or agreement any ways relating to the premises, without said license, upon the penalty and forfeiture of the sum of £50, to be paid in to the general treasury, for the use of the colony.

Whereas, Joseph Mowrey and Jeremiah Smith having preferred petitions, relating to the ferries between Narragansett and Newport. And whereas, there was an act made June the 30th, 1712, relating to said ferries, but the committee empowered for putting said act in execution, neglected their duty therein ;—

This Assembly do enact, that Mr. Ebenezer Slocum, Col. John Wanton and Major James Brown shall be a committee in their rooms, to settle said ferries, according to said act, and—

Be it further enacted by the authority aforesaid, that any two of the committee formerly commissioned by act of Assembly, for signing and allowing the accounts due from the colony, being met together and agreeing to, and signing any of said accounts, and afterwards allowed and signed by His Honor, the Governor, shall be paid by the general treasurer ; any act or acts in this colony to the contrary hereof, in any wise, notwithstanding.

Ordered, by this Assembly, that the clerk shall have thirty-six shillings for writing the several copies of the act concerning the election of military officers, made at this Assembly already published ; and the recorder to be paid for the several seals. All which, to be paid out of the general treasury.

Be it enacted by this Assembly, and it is hereby enacted, that whereas, there was an act made June the 30th, 1711, wherein it was enacted that a road should be run through Providence, Warwick and West Greenwich, leading from Providence to Plainfield ; but there being no mention made in said act how the persons performing the same, should be paid ; for want of which, said act was not executed ;—

This Assembly, considering the premises, and that said road

will be profitable to the government in general, that the whole charge of laying out and stating said road, according to said act, shall be paid out of the general treasury.

Mr. Jonathan Nichols is chosen one of the committee relating to the ferries, in the room of Col. John Wanton, he not being willing to proceed further therein.

It is hereby ordered, that the money due by bond, from Capt. Christopher Almy, for the colony ship, be forthwith paid to the committee formerly empowered for the reception thereof.

Be it enacted by this present Assembly and by the authority thereof it is enacted, that for the future, in all special courts of judicature, which shall be called on emergent occasions, either person, plaintiff or defendant, which shall be cast, and judgment passed against him, shall be awarded by said court or courts, to pay all costs and charges that hath accrued upon the calling such a court, as well as all other costs, as is customary in our general Courts of Trials; any act or acts in this colony in any wise heretofore made to the contrary hereof notwithstanding.

Capt. Christopher Almy having by writs cast three Indians, not belonging to this colony, into prison, in our government, in actions of defamation, damage £500 each; and there being six months to the time of their ordinary trial, and their poverty such that they cannot procure bail, and application being made to this present Assembly that a special act may be made, so that a special court may be called to have said case determined forthwith, by which means justice may be done, and the said Indians released from a long, cold and expensive confinement; and the first original grounds of the aforesaid actions, being a sea-faring matter, and the Indians belonging to another government:

This Assembly do enact, and it is hereby enacted, that the Governor, or in his absence, the deputy governor, is hereby fully empowered and enabled to grant and call a special court, to try the aforesaid cases; provided, the same shall not be a precedent for the future.

Whereas, there hath been a difference happening between

the present Assembly and Major Sheffield, as was set forth by the attorney general; and the matter being heard in the Assembly in order for a fair trial thereon; but the Assembly having taken full satisfaction, in the acknowledgment which the said Major Sheffield hath presented and signed that they have restored him again to his former post or office of an assistant, to which he was elected.

Be it enacted, that the recorder and clerk shall be paid twenty shillings for the first draft of the foregoing acts. And the clerk of the Assembly to draw copies thereof, to be sent to the several towns in this colony; and to be paid ten shillings for each copy thereof, and the recorder five shillings, for signing and sealing each copy. And said acts to be published under the colony seal in the town of Newport, on Wednesday next, by beat of drum; and the several copies to be sent to each town, under the colony seal, by the 10th day of October next.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 16th day of June, 1713.

Col. Samuel Cranston, Governor,

Weston Clarke, recorder.

Col. John Wanton, chosen speaker.

Mr. Robert Gardiner, chosen clerk.

Whereas, King Charles the Second, of blessed memory, in his gracious charter granted to this colony, was pleased in the following paragraph thereof, to instruct and directly order that the Governor, general council and Assembly shall nominate and appoint the commissioned officers for the militia of this colony; notwithstanding, in the year 1677, the then legislators were

pleased to enact that the said military officers should be chosen and elected by the inhabitants of each respective town in this colony. The reason whereof, was, that the inhabitants were then but few, and generally freemen. But since the making said act, the inhabitants growing numerous, and several abuses and inconveniences arising therein, through the ill use and management of said act, by the inhabitants, in their voting. For the prevention of which for the future—

Be it enacted by this present Assembly, and the authority thereof, and it is hereby enacted, that an act of the General Assembly, passed on the 28th day of October, 1677, empowering the inhabitants of each respective town in the colony to choose or elect their commissioned officers for the militia of this colony, on the last Monday in May, annually, shall be, and is hereby repealed, made null and void, and of none effect; and all other act or acts, ordinances or customs in this colony, that may in any wise further tend to the same.

And further, it is enacted and ordained by the authority aforesaid, that for the future, all and every the commissioned officers, for the militia of this colony, shall be nominated, appointed, chosen and elected by the Governor, general council and Assembly, at the general election, in May, annually, pursuant and according to our charter; and such officer and officers so nominated and appointed, are to be commissioned by the Governor, according to their several and respective offices.

And if any of the said officers so chosen and elected, shall refuse to serve in their said offices, or upon the death, suspension or removal of any of the said officers, which shall be chosen, elected and commissioned, as aforesaid; provided always, in such cases, and at such time or times the Assembly shall not be in being; it shall be in the power of the Governor, and general council to nominate and appoint such other person or persons in his or their room and stead, as to them shall seem meet. And the commissioned officers for the militia to serve till the election in May next, are to be chosen and elected by this present Assembly; and for the future to be chosen in May, annually, as aforesaid.

The paragraph of the charter afore recited, is as followeth :

“ And further, we do of our special grace, certain knowledge and mere motion, give and grant to the said Governor and company, of the English colony of Rhode Island and Providence Plantations, in New England, in America, and their successors, that the Governor, or in his absence, or by his permission, the deputy governor of the said company, for the time being, the assistants then present, and such of the freemen of the said company as shall be so, as aforesaid, elected or deputed ; or so many of them as shall be present at such meeting or assembly, as aforesaid, shall be called the General Assembly ; and that they, or the greater part of them, there present, whereof the Governor or deputy governor, and six of the assistants, at least to be seven, shall have, and have hereby granted unto them, full power and authority from time to time, and at all times hereafter, to appoint, alter and change such days, times and places of meeting and General Assembly, as they shall think fit ; and to choose, nominate and appoint such and so many other persons as they shall think fit, and shall be willing to accept. The same to be free of the said company and body politic, and them into the same to admit, and to elect and constitute such officer and officers, and to grant such needful commissions as they shall think fit and requisite, for the ordering, managing and despatching of the affairs of the said Governor and company, and their successors.

“ And we do further, for us, our heirs and successors, give and grant unto the said Governor, and company, and their successors, by these presents, that it shall, and may be lawful to, and for the said Governor, or in his absence, the deputy governor, and major part of the said assistants for the time being, at any time when the General Assembly is not sitting, to nominate, appoint and constitute such and so many commanders, Governors and military officers as to them shall seem requisite, for the leading, conducting and training up the inhabitants of the said plantation in martial affairs, and for the defence and safe-guard of the said plantations.”

At a General Assembly, sitting by adjournment, at Newport, June the 16th, 1713,—

Voted and passed, that the above written be forthwith published by beat of drum, and under the seal of the colony to go forth to the several towns, as an act of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday in October, 1713.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,

Major Nath'l Sheffield,

Major Thomas Fenner,

Mr. Richard Waterman,

Mr. George Cornell,

Mr. Samuel Clarke,

Major Randall Holden,

Mr. Job Greene,

Capt. Jeoffrey Champlin,

Capt. John Eldredge.

Deputies for the several towns.

Capt. Thomas Frye, chosen speaker.

Mr. Robert Gardiner, chosen clerk.

Both houses being resolved into a grand committee, to hear and determine appeals from the Courts of Trials.

Wm. Coggeshall, appellant, Bolston Coggeshall, merchant, appellee.

It is the vote and determination of the Assembly, that there shall be an abatement of the sum of £20 of the former judgments of the courts and verdicts of the juries.

John Langford, appellant, Evan Henry, appellee.

It is the vote and determination of the Assembly, that John Langford shall pay the sum of £30, and the costs of all the courts that hath been in this colony, relating to the case between John Langford, appellant, and Evan Henry, appellee.

Be it enacted by this Assembly and the authority thereof, and it is hereby enacted, that an act of the Assembly made for the annual election of a clerk of the Assembly, is hereby repealed, made null and void, and of none effect; and that the representatives for the future, choose their clerk, if they see good to do so.

The Assembly having considered the return of the last audit in May, 1713, see cause to appoint another audit, to audit the general accounts.

The persons appointed, are Major Coddington, Capt. Thos. Frye, and Capt. Benjamin Greene.

Whereupon, the Assembly adjourned to Newport, the last Wednesday in November next; except the Governor, or in his absence, the deputy governor see cause to call it sooner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Wednesday in November, 1713.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Capt. Thos. Frye not appearing, Major Coddington was chosen speaker during his absence.

Robert Gardiner, chosen clerk.

This Assembly taking into consideration the great scarcity of grain of all sorts, at present in this colony, which chiefly has been occasioned by the great quantity that hath been bought up and sent into foreign places, which causes great scarcity

and want; and by the blessing of God, to prevent what may ensue, if not prevented by the stop to be put to the carrying off grain, &c.;—

Be it enacted by the Honorable the Governor, council and representatives convened in General Assembly and by the authority thereof, that from and after the publication of this act, there shall be no wheat, rye, Indian corn, barley, flour or biscuit, that is of the product of this colony, transported out of this colony to any place or port, or to any other colony, upon the forfeiture of thirty shillings per hundred, upon biscuit and flour; ten shillings per bushel, on wheat; five shillings per bushel, upon rye, barley and Indian corn; one half to be to the informer or informers and the other half to be put into the town treasury of each or any town where any forfeiture becomes due.

And be it further enacted by the authority aforesaid, that any corn or grain of any sort, flour and biscuits, that shall be at any time imported into this colony, that the person or persons that hath the same for disposition thereof, shall cause the same to be cried by the public crier of the town where they shall be; and after it hath been cried three several times on three several days, and the people buy not of said grain, flour or biscuit within ten days after [being] cried, then the said persons that imported the same, shall, and hath hereby full authority to export the same to any other place.

Always it is provided, that what grains, &c., any person hath for disposition, it shall not be cried above the prices herein mentioned; that if grain of each sort, good and sound,—wheat, at ten shillings and six pence per bushel; rye, at five shillings; barley and Indian corn, at four shillings, and not exceeding; and flour and biscuit, at thirty shillings, per hundred.

And be it further enacted, that if any person, for the future, that shall import any of said several sorts of grain, bread, or flour, in any place of this colony, during the limitation of this act, and shall presume to export the same, without giving obedience to the within mentioned acts, that him that shall so do, shall be liable to be prosecuted on the penalty aforesaid; to

be prosecuted by the attorney general, to be recovered as all other forfeitures may be, as in other cases made and provided for.

And be it further enacted by the authority aforesaid, that Lieut. Joseph Gardiner and Lieut. Joseph Frye, be hereby authorized and are empowered to make search and inquiry what flour, biscuit and grain of any sort is in any merchant's warehouse now in this town of Newport; and what grain, biscuit or flour is at any time imported into this harbor during the continuance of this act which we enact, shall be of full power and force for one year after the publication of this act.

And be it further enacted and declared, that the intention of said act is not to restrict or hinder any person from putting on board biscuit or flour for the victualling of any vessel bound to any foreign port; and that a copy of said act be sent to the naval officer, who is hereby authorized and empowered to give and administer an oath to all masters, mates and merchants concerning what flour and biscuit they have on board; whether there be more than is for the use of the people on board said vessel, or whether they have any grain of any sort on board, shipped contrary to the within act.

And for the further preventing of disputes and controversies concerning the stores of flour and biscuit, as may be for any vessel or vessels' use on their outward bound, and to what places bound, and to what number of sailors and passengers they may carry out and have on board when they sail, the consideration of which Capt. Benjamin Ellery, Capt. Job Almy and Capt. Wm. Coddington, to draw up what may be needful for the stores of any vessel according to the number of men, and to what port bound, and leave it with the naval officer for him to inquire into; and each vessel to have their allowance thereby.

And be it further enacted, that on complaint made to the Governor, deputy governor, or any assistants, of any person [who] is found transgressing this act, that any of them [may] grant forth their warrant for the seizing said grain, to be prosecuted on the forfeitures, according to said act; and the warrant either to be proceeded on, for seizure as directed, to

the sheriff, water-bailiff or constable, according as the circumstances of the said concern is thought proper and most needful so to be.

Whereas, at the last Assembly, at Warwick, Major Coddington, Capt. Thos. Frye and Capt. Benjamin Greene, were chosen to be a committee to inspect and make inquiry into the £2912 00s. 7d., in the general treasurer's hands; as also the £1000 lately collected, and to present to the Assembly what may be of immediate necessity for the colony's present occasion, and the rest to be sunk, in order for the redemption of the colony's credit, according to the Assembly's act, in the first making of the paper money; and the same not being performed according to the general expectation of the Assembly;—

This Assembly doth hereby nominate and appoint Mr. Wm. Sanford, of Portsmouth, and Mr. Richard Ward, of Newport, to be added to the gentlemen above named; and that they, or the major part of them, meeting together at the town of Newport, on the 15th day of December next, shall have, and have hereby full power and authority to adjourn from time to time, to perform the above said service; and they to make return of their proceedings therein to the next sitting of this Assembly, and to be paid four shillings per day for their service therein; to be paid out of the general treasury: and also to make inspection and inquiry into the impost money in the naval officer's hands, of what particular sum there is.

And further, to inspect into and make inquiry of Major James Brown and Capt. Benjamin Ellery, what stores belonging to the colony they have received of the commissary, and how they have disposed thereof; and to make return thereof to the next sitting of the Assembly, as aforesaid.

Whereas, there was a petition preferred to the Assembly by Capt. Edward Thurston, general treasurer, concerning the recovery of the particular sums of money due to the colony by bonds for the Narragansett lands;—

It is enacted by this present Assembly, and the authority thereof, that the general treasurer forthwith warn each and every person mentioned in said bonds, to appear before him on

the 1st day February next ensuing, to make proof what person or persons, and how much each of them are indebted by said bonds ; and the general treasurer to take particular bond of each delinquent person, both for the principal and legal interest, payable within twelve months, next after the said 1st day of February ; or else their lands to be under the forfeiture as mentioned in the aforesaid or original bonds and all other bonds in his hands, relating to this colony, on said lands, to be executed as aforesaid.

Whereupon, the Assembly is adjourned to the 24th day of February next, at Newport ; unless the Governor, or in his absence, the deputy governor, see cause to call it sooner.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 24th of February, 1714.

Col. Samuel Cranston, Governor.

Weston Clarke, recorder.

Capt. Thomas Frye, speaker.

Mr. Robert Gardiner, clerk.

Accordingly the Assembly met, and Capt. Thomas Frye appearing, took his place of speaker, according to the first election.

An Act to prevent pedlars passing through the several towns of this colony, to expose several sorts of goods to sale throughout said towns.

It is hereby further enacted by the authority aforesaid, that no person or persons presume to come into this colony, with any packs of any sort of dry goods, to any particular house or house in any town in this colony, and endeavoring to expose said goods to sale, by opening their packs, upon the fine or forfeit-

ure of £20, to be paid by any such person or persons presuming so to do ; and upon complaint to any one justice of the peace in any town, by two evidences thereof, of any person or persons so transgressing, the said persons to be apprehended, and upon refusing to pay the said fine, the said justice of the peace, before whom said person or persons are brought in any of said towns ; that then it shall be lawful for said justice of the peace to commit any such person to Her Majesty's jail, in the town of Newport, for prosecution ; and one half of said fine to be to the town where such person or persons have made a breach of said act ; and the other half to the informers : and the delinquent persons to be prosecuted by the attorney general ; and this act, after publication thereof, a copy set up in a public place in each town in this colony, and to be in force within forty days after set up in each town of this colony.

And it is hereby enacted by the authority aforesaid, that the jurors empowered by His Honor, the Governor's warrant, for running and laying out a highway between Edward Dyer and Nicholas Spinke, in Kingstown, shall have, and be paid the sum of £6, out of the general treasury, for their service therein.

Be it further enacted by this present Assembly and the authority thereof, that if any person having done public service for this colony, not already prescribed by act of Assembly, such person producing his account of service, attesting the same before any assistant, or eldest justice of the peace, belonging to such town where such service shall be done, upon such allowance ; provided such account amounts not to above £5, and being subscribed by such officer and allowed of by the Governor, for the time being, shall be a sufficient authority to the general treasurer for paying the same. But if such account amounts to above £5, then such person to apply himself for acceptance of his accounts to the General Assembly, or such audit as they shall appoint.

Always provided, that His Honor, the Governor, shall not be restricted from drawing such money out of the general treasu-

ry as shall be needful on any emergent or sudden occasion, for the colony service.

This Assembly, taking into consideration that the several acts of Assembly for the sinking of £1000 per annum, yearly, of this colony's bills of credit, have not been accordingly prosecuted, the which may prove of ill consequence, if not put in execution ;—

Therefore, be it enacted by this present Assembly and by the authority thereof it is enacted, that on the last day of April next ensuing, there shall be £2000 of the bills of credit set out by this colony, sunk, burnt and wholly destroyed in the presence of the Governor and general council, Major Nath'l Coddington, Mr. William Sanford, Mr. Joseph Whipple, Capt. Benjamin Greene, Mr. Joseph Maxon, Mr. Jeremiah Gold, Capt. Thos. Frye, Mr. Joseph Mowrey and Capt. Simon Ray, or so many of them as shall be then present. Always provided, the Governor or deputy governor, and two assistants to be present at the burning said bills.

And for the drawing of the said bills of credit out of the general treasurer's hands, and taking an account thereof, in order to have them burnt, as aforesaid, this Assembly do hereby nominate, appoint and empower the six persons who were the committee for signing the bills of credit of this colony, together with Mr. Richard Ward, or any two of them, who are hereby fully authorized and empowered to meet together on the 1st day of April next ensuing, at such place as they think fit, in the town of Newport, to demand and draw out of the general treasurer's hands the sum of £2000, of this colony's bills of credit, to be burnt as aforesaid.

And if need require, the said committee have power, and are hereby empowered to adjourn their said meeting from time to time, for the performance of said work, so that the £2000 may be ready to be burnt, as aforesaid.

And it is further ordered and enacted by this Assembly, that if there shall not be bills of credit in the general treasurer's hands sufficient to make up the sum of £2000, then the

above mentioned six signers, with Mr. Richard Ward, or any two of them, have hereby full power first to demand and draw the £447 now lying in Capt. Christopher Almy's hands, due to the colony, to make up said sum ; who is hereby required forthwith to pay the same on demand.

And if there shall be more money still wanting to make up said sum of £2000, the said committee have hereby full power to demand and draw out part or all the money in the naval officers' hands belonging to the colony, to complete said sum of £2000, and all the charges in the premises to be paid out of the general treasury ; any act or acts, or clauses of acts to the contrary hereof, in any wise, notwithstanding.

And as to the remaining part of the late £1000 rate, which ought to have been collected by the constables of the town of Newport, chosen for the year 1712, notwithstanding the deficiency of the rate-makers of said town, in not proportioning the said rate within the time wherein the same ought to have been performed ;—

Be it enacted, and it is hereby enacted by the authority aforesaid, that each and every of the constables of the town of Newport, which was chosen for the year 1712, are hereby fully authorized and empowered to gather and collect the remaining part of the said rate as if the said defect of the rate-makers had not happened. And that the said constables are hereby strictly ordered to collect and gather together the remaining part of said rate according to their several lists or rate bills for the same, and render it into the general treasury within twenty days next after the adjournment of this Assembly, under the penalty of being liable to an action from the general treasurer for the recovery thereof.

And as to part of a former rate, remaining in one of the former constable's hands, for the town of Providence, not yet paid into the general treasury ;—

It is hereby ordered and resolved, that the general treasurer shall improve the due methods of law in such cases already made and provided for the immediate recovery thereof.

And that the above said acts shall be signed and sealed

by the recorder, with the seal of the colony and published in the town of Newport, immediately on the adjournment of this Assembly, and to be in as full force and authority as if the Assembly were dissolved; any act or acts, or clauses of acts in this colony, to the contrary hereof, in any wise, notwithstanding. Per WESTON CLARKE, Recorder.

Whereas, there was a petition presented by John and Jeremiah Smith, to this Assembly, relating to the ferry between Jamestown and Kingstown, and the Assembly taking the matter into consideration;—

Do enact, and it is hereby enacted, that the said John Smith and Jeremiah Smith, complying with the committee (commissionated for the letting out said ferries) according to law, they shall have the whole privilege and benefit of said ferry, notwithstanding any grant or grants formerly made to Wm. Gardner; and that the said Gardner forthwith desist carrying or transporting any passenger or passengers over the said ferry; any act or acts to the contrary hereof, notwithstanding.

Whereas, Major Nathaniel Coddington having preferred a petition to this Assembly for a grant of a certain parcel of land in the Narragansett country, containing two hundred and fifty acres, laid out by Mr. John Mumford, general surveyor, as appears by plat, this Assembly taking the premises into consideration;—

Do enact, and it is hereby enacted, that the said Maj. Coddington, his heirs and assigns, shall have, possess and enjoy the said two hundred and fifty acres of land for ever, paying and defraying all the incidental charges that have accrued thereon.

Whereas, His Honor, the Governor, has received a letter from His Excellency, Col. Nicholson, dated the 22d instant, wherein His Excellency, representing his intent to be here the 10th of March, next, if possible;—

Be it therefore enacted by this present Assembly, and the authority of the same, that this Assembly be prorogued or adjourned to the last Tuesday of March, 1714, at 8 of the clock, in the morning, at the town of Newport; without the Govern-

or, or in his absence, the deputy governor, see cause to call it sooner, on emergent occasion.

But in case the Governor, or deputy governor, shall not see cause to call the Assembly before the said time of prorogation or adjournment, the last Tuesday in March,—

Then, it is hereby further enacted, that this Assembly shall fall and be dissolved, on the last Tuesday of March, without any further meeting or notification; and that the acts of this Assembly be published, under the seal of the colony, by beat of drum, at the colony house, at the dissolution, aforesaid, and copies thereof to be signed by the recorder, and sealed with the seal of the colony, and sent to the several towns in this colony, within ten days next after the said dissolution; and the clerk to be paid out of the general treasury the sum of six shillings for each copy; and the recorder five shillings, for sealing each copy, and five shillings for his extraordinary service, in compacting the acts of this Assembly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1714.

Col. Samuel Cranston, Governor.

Lieut. Col. Walter Clarke, Deputy Governor.

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DEPUTIES.

For Newport.

Mr. Jonathan Nichols,
Capt. Wm. Weeden,
Lieut. John Rogers,
Lieut. Benjamin Coggeshall,
Richard Ward,
Lieut. Joseph Frye.

Providence.

Major William Hopkins,
Mr. Joseph Whipple,
Mr. William Harris,
Mr. Jonathan Sprague.

DEPUTIES.

For Portsmouth.

Mr. Benjamin Hall,
 Capt. George Lawton,
 Mr. William Coggeshall,
 Mr. Wm. Hall.

Warwick.

Mr. Benjamin Barton,
 Mr. Benj. Greene,
 Capt. Samuel Greene,
 Mr. John Rice, Jr.

Westerly.

Mr. Daniel Lewis,
 Mr. Thomas Hiscox.

Kingstown.

Mr. Wm. Hall,
 Capt. Christopher Allen.

For New Shoreham.

Capt. Simon Ray,
 Capt. John Sands.

Jamestown.

Mr. Ebenezer Slocum,
 Capt. Nicholas Carr

Greenwich.

Capt. Thos. Fry,
 Mr. Thomas Spencer.

Capt. Thomas Fry, chosen speaker.

Richard Ward, chosen clerk.

Capt. Benjamin Shearman, Thomas Cranston, Philip Harwood, John Chadwick, Edward Coddington, Samuel Vernon, Caleb Barker, John Edee, John Thurston, Thomas Tudor, Israel Woodard, Joseph Knowlton, James Greene, Stephen Harding, Arnold Collins, Jr., David Wiatt, William Weeden, Jr., Joseph Chaplin, Israel Barney, Nathaniel Coddington, Jr., Peleg Tripp, John Weaver, John Walker, Job Weeden, Philip Weeden, John Allen, Francis Brinley, Philip Weeden, Jr., John James, Samuel Tewell, Edward Woodman, Isaac Peckham, Clement Weaver, William Rouse, Thomas Sisson, Thomas Leach, John Rider, Joseph Barker, Jr., Benjamin Weaver, William Clarke, Elisha Tew, Job Lawton, Peleg Rogers, all of the town of Newport, are admitted freemen of this colony.

Job Lawton, John Dexter, Jr., John Manchester, James Sisson, of Portsmouth, are admitted freemen of this colony.

John Ruttenberge, John Holden, Stuckley Stafford, Samuel Gorton, son of Samuel Gorton, William Stafford, Ezekiel Warner and Adam Casey, of the town of Warwick, are admitted freemen of this colony.

Richard Sweet, Henry Sweet, Jr., Benjamin Sweet and Chas. Andrew, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of May, 1714.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Mr. Jonathan Nichols,	Capt. George Lawton,
Major Nathaniel Sheffield,	Capt. Benj. Greene,
Joseph Whipple,	Mr. Job Greene,
Mr. Philip Tillinghast,	Capt. Jeoffrey Champlin,
Mr. George Cornell,	Mr. Jeremiah Gould.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Nicholas Lang.

GENERAL TREASURER.

Mr. Joseph Burden.

GENERAL ATTORNEY.

Weston Clarke.

MAJOR OF THE ISLAND.

Major Nathaniel Sheffield.

MAJOR OF THE MAIN LAND.

Capt. Thos. Frye.

Capt. Thomas Frye, chosen speaker.

Nicholas Carr, chosen clerk of the house of representatives, in the room of Richard Ward, recorder.

This Assembly, taking into consideration that Capt. Edward Thurston, late general treasurer, hath not complied with a late act of Assembly, which required him, as treasurer, to produce £2000 of this colony's bills of credit, lodged in his custody, and the same deliver unto the committee appointed to receive the same, in order to have them burnt, pursuant to said act ;—

It is therefore enacted by this present Assembly, and be it enacted by the authority thereof, that Major Nathaniel Sheffield, Mr. Joseph Burden and Richard Ward, or any two of them, being met for such purpose, shall, and hereby have full and ample authority to adjust and settle all accounts unadjusted or not settled between this colony and the said late treasurer, and from him to demand and receive all books, bills, bonds or other papers in his hands, which relate particularly to this colony, so that they, and every of them, may be ready by said committee, to be laid before the next sessions of Assembly to be holden at Newport, aforesaid, on the 15th of June next ensuing, for their further considering and determining the premises.

And be it further enacted by the authority aforesaid, that whereas, there is £1000 tax levied on the inhabitants of the colony, which is to be paid into the treasury by the last of June next ;—

It is therefore enacted by this present Assembly, and the authority thereof, that said £1000, when collected, shall be paid unto the present general treasurer, he allowing or paying unto the late treasurer a reasonable satisfaction for his care, trouble and pains, that he hath been at in order to have the same collected according to law; any law or custom in this colony, to the contrary, notwithstanding.

And it is further enacted by the authority aforesaid, that Major Nathaniel Sheffield, Mr. Joseph Burden and Richard Ward, shall have full power and ample authority to demand of, and receive from Mr. Weston Clarke, late recorder, all books, court rolls, files, bonds and all other papers of what nature and kind soever they be, relating to the recorder's office, wherein this colony is concerned, in order to have the same delivered unto Richard Ward, recorder for the time being.

And be it further enacted by the authority aforesaid, that the sum of £447 by Capt. Christopher Almy, for the colony's use, shall be lodged in Major Nathaniel Sheffield's hands, in order to have the same exchanged for bills of credit, put out by the authority of this colony, so that the same may be sur-

rendered by him at the next session of Assembly to be holden on the 15th day of June next, at Newport, aforesaid.

And be it further enacted by the authority aforesaid, that Major Nathaniel Sheffield, Richard Ward, and Jos. Burden, shall have full power to draw forthwith out of Mr. Robert Gardner's hands the sum of £286, belonging to this colony, and the same convert, if so much be due from this colony, to particular persons, for the defraying of the colony's debts.

And be it further enacted by the authority aforesaid, that forasmuch as a considerable number of men, belonging to the town of Newport, have for some time past done their military duty at Fort Ann, and have been thereby discharged from performing their duty in said town, which service is now deemed needless, they are therefore hereby dismissed from service at said Fort Ann, and required to perform their duty in said town of Newport; any custom or usage to the contrary notwithstanding.

Whereas, there was an act of Assembly of this Her Majesty's colony, that there should be a gunner and five men subsisted and paid by this colony, for performing their duty in Her Majesty's and this colony's service at Fort Ann, during the time of the late war; which war, by the blessing of God, is determined and brought to a period; and forasmuch as the charge hath been considerable for the maintenance and pay of said men, and there being no necessity in time of peace, to continue said charge;—

It is therefore enacted by the authority aforesaid, that His Honor, the Governor, Major Nathaniel Sheffield and Mr. John Odlin, or the major part of them, being met for said purpose, shall, and have hereby full power and authority to dismiss and discharge said gunner and men; or otherwise covenant, agree, determine and settle any future contract with such gunner and other persons, which they, the said gentlemen shall think meet and requisite for the future taking said fort and stores, which being concluded, then such conclusion to be laid before the Assembly, at their next sessions, for their approbation thereof;

any law, act or acts, custom or usage to the contrary, notwithstanding.

And it is further enacted by the authority aforesaid, that Mr. John Hammett, late clerk to the house of representatives, surrender and yield up all books, minutes, papers and all other things in his, the said clerk's custody, which doth belong, or appertain unto said house, unto Mr. Nicholas Carr, the present clerk of said house.

And it is further enacted by the authority aforesaid, that the acts of this Assembly shall be forthwith published in Newport, within this colony, by beat of drum, having the seal of this, Her Majesty's colony, first thereunto affixed ; which, when done, this Assembly to be adjourned until the 15th day of June next ensuing.

Whereupon, this Assembly is adjourned.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 15th day of June, 1714.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Major Thomas Frye, speaker.

Capt. Nicholas Carr, clerk.

The new election members or representatives, being engaged, the General Assembly first took into consideration the necessity of proceeding to elect a deputy governor, in the room of the Honorable Walter Clarke, Esq., late deputy governor, deceased ; and accordingly proceeded, and chose the Honorable Lieutenant Colonel Henry Tew, deputy governor ; who took his engagement, accordingly.

Whereas, the body of laws, for settling and regulating the military forces within this colony, are swelled to a large vol-

ume, by reason of the former Indian wars, and the late French wars, so that many of said acts interfere one upon the other, so that some of them are become useless, and others do not suit the constitution of this colony, which may, in length of time, prove prejudicial to the government, if not repealed ;—

Therefore be it enacted by this Assembly and the authority thereof it is enacted, that all the acts of Assembly, and all the orders of general councils that have been made and ordered, which are now in force, from the first granting of our gracious charter, by our Royal Sovereign, King Charles the Second, of blessed memory, to this day, are all repealed, made null and void, and of none effect ; any act or acts, clause or clauses of acts, to the contrary, notwithstanding.

At a General Assembly held at Newport, within and for said colony, the 15th of June, 1714 ;—

There being a vote of said Assembly, passed for the repealing a late act, wherein the choice of the militia officers was vested in the General Assembly, according to the express words of the charter, and that for the future the military officers shall be elected or chosen by the freemen of each respective company within said colony ;—

We, whose names are hereunto subscribed, having seriously considered the premises, and often perused the charter upon that foot, are of opinion, and it is our judgments, that the investing of the freemen of each company with the choice of the militia officers, is repugnant to the express words of the charter, and highly dishonorable to the crown and dignity of Her Majesty, her heirs and successors,—the prerogative of the militia being wholly and solely invested in the crown, and by the crown, in the General Assembly of this colony ; for which reasons, we hold it our duty and incumbent upon us to protest against said act, or vote ; and do hereby protest against the same.

SAMUEL CRANSTON, Governor.

JOB GREENE, Assistant.

WM. WANTON,

WM. CODDINGTON,

SIMON RAY, JR.

} Representatives.

Whereas, His Honor, the Governor, laid before this Assembly the petition preferred to him by Thomas Carleton, desiring to have a special court granted him in a case between him, the said Thomas Carleton and Mr. Francis Brinley, of Newport, of this colony ; and this Assembly, after considering and debating the premises, gave their opinions, that by the law of this colony, the said Carleton had right, and was entitled to the benefit of calling a special court to hear and determine said cause.

Whereas, at a General Assembly, convened on the 15th instant June, by adjournment, there was preferred by His Honor, the Governor, the petition of Thomas Carleton, of London, Jr., merchant, who prayed for a special court to be called for the determining some difference that was risen between Thomas Carleton, of London, Sen., merchant, and Mr. Francis Brinley, of the town of Newport, merchant, concerning some accounts that were between them ; at which time, the Honorable Samuel Cranston, Governor, put it to vote whether Mr. Thomas Carleton, of London, merchant, should have a special court called to determine the action set forth in his petition, which vote carried it, that he should have said court granted him :

Against which vote, myself, the subscriber, being one of Her Majesty's assistants, for the colony of Rhode Island, &c., and one of the members of the aforesaid Assembly, do protest and declare against the calling a special court to answer the aforesaid petition, for these reasons following, viz. :

Mr. Thomas Carleton, of London, merchant, senior, is a resident in London, and did consign goods to Mr. Francis Brinley, of Newport, aforesaid, for ten years together, beginning about thirty years since ; and so holding his correspondence ten years and more, before any difference arose. By reason of which long dealing, he could have no title to a special court in this colony, for the despatch of his business ; but ought to have brought his action to the General Court of Trials, appointed to hear and determine all causes recognizable before them. Therefore, if the principal were not entitled to a special court, then Thomas Carleton, Jr., attorney to the principal, neither

can, nor ought to be entitled to any such court. For the vindicating the above protest, I have hereunto set my hand.

NATHANIEL SHEFFIELD.

And it is further enacted by this Assembly and the authority thereof, that the Honorable, the Governor of this colony shall have, and hereby hath full power to nominate and commission such gentlemen as he shall think fit, together with a surveyor, to run the divided line between this colony and that of Connecticut, in concert with such commissioners as are, or shall be appointed by the Honorable, the Governor of Connecticut, pursuant to an agreement made in the year 1703, May the 12th, between the colonies aforesaid.

And be it further enacted by the authority aforesaid, that all the outstanding debts due to this colony, on the bonds relating to the sale of the Narragansett lands, &c., shall be sued by the general treasurer of this colony, in order to have the same obtained at the next General Court of Trials to be holden on the first Tuesday in September next, pursuant to the return of the committee empowered by this Assembly, to inspect into the same.

And it is further enacted by the authority aforesaid, that Samuel Dyre, the gunner, of Fort Ann, shall be allowed £20 a year out of the general treasury. Provided, he take care of the guns, ammunitions, and all other stores lodged in said fort, belonging to this colony; and that what this colony is in arrears unto Col. William Wanton, shall be inspected into by Major Nathaniel Sheffield, Capt. Joseph Frye, and the present treasurer; and what they shall find due upon examination, shall be paid out of the general treasury, by an order from the Governor, for the same.

And it is further enacted by the present Assembly and the authority thereof, that whereas, the sheriff of this, Her Majesty's colony, for the time being, hath protested against the common jail in Newport, and in Her Majesty's behalf, has also remonstrated against the insufficiency of said jail;—

This Assembly having taken the same into consideration,

and deem it absolutely necessary to repair, augment or rebuild said jail, do enact and fully empower the honorable, the deputy governor, Major Nathaniel Sheffield, and Col. William Wanton, as a committee, to view, consider and advise how said jail may be made or built, to effect the ends the same is intended for; and return of their opinion to make at the next General Assembly sitting, in order to have the same effected.

And whereas, there was an act of Assembly passed in this colony, by which £2000 in this colony's bills of credit were ordered to be burnt upon the last of April last past; and there not being in the treasury enough to accomplish said work, and this Assembly having received of their audit, appointed for the same, the sum of £655 8s. 6d., out of the treasury, and of Christopher Almy £447, all in this colony's bills of credit;—

It is therefore enacted by the authority aforesaid, that said bills received of the audit, and of Christopher Almy, be forthwith burnt, in order for the redemption of the colony's credit; and was accordingly burnt, in the presence of both the houses.

And it is further enacted by the authority aforesaid, that the general recorder shall have fifteen shillings for each copy of the acts of this Assembly sent by him to each respective town in the colony under the seal of this, Her Majesty's colony, and by him to be accomplished within three weeks from the dissolution of this Assembly.

And it is further enacted by the authority aforesaid, that the acts of this Assembly be forthwith published in Newport, by beat of drum, with the colony's seal thereunto affixed; and after the publication thereof, this Assembly is to be dissolved.

Whereon, this Assembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 27th of October, 1714.

Col. Samuel Cranston, Governor.

ASSISTANTS.

Jonathan Nichols,
Major Nathaniel Sheffield,
Joseph Whipple,
Philip Tillinghast,
George Cornell,

Capt. Benjamin Greene,
Job Greene,
Capt. Jeffery Champlin,
Jeremiah Gould.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Nicholas Lang.

DEPUTIES.

Newport.

Lieut. Benj. Coggeshall,
Ensign John Rogers,
Lieut. Joseph James,
Lieut. Joseph Gardner,
Lieut. Benjamin Bull.

Providence.

Major Wm. Hopkins,
Major Wm. Smith,
Jonathan Sprague, Jr.,
Lieut. Joseph Mowrey.

Portsmouth.

Mr. Wm. Hall,
Mr. Adam Lawton,
Mr. George Lawton.

Warwick.

Major Randall Holden,
Mr. John Wicks,
Mr. John Rice,
Mr. Samuel Gorton.

Kingstown.

Mr. Wm. Spencer,
Mr. Rouse Helmes.

For Jamestown.

Mr. David Greene.

Greenwich.

Mr. John Spencer,
Mr. Pardon Tillinghast.

Major Randall Holden, speaker.

Mr. William Hall, clerk.

Be it enacted by this Assembly and by the authority thereof it is enacted, that there shall be three troops of horse raised within this colony, viz.: one troop to be raised out of the regiment on the islands; and two to be raised out of the regiment on the main land. Which troops are to be divided, and each troop to have their bounds set by the council of war of said regiment. And the said three troops are to be raised as followeth, viz.:

Every person that is willing to be a trooper, shall list himself voluntarily, and have no compulsion used to enforce him thereto; and that the major of each regiment, with the advice of the Governor, shall list, or order to be listed, so many good and able men in each of their regiments as will make up three troops of horse, as above said, not exceeding sixty-six men in one troop.

Be it further enacted by the authority aforesaid, that when there are thirty men in number in each, or in any one troop, within any of the above regiments, then the major shall order them to come together and choose by vote, one captain, one lieutenant, one cornet and one quartermaster for said troops; and when they are chosen, the major shall return their names to the Governor within ten days after such choice; who is hereby empowered to give them commissions under the seal of the colony, with as full power as the foot companies have.

And it is further enacted, that when such officers are commissioned, then every troop of horse shall troop two times in one year, and no more, unless the Governor, deputy governor or council call them together oftener, or they voluntarily muster for their own exercise.

And for every defect, when lawfully warned unto service, each and every trooper shall pay, as a fine, five shillings in money, or equivalent thereto. And if the said trooper or any of them, shall refuse or neglect to make their lawful appearance on an alarm, he or they so refusing or neglecting, shall

pay the sum of ten shillings for every such defect ; the aforesaid fines to be taken by a warrant from the captain, and to be disposed of as in the foot companies, for the use of the troop wherein such fines become due.

And all persons listing and serving in any of the aforesaid troops of horse, are hereby excused from doing any duty in the foot companies.

And it is further enacted by the authority aforesaid, that after the number of forty men are listed in each or any one of the aforesaid troops, and their officers are commissioned as aforesaid, then they have liberty to draw up articles amongst themselves how they shall be clothed and accoutred, both with horse and arms ; and such articles to be made and agreed on by the major part of each troop, and signed by them, shall be, and is hereby confirmed to bind and oblige them to obey and comply with such articles so made and signed, as if made by the Assembly, and confirmed thereby.

Whereas, several negroes and mulatto slaves that have run away from their masters or mistresses, under pretence of being sent or employed by their masters or mistresses, upon some service, and have been carried over the ferries, out and into the colony, and suffered to pass through the several towns under the aforesaid pretence, to the considerable damage and charge of their owners, and many times to the loss of their slaves ;—

Be it therefore enacted by this Assembly, and by the authority thereof it is enacted, that no ferryman or boatman, whatsoever, within this colony, shall carry or bring any slave as aforesaid, over their ferries, without a certificate under the hands of their masters or mistresses, or some person in authority, upon the penalty of paying all costs and damages their said masters or mistresses shall sustain thereby ; and to pay a fine of twenty shillings, for the use of the colony, for each offence, as aforesaid. The said fine to be recovered by any two justices of the peace, upon confession or conviction of the said fact ; and all persons in authority, and other His Majesty's subjects in this colony knowing of any such slaves traveling through their

township wherein they dwell, without a certificate, as aforesaid, they are hereby required to cause such slave to be examined and secured so as the owner may be notified thereof, and have his slave again, paying the costs and charges that shall accrue thereon.

The charges of the proclamation of His Royal Majesty, King George, as per accounts exhibited to the Assembly, are allowed of, and ordered to be paid out of the general treasury.

Whereas, there was a return made to this Assembly, of the highway laid out by the present sheriff, and a jury by him empaneled for the same, from Weybosset bridge, in Providence, up to Plainfield, in Connecticut colony, and that the same considerably differs from the former way laid out by the town of Providence;—

Therefore, it is enacted by this Assembly, that both of the said highways leading from Weybosset bridge to Plainfield, shall both remain, and be kept open, free and clear from all obstacles, lets, and hindrances therein, for the ease and benefit of all His Majesty's subjects, until the Assembly see sufficient grounds to alter the same; and that the wood and timber that stands in the highway, laid out by the sheriff, &c., where it runs through Zachary Jones's land, is appropriated to his sole use and behalf; and all other persons are forbidden to carry away the same.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, the 23d day of February, 1714-15.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Major Randall Holden, speaker.

Mr. William Hall, clerk.

We, the subscribers, being a committee, chosen to correct the demands for wages by the overseers of the building of the three bridges, viz.: Pawtucket, Weybosset and Pawtuxet bridges, our opinion is, that Major Jenckes and Peleg Rhodes' do not exceed four shillings per diem, for their work and skill in that affair; and that Capt. Crawford and Mr. Power's do not exceed three shillings per diem, for their work and trouble.

And we find overcharged for Peleg Rhodes, his diet... £3 12s.

Major Jenckes, overcharged for work..... 2 14

Peleg Rhodes overcharged for work at Pawtucket bridge 4 06

Capt. Crawford and Nicholas Power overcharged for
work, at Weybosset bridge, &c..... 8 10

Peleg Rhodes, overcharged for work at Pawtuxet bridge 6 03

£25 05

JOB GREENE,
BENJAMIN GREENE,
JOHN SPENCER,
JOHN WICKES.

This foregoing return is allowed of by this Assembly, and it is ordered that the same be complied with by the persons therein mentioned.

Whereas, there hath been three bridges built within this colony: the one, over Pawtuxet river, and one, over Weybosset, and one, over Pawtucket river; and there having been an act of this colony for a brief to pass throughout this govern-

ment for the building of said bridges, and several persons within said government having subscribed to said brief what they were willing to give as a free contribution for the encouragement of said work, &c., and several persons having not paid their contribution according to said subscription, to the great damage of the undertakers of said work, &c.—

Therefore, be it enacted by this Assembly, and the authority thereof, that it shall be lawful for each and every the said undertakers of the said bridges, to commence an action of debt against any of the subscribers to said brief which have not already paid their subscription, and to be prosecuted as in other actions of debt, in forty shilling courts, before two justices of the peace; and in which action there shall be no assoin, nor wager of law.

Whereas, Major James Brown, Mr. Jonathan Nichols and Ebenezer Slocum were appointed a committee to hire out the ferries belonging to this colony, and Ebenezer Slocum being very sick and weak, whereby he is rendered incapable of performing said office; therefore,—

This Assembly do appoint Mr. John Hull to act in concert in the said affair, with Major Brown and Mr. Nichols, confirming their authority in the said premises, until the Assembly revoke the same.

And it is further enacted by the authority aforesaid, that the recorder shall have ten shillings a copy out of the general treasury, for each copy by him sent to each respective town in this colony, with the colony's seal affixed thereunto, to be performed within twenty days from the dissolution of this Assembly.

Be it further enacted by the authority aforesaid, that all the acts of this Assembly be, within ten days from the dissolution of this Assembly, published in Newport by beat of drum, with the colony's seal affixed thereunto.

Whereupon this Assembly is dissolved.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1715.

Col. Samuel Cranston, Governor.

Lieut. Col. Joseph Jenckes, Deputy Governor.

DEPUTIES.

Newport.

Col. Wm. Wanton,
Mr. Robert Gardiner,
Major James Brown,
Capt. Benjamin Ellery,
Lieut. Thomas Weaver,
Capt. Wm. Coddington.

Providence.

Lieut. Andrew Harris,
Mr. Resolved Waterman,
Mr. Thomas Steere.

Portsmouth.

Mr. William Coggeshall,
Mr. William Hall,
Mr. Adam Lawton,
Mr. Thomas Cornell.

For Warwick.

Major Randall Holden,
Mr. John Wickes,
Mr. Anthony Low,
Mr. Moses Lippett.

For Westerly.

Mr. Daniel Brown,
Capt. Joseph Stanton.

For New Shoreham.

Capt. Simon Ray.

For Kingstown.

Mr. Elisha Cole,
Mr. Stephen Hazard.

For East Greenwich.

Major Thomas Frye,
Mr. Thomas Spencer.

For Jamestown.

Mr. David Greene,
Mr. John Underwood.

John Goodson, James Sheffield, George Bliss, Nicholas Barker, Samuel Carr, Richard Coggeshall, John Franklin, Gideon Allen, John Brown, Jr., Abraham Borden, Wm. Borden, Geo. Wanton, Peleg Cooke, George Cooke, Leonard Cozzens, Thos. Norton, all of Newport, are admitted freemen of this colony.

William Cory, Samuel Anthony, William Clarke, Peleg

Shearman, son of William Shearman, Thomas Earle and John Read, all of Portsmouth, are admitted freemen of this colony.

John Tillinghast, John Nickols, Jr., Thomas Nickols, Jr., James Nickols, John Spencer, Jr., Samuel Bennet, Thos. Frye, Jr., Robert Vaughan, John Ailsworth, Elisha Johnson, William Davis, Jr., Seth Jones, Joseph Sweet and Peter Mowrey, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1715.

Col. William Wanton, speaker.

Robert Gardner, clerk.

Col. Samuel Cranston, Governor,

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Samuel Clarke,
Major Nathaniel Coddington,	Major Randall Holden,
Major James Brown,	John Wickes,
Major Thos. Fenner,	Capt. Jeoffrey Champlin,
William Coggeshall,	Capt. John Eldredge.

RECORDER.

Richard Ward.

SHERIFF.

Capt. William Coddington.

GENERAL TREASURER.

Joseph Borden.

GENERAL ATTORNEY.

Capt. Weston Clarke.

MAJOR FOR THE ISLANDS.

Major Nathaniel Sheffield,

MAJOR FOR THE MAIN.

Job Greene.

Edward Pelham, of Newport, in the colony of Rhode Island, &c., gentleman, appellant from a judgment of a General Court of Trials, held at Newport, March the 29th, 1715, John Lancaster, of Newport, aforesaid, shipwright, appellee :—

The case being duly heard and maturely debated, the decree and determination of the Assembly is, that the judgments of the General Courts of Trials given against the appellant, be reversed ; and that the now appellee, John Lancaster, pay to the said appellant the sum of £6 damages, and costs of all the courts which hath been in said case.

Daniel Ayrault (late of East Greenwich), now of Newport, in the colony aforesaid, merchant, appellant, in an action of debt, from a judgment of a General Court of Trials, held at Newport, March the 29th, 1715, Samuel Davis, of Kingston, in the colony, aforesaid, cooper, appellee :—

The case being duly heard and maturely debated, the sentence and decree of this Assembly is, that the two former judgments of the Courts of Trials, given for the now appellee, Sam'l Davis, be confirmed ; and that the appellant pay the costs of courts in said case.

The Assembly adjourned to the 13th of June next ensuing, &c.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 13th day of June, 1715.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. Wm. Wanton, speaker.

Robert Gardner, clerk.

Whereas, these persons, whose names are here underwritten, viz. : Margaret Heandrum, Prudence Hillieux, Magdalen Beau-

champ, Susannah Lousac and Sabina Codner, being (by reason of a war raised by the Indians against the English inhabitants of South Carolina), necessitated to leave their habitations, and remove from thence into some other English colony, for the safety and support of their lives during the continuance of such a general calamity ; and they having brought with them some Indian slaves into this government, in order to enable them to subsist ; and they having, by petition declared their deplorable condition to the Assembly, praying them to consider their unhappy circumstances, and to remit the duties upon their slaves (laid on them by a former act of Assembly), which is forty shillings per head ;—

This Assembly, taking the same into their charitable consideration, do hereby discharge the slaves imported into this colony by the afore mentioned persons, from any duty, custom, or tax, whatsoever ; and also Capt. John Thurber has remitted to him (by this Assembly) the duty due to this colony, for his importing of slaves into the same.

Susannah Vaughan, of Newport, widow, having petitioned this Assembly, that her negro man, named Joh, might be permitted to return into this colony ; (who some time since was banished this government by the Court of Trials) ;—

They taking the same into their consideration, they do hereby allow and authorize the said Susannah Vaughan, to bring her said negro man Joh, into this government ; and with her to dwell, without paying any fine, or suffering any punishment therefor.

Whereas, there was a former act of this colony, allowing out of the general treasury twenty shillings per head for every wolf killed within this colony, and there being many wolves yet remaining in this government, the which very much damage daily do amongst the sheep and other creatures in this colony ; and this Assembly being willing to prevent the same ;—

Therefore be it enacted by this Assembly and by the authority thereof it is enacted, that the sum of ten shillings more per head be added for every wolf killed in this colony, in the

whole, thirty shillings ; and to be paid out of the general treasury. Any act or acts to the contrary hereof, notwithstanding.

It is ordered by this Assembly, that Major Sheffield shall agree with any person as he shall think fit, to clean the colony's arms, that are now in the colony house, in Newport, where the said arms are to be kept ; and the charge to be paid out of the general treasury.

This Assembly taking into consideration the ruinous condition that His Majesty's jail, in Newport, is in at present (and is daily growing worse, unless prevented immediately), whereby there is no securing any person who is there committed ; the which may prove to the unspeakable loss of creditors ; and greatly encourage malefactors. And also, that the house in which the keeper lives is not tenantable ;—

Be it therefore enacted by this Assembly, and it is enacted by the authority thereof, that Lieut. Col. John Wanton and Mr. John Odlin, be a committee to repair, rebuild, augment, and enlarge the house and jail, aforesaid, so as to make it substantial, and firm, and fit for the use intended, in and by what method they shall judge most proper. And also build, or cause to be built a good and sufficient yard, adjoining and contiguous to the prison or jail, aforesaid ; for the better securing all persons as shall be there committed. The charges of the above work to be paid out of the general treasury, upon their drawing bills for the same.

This Assembly, taking into consideration the necessity there is for this colony to improve an agent in England, to transact for this colony all their concerns, which they have beyond seas, in Great Britain, &c., and the damage that hath accrued to this colony, for want thereof ;—

Therefore, it is enacted by this Assembly, and the authority thereof, that Mr. Richard Partridge, of London, in Great Britain, &c., be improved, as an agent from this colony, to represent this colony before the King and council, or otherwise, as the affairs of this colony shall require ; and to be allowed for his salary, for the performance of what is needful in the premises, £40 per annum, during his officiating in the said capacity ; and that His Honor, the Governor, hath hereby full power to com-

missionate and give instructions as shall be necessary, to the said Mr. Partridge, to proceed in said affairs; and that His Honor, the Governor, order a bill or bills of exchange, to be bought for the sum of £40, as above said, for the use above said. The money for the same to be paid out of the general treasury.

Whereas, there was an act of Assembly formerly made in this colony, allowing the deputy governor of this colony £6 per annum, for the support of his office, and the same now falling far short to answer the end it was at first given for;—

Therefore, it is enacted by this Assembly, that Joseph Jenckes, Esq., the present deputy governor, shall have for the supporting of him in the said post, the sum of £20 for this year's service, including the £6 formerly allowed; to be paid out of the general treasury of this colony: but to be no precedent for the future to any deputy governor.

Whereas, the keeper of His Majesty's jail, in Newport, made complaint to this Assembly, that he had been fined in the respective company in the which he dwelt, for not training on their training days, the which was impossible for him to do, unless the prisoners in his care and custody had been neglected;—

Therefore, this Assembly do enact, and it hereby is enacted, that the keeper of His Majesty's jail, in Newport, shall be, and is hereby freed from doing any duty in the militia, on their four training days, as by law established; and that Ezekiel Bull, the keeper of His Majesty's jail for the time being, is hereby cleared and discharged from those fines which already he hath been charged with, since his being keeper of said jail; any act or acts to the contrary hereof, notwithstanding.

Whereas, the will of William Carder, late of Warwick, in this colony, (who made his will in New London, in the colony of Connecticut, and thereby devised his lands in this government, where two witnesses are sufficient for a devise of lands), was presented to this Assembly by the town council of the town of Warwick, for the opinion of this Assembly in reference to said will made as aforesaid;—

After due consideration of the premises, the opinion of the Assembly is, that the said will of William Carder, made by

him, in Connecticut, as aforesaid, being proved according to their law, is as good and authentic as any other will made in that government, that hath but two witnesses thereto; and shall accordingly be received in this government.

It is ordered by this Assembly, that Mr. Stephen Hazard, Capt. Joseph Stanton and Mr. Daniel Brown, be paid eighteen shillings each, out of the general treasury, for running the line (by order of the Assembly) between Eldred's purchase and Hall's purchase.

Whereas, there is a former act of Assembly, in this colony, the which act (for the currency of the bills of credit emitted by this government,) allowed one shilling upon the pound advance, for all rates and taxes, paid into the general treasury; the which, by experience, is found to be a damage to the colony, and no benefit to the inhabitants thereof;—

Therefore, be it enacted by this Assembly, that for the future, all bills of credit emitted forth by this colony, shall be received into the general treasury for no more than the intrinsic value thereof, in any rate or tax that shall be levied on this colony; any act or acts to the contrary hereof, in any wise, notwithstanding.

The Assembly adjourned to the 5th day of July next ensuing, being Tuesday.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of July, 1715.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. William Wanton, speaker.

Robert Gardiner, clerk.

Whereas, it hath pleased God to suffer the French and Indians, our late enemies, to maintain a long, bloody and expen-

sive war; against His Majesty's subjects in these parts of the Northern America, in which calamity of war, this colony has been no small sharer; a great part thereof lying exposed to the insults and depredations of the enemy, both by sea and land, which to defend, this, His Majesty's colony hath from time to time, these many years past, been put to great charge and expense; which, together with the extraordinary advance thereof that accrued by Her late Royal Majesty's commands, to assist in sundry expeditions in order to reduce Port Royal and Canada; the defraying the charge thereof proved so great a burden that it hath reduced our cash and other mediums of exchange unto a very low ebb, so that there is a sensible decay of trade, the farmers thereby discouraged; tradesmen, husbandmen, and many others, reduced to great want; and all sorts of business languishing, few having wherewith to pay their arrears; and many not wherewithal to sustain their daily wants by reason that the silver and gold in the first place to defray the incidental and occasional charges, have been exhausted; and those few bills of public credit put forth by this government falling far short of discharging the colony's arrears, has left us little or no medium of exchange;—

And whereas, the annual necessary and unavoidable charge of this colony, makes a considerable amount, and that His Majesty's fort, called Fort Ann, is gone much to decay, and almost every thing therein out of repair; and that all sorts of ammunition and stores are wanting to furnish the same for defence, especially when boding war seems to threaten us; and that His Majesty's jail, in the metropolis of this government also, is calling for a speedy and considerable repair and augmentation; and many other public emergencies, which cannot be omitted, requiring considerable sums of money, which to effect, there is no possibility in view, saving that of emitting public bills of credit of His Majesty's colony to accomplish the ends aforesaid, and to reduce the arrears thereof unto a balance, always depending on our dread sovereign's gracious countenance and toleration therein, unto whose royal commands, this, His Majesty's colony, as in duty bound, will at all times readily submit.

[Here follows the act for emitting £30,000, in public bills of credit on the colony, printed in the volume of public laws, 1719.]

This Assembly, taking into consideration that Newport is the metropolitan town in this colony, and that all the courts of judicature within this colony are held there; and also, that it is the chief market town in the government; and that it hath very miry streets, especially that leading from the ferry, or landing place, up to the colony house, so that the members of the courts are very much discommoded therewith, and is a great hindrance to the transporting of provisions, &c., in and out of the said towns, to the great loss of the inhabitants thereof;—

Therefore, be it enacted by this present Assembly, and by the authority thereof it is enacted, that the sum of £289 17s. 3d., now lying in the naval officer's hand, (being duties paid to this colony for importing of slaves), shall be, and is hereby granted to the town of Newport, towards paving the streets of Newport, from the ferry place, up to the colony house, in said Newport; to be improved by their directors, such as they shall, at their quarter meetings appoint for the same.

And whereas, there was an act of Assembly, made at Newport, in the year 1701–2, for the better preventing of fraud, and coven, in paying the duties for importing of negro and Indian slaves into this colony, and the same being found in some clauses deficient, for the effecting of the full intent and purpose thereof;—

Therefore, it is hereby enacted by the authority aforesaid, that every master of ship, or vessel, merchant or other person or persons, importing or bringing into this colony any negro slave or slaves of what age soever, shall enter their number, names, and sex in the naval office; and the master shall insert the same in the manifest of his lading, and shall pay to the naval officer in Newport, £3 per head, for the use of this colony, for every negro, male or female, so imported, or brought in. And every such master, merchant, or other person, refusing or neglecting to pay the said duty within ten days after they are

brought ashore in said colony, then the said naval officer, on knowledge thereof, shall enter an action and sue [for] the recovery of the same, against him or them, in an action of debt, in any of His Majesty's courts of record, within this colony.

And if any master of ship or vessel, merchant or others, shall refuse or neglect to make entry, as aforesaid, of all negroes imported in such ship or vessel, or be convicted of not entering the full number, such master, merchant, or other person, shall forfeit and pay the sum of £6, for every one that he shall refuse or neglect to make entry, of one moiety thereof to His Majesty, for and towards the support of the government of this colony; and the other moiety to him or them that shall inform or sue for the same; to be recovered by the naval officer in manner as above said.

And also, all persons that shall bring any negro or negroes into this colony, from any of His Majesty's provinces adjoining, shall in like manner enter the number, names and sex, of all such negroes, in the above said office, under the penalty of the like forfeiture, as above said; and to be recovered in like manner by the naval officer, and shall pay into the said office within the time above limited, the like sum of £3 per head; and for default of payment, the same to be recovered by the naval officer in like manner as aforesaid.

Provided always, that if any gentleman, who is not a resident in this colony, and shall pass through any part thereof, with a waiting man or men with him, and doth not reside in this colony six months, then such waiting men shall be free from the above said duty; the said gentleman giving his solemn engagement, that they are not for sale; any act or acts, clause or clauses of acts, to the contrary hereof, in any ways, notwithstanding.

Provided, that none of the clauses in the aforesaid act, shall extend to any masters or vessels, who import negroes into this colony, directly from the coast of Africa.

And it is further enacted by the authority aforesaid, that the money raised by the impost of negroes, as aforesaid, shall be disposed of as followeth, viz.:

The one moiety of the said impost money to be for the use of the town of Newport, to be disposed of by the said town towards paving the streets of said town, and for no other use whatsoever, for and during the full time of seven years from the publication of this act; and that £60 of said impost money be for, and towards the erecting of a substantial bridge over Potowomut river, at or near the house of Ezekiel Hunt, in East Greenwich, and to no other use whatsoever.

And that Major Thomas Frye and Capt. John Eldredge be the persons appointed to order and oversee the building of said bridge, and to render an account thereof, to the Assembly; and the said Major Frye and Capt. Eldredge to be paid for their trouble and pains, out of the remaining part of said impost money; and the remainder of said impost money to be disposed of as the Assembly shall from time to time see fit.

An Act prohibiting the importation, or bringing into this colony any Indian servants or slaves.

Whereas, divers conspiracies, insurrections, rapes, thefts and other execrable crimes, have been lately perpetrated in this, and the [adjoining] governments, by Indian slaves, and the increase of them in this colony daily discourages the importing of white servants from Great Britain, &c., into this colony, which if not immediately remedied, may prove very pernicious and destructive to this government;—

Be it therefore enacted by this Assembly, and by the authority thereof it is enacted, that from and after (three months next ensuing) the publication of this act, all Indians, male or female, of what age soever, imported or brought into this colony by sea or land, from any part or place, whatsoever, to be disposed of, sold or left within this colony, shall be forfeited to His Majesty, for, and towards the support of the government; unless the person or persons importing or bringing in such Indian or Indians, shall give security at the secretary's office, of £50 per head, to transport, and carry out the same again, within the space of one month next after their coming in, not to be returned back to this colony.

And every master of ship or other vessel, merchant or person whatsoever, importing or bringing into this colony, by sea or land, any Indian or Indians, male or female, within the space of twenty-four hours next after their arrival or coming in, shall report, or enter their names, number and sex, and give security in the secretary's office, as aforesaid, on pain of forfeiting to His Majesty, for the support of the government, the sum of £50 per head; to be sued for and recovered in any of His Majesty's courts of record, by action, bill of complaint, or information.

And the fee to be paid for such entry and bond, as aforesaid, shall be two shillings and sixpence, and no more; any act or acts, clause or clauses of acts, to the contrary hereof, notwithstanding.

Whereas, complaint was made to this Assembly, of the great illconveniency that accrues to many, by reason of the two highways, that run from Weybosset up to Plainfield; for that they run sometimes in one, and sometimes disjoin a small way assunder for a considerable space of ground in length; and cut sundry men's lands in small parcels, to their great detriment, and is of no advantage to any person;—

Be it therefore enacted by this Assembly, that the former way laid out by the town of Providence, from Weybosset to Plainfield, be shut up by every person through whose land it runneth, where it disjoineth from the highway laid out by the sheriff and jury, as returned to the Assembly sitting at Providence, in October last; the said highway as laid out by the sheriff and jury, to stand and remain free and clear from all obstructions, lets or hindrances, whatsoever, to be made or done, therein. It being for the ease and conveniency of His Majesty's subjects, who have occasion to travel those parts, and so to remain, until a more convenient or better road be laid out, and accepted of by the Assembly; any act or acts to the contrary hereof, notwithstanding.

Whereas, the body of laws in this colony, as well as those other laws, in force, which have been made since the said body of laws, lie in a very disordered condition, and only in the

hands of some few persons ; so that the generality of the inhabitants cannot purchase them without great charge ;—

For the transcribing thereof, and for the prevention whereof, be it enacted by this Assembly and the authority thereof, that Major Thomas Frye, and Lieut. Andrew Harris, have full power to transcribe, fit and prepare for the press, all the laws contained in the aforesaid body of laws ; and also, all other laws now in force in this colony ; and to agree with and improve any other person (as they shall judge needful) to assist, carry on and complete the same ; and when completed, to present them to the Assembly for their confirmation thereof. The charges of the whole to be paid out of the general treasury, at six shillings per diem, each.

Whereas, Mr. Weston Clarke, (late recorder), and Mr. Francis Pope, (late sheriff, deceased), did, at their own cost and charge, build a small room in the colony house, for the use and service of the colony, for the keeping of court rolls, and other records, necessary for said court ; the which still remains for the colony's service ;—

Therefore, it is ordered by this Assembly, that the said Weston Clarke and Col. John Cranston, (for the use of the children of the said Francis Pope, deceased) be paid out of the general treasury, forty shillings each, for the charge of building said room, as is afore expressed.

This Assembly, taking into their consideration the great abuse and clandestine proceedings, and irregular practice, as they are credibly informed, hath been acted by sundry loose and fractious freemen of said colony, in putting or delivering into the hat sometimes two, three or more votes for one officer, at the general elections, and other town elections ;—

Be it therefore enacted by this Assembly (for the preventing said clandestine proceedings for the future, at any general election, or other election of officers), that every freeman admitted to vote, shall write his name at length on the back side of his vote, and all proxy votes shall have the same ; and if any vote, upon the reading over, shall be found without the voter's

name upon the back thereof, it shall be thrown by, and shall not be esteemed of any value.

And it is further enacted, that if it doth appear that any freeman shall put in more than one vote, for any one officer, upon conviction thereof, he shall be fined severely, or punished, at the discretion of the court or courts, in any such town where any such irregular and clandestine action shall be committed, not exceeding a fine of £5, or to be whipped on his naked back, not exceeding twenty-one stripes, or a month's imprisonment for each offence, in the house of correction.

And it is further enacted, that if any person, who is not a freeman of this colony, and shall presume, at any general election, to vote for any officer, and he be convicted thereof, by two witnesses, he shall be punished (at any such courts, as aforesaid); and if any person shall vote at any town election of town officers, in any town within this government, who is not a freeman of said town where he votes, he shall, upon conviction, be punished, as aforesaid; any act or acts to the contrary hereof, notwithstanding.

Whereas, sundry accounts of charges (that happened by the late unhappy action of Jeremiah Meeum) hath been presented to this Assembly, by the which accounts considerable is due from said Meeum's estate, and no provision as yet being made for the disposition thereof;—

Therefore, it is enacted by this Assembly, that Mr. Nicholas Lang, the present vendue master of Newport, do expose the estate of the said Meeum to sale at public vendue, and with the sales thereof to pay the said accounts, as are lawfully payable; and if any overplus remain, the same to render to Major Bliss, for the support of the said Meeum's children.

It is ordered by this Assembly, that the committee appointed to draw up the act for making £30,000 and hiring out the same, for the use of this colony, viz.: Mr. Nicholas Lang, Capt. Job Almy, and Mr. Joseph Borden, be paid out of the general treasury for their care and pains taken therein; Mr. Lang, forty shillings, Capt. Almy and Mr. Borden, thirty shillings each. And also, that Capt. Almy be paid out of the general treasury,

thirty shillings, which he disbursed for paper for this colony in Boston.

It is ordered, that Mr. Joseph Borden, general treasurer, buy two barrels of powder, and one flag, for the use of the fort, on Goat Island, to be paid for, out of the general treasury.

And be it further enacted by this Assembly, and by the authority thereof it is enacted, that all the acts of this Assembly be published in Newport, within ten days from the adjournment of this Assembly, by beat of drum; and that the recorder transcribe them into the book, and send a copy of said acts to each town in this government; and to be paid for entering the same in the book, and for the copies to the towns, sixteen shillings each, in money, out of the general treasury.

And this Assembly is adjourned to the last Wednesday in August, 1715.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 31st day of August, 1715.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. Wm. Wanton, speaker.

Robert Gardiner, clerk.

Whereas, Mr. Augustus Lucas, Paul Collins and William Barbut, petitioned this Assembly in behalf of several poor people, that have imported into this colony nine Indian slaves from South Carolina, in the sloop Charles, George Wood, master, laying before the Assembly that the said slaves are really for the support and maintenance of the aforesaid distressed people, who are objects of charity, and have been forced by the wars

at Carolina, to leave their habitations and come into this colony for subsistence ;—

This Assembly, considering the premises, do remit the duty on said slaves imported, as above said, to the owners thereof, and they are hereby discharged from paying the duties thereon, saving to the naval officer his fees.

Voted and enacted by this Assembly, and the authority thereof, that this Assembly be adjourned to the last Wednesday of this instant September, 1715 ; provided, that the Governor, or deputy governor, in his absence, should not call it sooner ; and in case the Assembly be not called sooner, nor further notified by the Governor, &c., then this Assembly is to dissolve, and determine on said last Wednesday of September ; and the members thereof are to govern themselves accordingly. And that upon the dissolution thereof, as aforesaid, the recorder shall place the orders of this Assembly in the colony book, which shall bind and oblige all persons in this government to obey the same ; any law, custom or usage to the contrary, notwithstanding.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the 20th day of October, 1715.

Col. Samuel Cranston, Governor.

Lieut. Col. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,
Major Nath'l Coddington,
Major James Brown,
Major Thomas Fenner,

Major Randall Holden,
John Weeks,
Capt. John Eldredge.

RECORDER.

Richard Ward.

SHERIFF.

Capt. William Coddington.

DEPUTIES.

For Newport.

Lieut. Col. John Cranston,
 Mr. Robert Gardner,
 Capt. Benjamin Ellery,
 Mr. Stephen Easton,
 Mr. George Goulding.

For Providence.

Major William Hopkins,
 Mr. Philip Tillinghast,
 Mr. Eliezer Arnold,
 Lieut. Andrew Harris.

For Portsmouth.

Mr. Daniel Coggeshall.

For Warwick.

Mr. Benjamin Barton,
 Capt. Samuel Greene,
 Mr. John Rice, Jr.

For Westerly.

Capt. John Babcock,
 Mr. Edward Larkin.

For Kingstown.

Capt. Christopher Allen,
 Capt. Daniel Eldredge.

For Greenwich.

Mr. Michael Spencer,
 Mr. Joshua Coggeshall.

For Jamestown.

Mr. Teddeman Hull.

Major William Hopkins, speaker.

Capt. Christopher Allen, clerk.

John Scott, of Newport, in the colony of Rhode Island and Providence Plantations, in New England, house carpenter, appellant, in an action of the case, damage £27 current money, of New England, Thomas Peckham, of said Newport, house carpenter, appellee, from a judgment of a General Court of Trials, held at Newport, aforesaid, on the first Tuesday of September, 1715. The case being duly heard and maturely debated, the judgment of this Court of Assembly is, that Thomas Peckham's account, amounting to £13 19s. 6d., by reason of sundry errors therein be, and it is hereby chancerized down to £11 8s. 6d.; and that the appellant and appellee each pay the one half part of the costs of this court.

Ralph Chapman, shipwright, and Benjamin Norton, mariner,

both of Newport, in the colony of Rhode Island, &c., appellants from a judgment of a General Court of Trials, held at Newport, the first Tuesday of September, 1715, in an action of trespass, damage £100 current money, of New England, William Rouse, of said Newport, blacksmith, appellee.

The case being duly heard and maturely debated, the judgment of this Court of Assembly is, that the judgment given for the now appellee, against the now appellants, Ralph Chapman and Benjamin Norton, at the above said General Court of Trials, held at Newport, the first Tuesday in September, 1715, be confirmed, for the now appellee, with the costs of this court.

The appellants, Ralph Chapman, and Benjamin Norton, desiring an appeal from the judgment of this Court of Assembly, to the King and council, this Assembly do grant the same, they giving in bond for the prosecuting of their appeal, and answering all damages that may accrue thereon, according to the laws and customs of this colony.

His Honor, the Governor, having communicated to the house of representatives the measures he had proceeded with, in commissionating (and the instructions given) Mr. Richard Partridge, to enable him, at this juncture, powerfully to exert himself as agent for this colony, and to use his utmost efforts for the excepting this colony out of the bill preferred to the House of Commons, for the regulating charter governments, in America. The which, by said house, was well approved of, and they returned His Honor hearty thanks for his service therein.

And it is hereby ordered by this Assembly, and the authority thereof, that the general treasurer of this colony pay to His Honor, the Governor, £10 out of the general treasury, for his care and pains taken in the aforesaid premises.

Capt. Job Almy having petitioned this Assembly, for the charges and expense his father, Christopher Almy, was at during the time of his agency in Great Britain, on behalf of this colony;—

The said petition being read and debated, it is ordered by this Assembly, that Major Nathaniel Coddington, Capt. Benjamin Ellery, Mr. George Goulding and Mr. Weston Clarke, be



appointed a committee to inspect into the schedules of the former acts of Assembly, and into the accounts of the said Job Almy, and make their return thereon to this Assembly, at their next session.

Complaint being made to this Assembly, that several persons of good estates in this colony, have been refused and hindered from taking out their proportionable part of the money made by this colony, to be hired out, because their estates did not lie in the town wherein they dwelt;—

It is therefore ordered by this Assembly, that no person or persons be refused their proportionable part of said money (by reason they have no estate in the town wherein they dwell), they giving sufficient security in any other town in the colony; any act or acts, clause or clauses of acts, to the contrary hereof, notwithstanding.

Whereas, Capt. James Greene, late of Warwick, deceased, had the use of £300 of this colony, for service done by him for the colony, in Great Britain; the time of payment of said sum being now very near;—

It is enacted by this Assembly, and the authority thereof, that the said £300, when paid into the general treasury, shall be (pursuant to a former act of Assembly) consumed to ashes.

Whereas, by an act of the General Assembly, made at Newport, this present year, 1715, there were £30,000 emitted by this colony, in public bills of credit of this colony, wherein it was ordered that there should be two thousand and eighty-six bills made from five pounds to twenty shillings; and the number of thirty-four thousand and twenty-four bills made from ten shilling bills to one shilling bills; which great number of small bills are very chargeable in the making, and their constant usage will quickly wear out; and they will soon want to be made over again, which will add charge to charge;—

Therefore, be it enacted by this Assembly and the authority thereof, that one-half part of the number of said small bills be not stamped; and that the value of the said small bills not to be printed, be added on the great plates, and there stamped

off; any clause or clauses of acts to the contrary hereof, notwithstanding.

[Here follows an act for emitting £10,000 in public bills of credit on the colony. See public laws, 1719.]

And be it further enacted by this Assembly and by the authority thereof it is enacted, that all the acts passed during the sessions of this Assembly, be published within the town of Newport, at the colony house, under the seal of the colony, by beat of drum, within ten days after the adjournment of this Assembly; and that the recorder place them in the colony's book, and send a copy thereof to each town in the colony, under the seal of the colony, within twenty days after the Assembly's adjournment; and that he be paid out of the general treasury six shillings for each copy, and six shillings for entering the same on the book; and this Assembly is adjourned to Newport, to the last Wednesday of February next, unless the Governor or deputy governor, upon urgent occasion, see cause to call the Assembly sooner.

God save the King.

Whereas, the General Assembly of this colony stood adjourned to the last Wednesday of February, 1715-16, and no magistrates appearing from the main land, the upper house could not be filled, and the Assembly's sitting fell through.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1716.

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

The assistants from the several towns.

DEPUTIES.

For Newport.

Lieut. Col. John Cranston,

Capt. James Barker,

Capt. Benjamin Ellery,

Capt. Job Almy,

Mr. Samuel Cranston, Jr.,

Mr. George Goulding.

For Providence.

Mr. John Arnold,

Mr. John Burton,

Mr. Edward Smith,

Mr. Daniel Abbott.

For Portsmouth.

Mr. George Cornell,

Mr. Thomas Cornell,

Capt. Wm. Arnold,

Mr. Wm. Hall.

For Warwick.

Lieut. Charles Holden,

Mr. Anthony Low,

Mr. John Rice, Jr.,

Mr. Moses Lippit.

For Westerly.

Mr. John Hill,

Mr. George Babcock.

For Kingstown.

Mr. Jeremiah Gould,

Mr. Silas Greenman.

For Greenwich.

Mr. Thomas Nichols,

Mr. Peleg Spenser.

For Jamestown.

Capt. Josiah Arnold,

Mr. Sampson Battey.

Lieut. Col. John Cranston, speaker.

Mr. Wm. I. Call, clerk.

Jahleel Brenton, Jr., Israel Harden, Nicholas Easton, Thos. Peckham, Jr., John Bailey, Jr., John Chace, James Chace,

Thomas Stevens, all of Newport, are admitted freemen of this colony.

John Reynolds, son of Joseph Reynolds, William Eldred, Elisha Shearman, Samuel Kinsley, Enoch Kynion, Nicholas Gardner, Solomon Carpenter, Francis Willet and Benjamin Perryale, of Kingstown, are admitted freemen of this colony.

George Whitman, Anthony Holden, John Corp, Hezekiah Gorton, Wm. Greene, George Westgate, Joseph Arnold, Randall Holden, Jr., Philip Arnold, Samuel Stafford, Jr., John Rhodes, Jr., John Greene, son of Peter Greene, William Utter, Oliver Carpenter, Jr., Stephen Greene, Jas. Greene, son of John Greene, and Stephen Scranton, all of Warwick, are admitted freemen of this colony.

Christopher Champlin, John Richmond, Daniel Brown, Christopher Champlin, Jr., William Davel, Thomas Burdick, George Brown, Joseph Stanton, James Babcock, James Babcock, blacksmith, Wm. Clarke, Jr., Joseph Babcock, Edward Saunders, Oliver Babcock, Isaac Thompson, Edward Dennison, John Maxon, Jr., John Lewis, Peter Parker, George Babcock, John Hill, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1716.

The following officers were declared elected, and duly engaged.

Col. Samuel Cranston, Governor.

Lieut. Col. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Samuel Clarke,
Major Nathaniel Coddington,	Major Randall Holden,
Major James Brown,	Mr. John Wicks,
Major Thos. Fenner,	Capt. John Eldredge,
George Cornell,	Mr. Jeremiah Gould.

RECORDER.

Richard Ward.

GENERAL ATTORNEY.

Capt. Weston Clarke.

SHERIFF.

Capt. William Coddington.

MAJOR FOR THE ISLANDS.
Major Nathaniel Sheffield.

GENERAL TREASURER.

Joseph Borden.

MAJOR FOR THE MAIN.

Job Greene.

Whereas, in the fifteenth year of His Majesty's reign, ✓
Charles the Second, of blessed memory, there was a charter granted to this His Majesty's colony, in which were contained many gracious privileges for the encouragement and comfort of the inhabitants thereof; amongst them, that of free liberty of conscience in religious concerns, being one of the most principal; it being a moral privilege, due to every Christian, as by His said Majesty is observed, that true piety, rightly grounded upon gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men

the strongest obligations to true loyalty ; and this present Assembly being sensible, by long experience, that the aforesaid privilege, by the good providence of God having been continued to us, has been an outward means of continuing a good and amicable agreement amongst the inhabitants of this colony, and for the continuation and better support thereof, as well as for the timely preventing of any and every church, congregation and society of people now inhabiting, or which shall hereafter inhabit within any part of the jurisdiction of this colony, their endeavoring for pre-eminence or superiority of one over the other, by making use of the civil power for the enforcing of a maintenance for their respective ministers ;—

Be it enacted by this present Assembly and by the authority thereof it is enacted, that what maintenance or salary may be thought needful or necessary by any of the churches, congregations or societies of people now inhabiting, or that hereafter may inhabit within any part of this government, for the support of their, or either of their minister or ministers, may be raised by a free contribution, and no other ways.

Whereas, there hath been a vote by the great and General Court or Assembly, held at Boston, upon Monday, May the 25th, 1715, now communicated to this Assembly, by which we are informed that the said Assembly of the Massachusetts Bay have appointed a committee on the part of that province, for the running of the line between said province and this government, according to the agreement made at Roxbury, January the 19th, 1710, by commissioners for both governments then met ;—

This Assembly, taking the matter into their serious consideration, and judging it to be a matter of very great consequence to both governments to have their bounds truly and certainly settled, according to said agreement ;—

Do therefore nominate, choose and appoint Joseph Jencks, Esq., deputy governor, Major Randall Holden, Major Thomas Frye, Capt. Samuel Wilkinson and Mr. John Mumford, to be a committee on the part of this colony, hereby delegating unto them, or to the major part of them, full power to meet and join

with the aforesaid committee, for the province of the Massachusetts Bay, with them to run the said line, and finally to settle the bounds between the said two governments according to the above mentioned agreement. And upon the refusal or neglect of the committee for the province of the Massachusetts Bay in joining with the committee for this government, to proceed as aforesaid, then the said committee for this government are directed and empowered to proceed and fully to finish the said line, and make return to this Assembly at their next sessions, of their proceedings herein; and that a copy of this act shall be full commission to empower the said committee to run the said line; and that they be paid six shillings per diem each for every day's services in said premises, and that their expense be paid out of the general treasury.

Whereas, the method and way prescribed by an act of this colony, that all freemen of towns and of the colony, upon their voting for town and general officers, shall write their names upon the back of their votes, hath given great dissatisfaction and uneasiness to many of the good people of this colony, who deem it a very great hardship to have their names exposed upon such occasions, to the creating of animosity and heart-burning of their particular friends, &c.;—

This Assembly, taking the matter into consideration, do see cause to repeal that act, which obliges the freemen to subscribe their names upon the back of their votes; and the said act is hereby repealed.

And for the orderly voting for the future, for general or town officers, &c., be it enacted by this Assembly and authority thereof, that the Assembly that annually meets the day before the election, to make preparations for the election, shall order and appoint the way and manner of voting for general officers in the best and most regular method they shall judge most proper, to prevent frauds, so as not oblige any to subscribe their names to their votes.

And it is further enacted by the authority aforesaid, that at any quarter or town meeting, appointed to elect deputies or town officers, in any town in this colony, the moderator, with

the advice of the freemen present, shall prescribe and settle such orderly way of voting, as shall then be thought most expedient, to prevent frauds, as aforesaid.

And be it further enacted, that if in case any person at the general elections shall be convicted by two witnesses, or by confession, of putting or delivering into the hat, or to the receivers of votes for that end, more than one vote for one officer, he shall be fined by the Governor and council for his contempt, in any sum not exceeding £5, or punished by whipping, not exceeding forty stripes, or imprisoned or set in the stocks, at the discretion of the Governor and council.

And in case any person shall be convicted of the like crime in any quarter or town meeting, as aforesaid, he shall, by order of the assistants, justices or wardens, where such crime shall be committed, be fined not exceeding forty shillings, or punished by whipping, not exceeding twenty-one stripes, or set in the stocks, at the discretion of the assistants, &c. ; any act or acts, clause or clauses of any act or acts, to the contrary hereof, notwithstanding.

It is further to be understood, that this act has no reference to proxy votes, which are to be signed according to former custom, &c, viz. :

To be delivered to the town clerk in a public town meeting, with their names written upon the back of their votes ; and the votes being received by the town clerk, he is forthwith to deliver them to the head officer of the town, to be sealed up in a packet, in order for the said officer to deliver them to the Governor, or in his absence, to the next superior officer in the Assembly, upon the day of election.

Voted by this Assembly, that the Honorable Jos. Jencks, Esq., the present deputy governor of this colony, be allowed out of the general treasury £20 for his salary for this year's service.

Whereas, Capt. John Eldredge and Major Frye, by a former act of Assembly, were improved by this colony to build a bridge over Reynolds's, alias Hunt's river, in the Narragansett country, within this colony, and £60 ordered for the same out of the impost office on slaves, and the said Capt. Eldredge and

Major Frye having informed this Assembly that there is not money sufficient in the impost office, to answer the work afore-said ;—

Therefore, it is ordered by this Assembly, that the said Capt. Eldredge, &c., be paid £20 out of the general treasury, to complete the said sum of £60, and to be paid into the general treasury by the naval officer as soon as he receives it.

It is ordered by this Assembly, that Mr. Nicholas Lang, Mr. Nathaniel Nudigate and Richard Ward, be a committee to transcribe the laws of this colony in a regular form, fit for the press, and to take the Governor's advice in all points of difficulty ; and upon completing thereof, to be rewarded for their service out of the general treasury, to their content, as the Governor and council shall think reasonable.

It is ordered by this Assembly, that the acts of this Assembly be compiled in a body, and published in the town of Newport, by beat of drum, under the colony seal, on the 10th day of this instant May.

And this Assembly is adjourned to the 19th day of June next ensuing.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 19th day of June, 1716.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Lieut. Col. John Cranston, Jr., speaker.

Mr. William I. Call, clerk.

It is ordered by this Assembly, that the duty of two sucking slaves imported into this colony by Col. James Vaughan, of Barbadoes, be remitted to the said James Vaughan,

Whereas, John and Jeremiah Smith, owners of a tract of land lying between Pettaquamscutt river and Narragansett Bay, have freely laid out and given a highway of four rods wide, to the King and country, across Boston Neck, from the said river, down to the ferry on said bay, as is decyphered in a plat by them presented to this Assembly ; and this Assembly approving of the said highway, as very commodious and convenient for travellers passing from ferry to ferry, do accept of said gift, and at the request of the said John and Jeremiah Smith,—

Do enact, and it is hereby enacted, that the said road or way, shall be for ever hereafter a stated and public road, or open highway, for His Majesty's subjects to pass and repass in with their carts, wagons or carriages, upon any occasion, whatsoever, without any let, hindrance or molestation whatsoever ; and that the plat or draught of said highway presented to this Assembly, be placed upon the public record of this colony.

Whereas, there is an act of Assembly, passed in this colony, on the 26th of October, 1715, making public bills of credit of this colony, to be lawful pay, on tendering the same for all bonds and specialties, which hath already, and will make great strife and contention between the inhabitants of this colony ;—

For the preventing whereof, be it enacted by this Assembly and by the authority thereof it is enacted, that the said act shall be construed, deemed and taken to extend to no other bonds and specialties than what mention current passable bills of credit of this colony, or of any of the governments of New England ; any act to the contrary hereof, notwithstanding.

Whereas, Mr. Nathaniel Brown, Capt. William Crawford and Sylvanus Scot, of Providence, have petitioned this Assembly for liberty to make and dry fish on a small island, lying south of Providence, called Starve Goat Island, the which petition being duly considered ;—

It is ordered by this Assembly, that the said petitioners shall have liberty to use and improve so much of said island as shall be needful and necessary for their making, drying and securing of fish on said island, during their following the trade of fishery.

It is ordered by this Assembly, that His Honor, the Governor, and Richard Ward, be a committee to revise the whole body of laws relating to the militia, both for the choice of officers, and regulating the gathering of fines, &c., and make return thereof, to the next Assembly.

It is ordered by this Assembly and the authority thereof, that the grand committee that made this colony's bills of credit, change the sum of £2000, for old bills of credit of this colony, in order to be sunk at the next General Assembly, to be held for this colony, if the Assembly shall so think fit.

It is ordered by this Assembly, that £5, out of the general treasury, be lodged in the hands of Mr. John Burton, of Providence, for the use of Peter Pomsha, Indian, to supply the said Peter with necessaries, as meal, grain, &c., as he shall have need.

Complaint being made to this Assembly, that Ninegret, sachem, has been much wronged by several persons, that have hired land &c., of said sachem, contrary to the acts of Assembly in this colony, made and provided on behalf of said sachem ;—

For the prevention whereof, it is ordered by this Assembly, that Mr. John Hill and Mr. George Babcock, of Westerly, make inspection into said affair, and make return of such as they find guilty thereof, to the next Assembly.

It is ordered by this Assembly, that the highway that runs from Weybosset, in Providence, through this colony, to Plainfield, in Connecticut colony, be, and it is hereby made a perpetual highway, for the use, benefit and ease of all His Majesty's subjects, to pass and repass in without let, hindrance or molestation of any person, whatsoever ; the said highway being stated according to the return of the sheriff and jury who laid out the same.

Be it enacted by this Assembly, and by the authority thereof, it is enacted, that all the acts of this Assembly be published in the town of Newport, under the seal of the colony, by beat of drum ; and that all the acts of Assembly passed in May last, and at this session, be entered in the colony book, by the re-

corder, and a copy thereof, to be sent to each town in the colony, as soon as conveniently may be, under the colony's seal; and the recorder to be paid out of the general treasury ten shillings for entering the same, and ten shillings for each copy; and this Assembly be adjourned to the last Tuesday of August next, if the Governor, or in his absence, the deputy governor, shall then call them together. Otherwise, this Assembly then to be dissolved.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 31st day of October, 1716.

Col. Samuel Cranston, Governor.

Lieut. Col. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Major Nath'l Coddington,
Major James Brown,
Major Thomas Fenner,
Mr. Samuel Clarke,

Major Randall Holden,
Mr. John Weekes,
Capt. John Eldredge.

RECORDER.

Richard Ward.

SHERIFF.

Capt. William Coddington.

DEPUTIES.

For Newport.

Col. Wm. Wanton,
Capt. Benjamin Ellery,
Mr. George Goulding,
Mr. Samuel Cranston, Jr.

For Providence.

Mr. Joseph Whipple,
Mr. Edward Smith,
Capt. Samuel Wilkinson,
Major Wm. Smith.

DEPUTIES.

For Portsmouth.

Mr. Gideon Freeborne, Jr.,

Mr. Thos. Hicks.

• For Warwick.

Major Job Greene,

Capt. Benjamin Greene,

Capt. John Waterman.

For Westerly.

Capt. James Babcock.

For Kingstown.

Capt. Christopher Allen,

Mr. Silas Greenman.

For East Greenwich.

Mr. Pardon Tillinghast.

Mr. Joseph Weaver.

For Jamestown.

Mr. David Greene.

Col. Wm. Wanton, speaker.

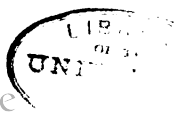
Mr. Samuel Cranston, clerk.

Whereas, Major Thomas Frye and Capt. John Eldredge had £60 ordered them, out of the impost office, to build a bridge over Reynold's river, in the Narragansett country, and they having finished the same, exhibited their accounts before this Assembly, by which there is due to the colony £10 14s. 6d.;—

Therefore, it is ordered by this Assembly, that the said Maj. Frye and Capt. Eldredge pay the above said balance (due to the colony) into the general treasury.

Whereas, Mr. Richard Partridge, the agent for this colony in Great Britain, has sent over his account of disbursements for this colony, the which has been presented to this Assembly, and by them approved of; by which account this colony is in debt to said agent the sum of £45 8s. 5d.;—

Therefore, it is ordered by this Assembly, that Col. William Wanton and Capt. Benjamin Ellery buy bills of exchange for £100, and those bills, when bought, to be delivered to His Honor, the Governor, by him to be sent home to our said agent; £40, for his salary for the ensuing year, and £60, to reimburse our said agent the charge he has already been at, and the charges that shall accrue to this colony; and the general treasurer is hereby ordered to pay out of the general treasury,



such sum or sums as shall be requisite (to said Col. Wanton and Capt. Ellery) to purchase such bills, as aforesaid.

And be it further enacted by this Assembly, and by the authority thereof, it is hereby enacted, that all the acts of this Assembly be published in the town of Newport, by beat of drum, under the colony's seal, within ten days after this Assembly is dissolved; and that they be recorded in the colony's book, and a copy thereof, under the seal of the colony, to be sent to each town in the colony, by the last of March next.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Providence, the 3d day of November, 1716.

Col. Samuel Cranston, Governor,

Richard Ward, recorder.

Col. William Wanton, speaker.

Mr. Samuel Cranston, Jr., clerk.

Gabriel Bernon, having exhibited a petition before this Assembly, wherein were divers foul charges against Capt. John Eldredge, an assistant of this colony; and the matter being duly debated, the said Capt. John Eldredge was deemed innocent of the slanders; and also, willing, upon the acknowledgement of said Bernon, to require no other satisfaction;

The Assembly do order the said Gabriel Bernon to sign two acknowledgements; the one, for his causelessly charging Capt. Eldredge, and the other for contemptuously and disorderly behaving himself before the said Assembly; the which, are as follows:—

I, Gabriel Bernon, do hereby acknowledge myself to have causelessly charged Capt. John Eldredge, a magistrate of this

colony, in my petition, presented before this Assembly ; and that I am heartily sorry for the same, and desire him to forgive me my fault in so doing ; and I acknowledge it as a great favor, and do promise to remain mindful and thankful of his kindness therein.

GABRIEL BERNON.

November 2d, 1716.

Whereas, I, Gabriel Bernon, did, in a contemptuous and disorderly manner, before the Honorable Assembly, sitting the 3d of November, at Providence, misbehave myself, both by words and actions, I do beg Your Honors' pardon for the same, and acknowledge Your Honors' favor to me, in forgiving and in being so favorable to me ; and I shall ever pray.

GABRIEL BERNON.

Registered per order, RICHARD WARD, Recorder.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 30th day of April, 1717.

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

Assistants of the several towns.

DEPUTIES.

For Newport.

Jahleel Brenton,

Col. Wm. Wanton,

Capt. Job Almy,

Lieut. Wm. Peckham,

Mr. James Barker, Jr.

Lieut. Col. John Cranston.

DEPUTIES.

For Providence.

Mr. Joseph Whipple,
Capt. Wm. Crawford,
Mr. Edward Smith,
Mr. Daniel Abbott.

For Portsmouth.

Mr. Thomas Cornell.
Mr. Giles Slocum,
Mr. William Anthony,
Mr. William Hall.

For Warwick.

Capt. Benj. Greene,
Mr. Benjamin Barton,
Major Job Greene.

For Westerly.

Capt. John Babcock,
For New Shoreham.
Capt. Thomas Rathbone.
For Kingstown.

Mr. Elisha Cole,
Mr. Rouse Helme.

For East Greenwich.

Mr. John Nichols,
Mr. Thomas Mattison.

For Jamestown.

Mr. John Underwood,
Mr. David Greene.

Col. William Wanton, speaker.

Mr. William Hall, clerk.

Robert Barker, John Almy, John Pococke, William Wanton, Jr., John Record, Robert Taylor, Stephen Bailey, John Langford and Richard Guthridge, of Newport, are admitted freemen of this colony.

Stephen Brownell, John Earle, Jr., Shadrach Keese, Daniel Howland, Wm. Arnold, Jr., Wm. Earle, James Strange, John Albro, Jr., Benjamin Brayton, Jeremiah Lawton, Jr., Wm. Lawton and Albro Anthony, of Portsmouth, are admitted freemen of this colony.

William Battey and Daniel Weeden, of Jamestown, are admitted freemen of this colony.

Thomas Hazard and Stephen Hazard (sons of Thos. Hazard), of Kingstown, are admitted freemen of this colony.

James Hazleton, Wm. Bennet, Jr., John Manchester, Henry Reynolds and William Spencer, of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1717.

The following officers were declared elected, and duly engaged.

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Mr. William Anthony,
Major Nathaniel Coddington,	Major Randall Holden,
Major James Brown,	Mr. John Wickes,
Major Thomas Fenner,	Capt. John Eldredge,
Mr. Gideon Freelove, Jr.,	Mr. Rouse Helme,

RECORDER.

Richard Ward.

SHERIFF.

Capt. William Coddington.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Weston Clarke.

MAJOR OF THE ISLAND.

Capt. William Coddington.

MAJOR OF THE MAIN LAND.

Major Job Greene.

Thomas Hazard, of Kingstown, in the colony of Rhode Island, &c., yeoman, appellant, in an action of trespass, from a judgment of a General Court of Trials, held at Newport, within and for the colony, above said, on the last Tuesday of March, 1717, George Mumford, of said Kingstown, yeoman, appellee ;—

The case being duly heard, the judgment and decree of this Court of Assembly, is, that the judgment be confirmed, without any reference to the title of the land.

Whereas, Joseph Jenckes, Esq., deputy governor, Major

Randall Holden, Major Thomas Frye, Capt. Samuel Wilkinson and Mr. John Mumford, were at a General Court of Assembly of this colony, held at Newport, the first Wednesday of May, 1716, nominated and appointed a committee on the part of this colony, to run and settle the dividing line between this colony and the Massachusetts Bay; and this Assembly reposing especial faith and trust in the said committee, in their negotiating and settling said line;—

Therefore, it is hereby enacted by this Assembly, that the said Joseph Jenckes, Randall Holden, Thomas Frye, Samuel Wilkinson and John Mumford, be, and they hereby are continued a committee, to perform, do and finish said service; and they are hereby fully empowered and authorized to proceed on, settle and finish with the Massachusetts commissioners (and if they refuse or neglect, then without them) the dividing line between the said colonies, according to the agreement made at Roxbury, January the 19th, 1710.

Whereas, His Honor, the Governor, has acquainted this Assembly, that His Excellency, the Governor of Boston, will come into this colony;—

For the reception of whom, it is ordered by this Assembly, that His Honor, the Governor, entertain him at his discretion, and the charge to be paid out of the general treasury.

Whereas, Col. William Wanton and Capt. Benjamin Ellery were appointed to procure bills of exchange for £100, to be sent to our agent in Great Britain, and they having informed this Assembly that such bills cannot be procured; but that silver money may be had;—

Therefore, this Assembly do order and appoint the said Col. Wanton and Capt. Ellery, such sum or sums of silver money as shall be necessary to accomplish said affair, and the same to deliver to the Governor, and by him to be sent to our agent, as aforesaid.

The Assembly is adjourned to the 18th of June, 1717.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 18th day of June, 1717.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

The accounts of Lieut. Col. John Wanton and Mr. John Odlin, of the charge for the building the jail, amounting to £426 19s. 5d., is allowed by this Assembly; and the said John Wanton and John Odlin are allowed £3 each, out of the general treasury, for their service therein.

[Here follows “an act for the explanation and further enlargement of an act passed by the General Assembly of the colony, begun and held at Newport, by adjournment, the 27th day of February, 1701–2, for the granting of administration to the wives of persons three years absent, and not heard from.” See public laws, 1719.]

Will Davel, Indian, is ordered and allowed £3, out of the general treasury, for the loss of one of his eyes in the colony's service.

An Act for the relief of Thomas Durfey, of Portsmouth, by ordering him a sufficient highway to his farm, at a place commonly called Common Fence Point, in said Portsmouth.

Whereas, the said Thomas Durfey, by his petition to this General Assembly, held at Newport, in the colony of Rhode Island and Providence Plantations, by adjournment to the 18th of June, in the third year of His Majesty's reign, Anno Domini 1717, hath set forth in his said petition, that he, the said Thos. Durfey, had made application to the committee of the town of Portsmouth, aforesaid, lawfully empowered to lay out highways

in the said town, in the late undivided lands, to lay out to him, said Thomas Durfey, a good and sufficient highway to his farm, at a place commonly called Common Fence Point, lying in Portsmouth, aforesaid; but that he had not been able to obtain a good and suitable highway, for cart or horse ;—

Be it therefore enacted by this General Assembly, and by the authority thereof, that the said committee of the town of Portsmouth, shall, within one month's time after this 21st of this present month of June, lay out to the aforesaid farm, commonly called Common Fence Point, a good, lawful and passable highway, fit for horse and carts to pass and repass to and from the said farm.

And if the said committee shall neglect to lay out such highway, in such time as is above ordered, that then it is hereby ordered and enacted, that the town council of the town of Portsmouth, aforesaid, shall lay out or cause to be laid out, a good, lawful and passable highway, fit for horse and carts to pass and repass to and from said farm, within one month's time after the expiration of the aforesaid month; and the charges of the laying out of the aforesaid highway by the said town council, shall be paid by the said committee; to be recovered by the town council of, or against the said committee, by action of debt.

And if the said committee in laying out the aforesaid highway, cannot lay out such a highway, as aforesaid, without laying it, or a part thereof, through particular persons' lands; and if the said committee and the owners of such lands through which the said highway shall be laid out, cannot agree on the price, or value thereof, that the town council aforesaid, shall empanel a jury to value the said land, according to the laws of this colony in that case made and provided.

An Act enabling and appointing overseers to lease out the lands of Ninegret, the sachem, in the Narragansett country.

Whereas, Ninegret, the sachem of Narragansett lands in the colony of Rhode Island, &c., hath petitioned this Assembly to

appoint three overseers, to oversee and rent out his lands, to prevent his being defrauded therein, and has also desired this Assembly to dispossess all those that shall refuse to hire of his overseers as shall be appointed by the Governor and company of said colony, for the time being; and also, in case he hath need to sell any lands, that he may be, by the said Governor and company for the time being, assisted therein. For the complying with said petition, and for the better securing of the said sachem's lands and profits,—

Be it therefore enacted by this Assembly, and by the authority thereof it is enacted, that Col. William Wanton, of Newport, Major Thomas Frye, of East Greenwich and Capt. Joseph Stanton, of Westerly, be, and they hereby are appointed overseers to oversee and lease out said sachem's lands, as shall to them seem most conducive for the said sachem's interest; empowering them, and they or any two of them, are hereby empowered to dispossess all and every person that now is, or hereafter shall be in possession of any said sachem's lands, and shall refuse to agree, comply and hire said lands at such rents and services as by them, or major part of them, shall be found most beneficial for said sachem's interest; they not granting any lease for any longer term than seven years; and the said sachem to pay the said charge thereof.

It is ordered by this Assembly, that Ninegret, sachem, have £10 lent him out of the general treasury, for two years; and then to be paid by said Ninegret into the general treasury out of the rents of his lands.

And it is further enacted by this Assembly, and by the authority thereof be it enacted, that Jahleel Brenton, Esq., and the recorder, draw up the acts of Assembly in form, and that they be published in Newport, according to custom, within fifteen days after the adjournment of this Assembly; and that the recorder enter them in the colony's book, and send a copy thereof, under the seal of the colony, to each town in the colony, as soon as conveniently may be; and the recorder to be paid out of the general treasury, nine shillings for each copy, and nine shillings for entering them in the colony's book; and

this Assembly is adjourned to Newport, to the second Tuesday of September next ensuing (unless the Governor or deputy governor shall call them together sooner), if the small pox shall then abate, but if not, then this Assembly shall be dissolved.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Tuesday of September, 1717.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

The Assembly being called according to adjournment, and there not being a sufficient number of deputies, it is the opinion of this Assembly, that all matters referred to this Assembly, be continued to the next Assembly ; and they are accordingly continued thereto, and this Assembly is dissolved.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1717.

(Present.)

Col. Samuel Cranston, Governor.

Lieut. Col. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,

Major Randall Holden,

Major James Brown,

Mr. John Wickes.

Major Thos. Fenner,

Mr. Gideon Freeborne,

RECORDER.

Mr. William Anthony,

Richard Ward.

DEPUTIES.

For Newport.

Col. Wm. Wanton,

Capt. Job Almy,

Capt. Edward Thurston.

Mr. George Goulding,

Mr. Joseph Whipple.

For Providence.

Lieut. William Harris,

Mr. James Dexter.

For Portsmouth.

Mr. George Cornell,

Mr. Thomas Hicks,

Mr. Wm. Hall.

For Warwick.

Major Job Greene,

Capt. Benj. Greene,

Capt. Samuel Greene,

Mr. Peter Greene.

For Westerly.

Mr. William Wilkinson.

For Kingstown.

Mr. Elisha Cole,

Mr. Wm. Brown.

For East Greenwich.

Major Thos. Fry,

Mr. John Spencer.

For Jamestown.

Mr. Teddeman Hull,

Mr. Benedict Arnold.

Major Thomas Frye, speaker.

Mr. Teddeman Hull, clerk.

Both houses resolved into a grand committee.

Peter Ford, of the parish of St. Mary Magdalen, Bermondsey, in the county of Surrey, in the kingdom of Great Britain, merchant, appellant, Daniel Hodgson, of Newport, in the colony of Rhode Island, &c., mariner, appellee, from a judgment of a General Court of Trials, held at Newport, within and for the colony, aforesaid, on the first Tuesday of September, 1717 ;—

The reasons and allegations of both appellant and appellee, being duly heard and considered, the determination and decree of this Court of Assembly is, that the judgment of the General Court of Trials, held in September last, and rendered for the now appellee, be confirmed, with costs of this court.

The appellant, Ford, by his attorney, praying an appeal to His Majesty and council, in Great Britain, this Assembly do grant said appeal, said attorney giving in bond of £300, to prosecute his said appeal, and pay costs, if cast ; and the said Daniel Hodgson is hereby ordered and required to give to the said Peter Ford, £1000 bond, with security, within ten days after the adjournment of this Assembly, to stand to, abide and perform the decree of His Majesty in council, on said appeal, if any there be ; and the costs in the recorder's office to be regulated according to the custom of this colony.

Christopher Champlin, of Westerly, yeoman, and Benjamin Perry, of Kingstown, weaver, both of the colony, above said, appellants, Mary Robinson, widow, and William Robinson, yeoman, both of Kingstown, aforesaid, appellees, from a judgment of a General Court of Trials, held at Newport, within and for the colony, above said, on the first Tuesday of September, 1717, in an action of debt, for money due by bond ; damage £46, current money of New England ;—

The reasons and allegations of both appellants and appellees being duly heard and maturely considered, the decree of this Assembly is, that the judgment of the General Court of Trials

held the first Tuesday of September last past, and rendered for the now appellees, be confirmed, with the costs of this court.

Whereas, John Smith and Jeremiah Smith, proprietors of a certain tract of land, reaching from Pettaquamscutt river to the ferry, at Westquage, have given to the country a highway, from Pettaquamscutt river to the aforesaid ferry, at Westquage, as per plat on record (laid out), and they not having conveniencies for the immediate fencing of it out, and having petitioned this Assembly for some time to be granted them for the doing thereof;—

Therefore, it is ordered by this Assembly, that the said John and Jeremiah Smith make convenient gates, and keep them well hung, fit for the passing of carts, horse and foot, until further order of the Assembly.

[Here follows “an act for the explaining of an act granting rehearing from one General Court of Trials to another, and for the better support and defraying the charge of the judges in such cases.” See public laws of the colony, 1719.]

It is ordered by this Assembly, that the naval officer pay, out of the impost money on slaves, £100, to the overseer that oversees the paving of the streets of Newport, to be improved for paying the charges of paving said streets.

Whereas, by a former act of Assembly of this colony, there was given, out of the general treasury thirty shillings per head for every wolf killed in this colony; and the wolves yet abounding, to the unspeakable damage of the inhabitants hereof;—

For the prevention whereof, be it therefore enacted by this Assembly, and by the authority thereof it is enacted, that from and after the publication hereof, there shall be £5 paid out of the general treasury for every wolf killed in this colony, to he or they, that shall kill the same; they proving the same, as by the afore recited act is required.

Whereas, the laws of this colony, lie chiefly in schedules, and are very imperfectly drawn, and in the hands of very few persons, so that the major part of the inhabitants are not in a capacity to know the laws that are extant;—

For the regulating whereof, and in order that the same be printed, it is enacted by this General Court of Assembly, that the Honorable Joseph Jencks, deputy governor, Major Thomas Frye, Mr. Nathaniel Nudigate and Richard Ward, be, and they hereby are a committee fully empowered and authorized to revise, correct, transcribe and fit for the press, all the laws of this colony now in force, as well those in schedules as those in the abstracts; and that they appoint time and place for their conveniency in performing said affair; and they, or the major part of them, to proceed and finish the same; and if difficulties arise, to take His Honor, the Governor's advice therein; and the said committee to be paid out of the general treasury ten shillings per diem each, for every day's service in the said premises.

God save King George.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1718.

(Present.)

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

And assistants.

DEPUTIES.

For Newport.

Col. William Wanton,
Capt. Job Almy,
Capt. Jonathan Nichols,
Mr. Joseph Whipple,
Mr. Henry Tew,
Mr. George Goulding.

For Providence.

Mr. Jonathan Sprague, Jr.,
Capt. Thomas Harris,
Mr. Daniel Abbott,
Mr. Joseph Brown.

DEPUTIES.

For Portsmouth.

Mr. George Cornell,
 Mr. Thomas Cornell,
 Capt. George Lawton,
 Mr. Giles Slocum.

For Warwick.

Major Job Greene,
 Capt. Benjamin Greene,
 Capt. John Waterman,
 Lieut. Anthony Low.

For Westerly.

Capt. John Babcock,
 Mr. Thomas Hiscox.

For Kingstown.

Mr. Elisha Cole,
 Mr. John Watson, Jr.

For East Greenwich.

Major Thomas Frye.

For Jamestown.

Mr. Richard Tew,
 Mr. Edward Carr.

Col. William Wanton, speaker.

Major Thomas Frye, clerk.

Mr. George Piggott, Ebenezer Davenport, Benjamin James, Daniel Dunham, Valentine Sweet, Thomas Scranton, Philip Smith, Daniel Gould, John Coggeshall, Jr., Peter Barker, son of William Barker, Peter Barker, son of Joseph Barker, Cuthbert Campbell, Samuel Haydon, John Greene, Othniel Tripp, Gideon Wanton, Simon Pease, William Sanford, James Gould, and Isbon Sanford, all of Newport, are admitted freemen of this colony.

Mr. Robert Lawton and Robert Estis, both of Portsmouth, are admitted freemen of this colony.

Mr. Charles Holding, John Rice, son of John Rice, Jr., Barlow Greene, Joseph Rhodes, Josiah Arnold, Daniel Remington, Joseph Stafford, John Remington, William Greene, son of Samuel Greene and John Warner, Jr., all of Warwick, are admitted freemen of this colony.

Mr. Nathaniel Gardner, Robert Eldred, Thomas Willett, Henry Gardner, Ephraim Gardner, Stephen Shearman, Thomas Philips, Thomas Eldred, Jr. and Thomas Bentley, all of Kingstown, are admitted freemen of this colony.

Mr. Beriah Goddard and Thomas Carr, both of Jamestown, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1718.

The following officers were declared elected, and duly engaged.

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,
Capt. Jonathan Nichols,
Major James Brown,
Mr. Arthur Fenner,
Mr. Thomas Cornell,

Mr. William Anthony,
Major Randall Holden,
Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Major William Coddington.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Weston Clarke.

MAJOR FOR THE ISLANDS.

Major William Coddington.

MAJOR FOR THE MAIN.

Major Job Greene.

Whereas, the town of East Greenwich hath, by petition, exhibited a complaint against the town of Providence, for returning one Mary Marsh, a single woman, and a lawful inhabitant of the said town of Providence, to the town of East Greenwich, contrary to law, whereby great charge hath, and more may accrue

to the said town; which complaint being duly examined, and each of the said towns being duly heard by their attornies;—

The judgment, decree and determination of this Assembly is, that the said Mary Marsh is a lawful inhabitant of the aforesaid town of Providence, and ought, by the inhabitants thereof, to be there maintained, if she be not capable of subsisting herself; and the said town of East Greenwich is hereby ordered to return the said Mary Marsh to the said town of Providence, who are hereby ordered to receive and keep her, accordingly.

Whereas, the town of Providence, hath, by Peleg Rhodes, petitioned this Assembly to consider the great damage that hath by them been sustained in having Weybosset bridge destroyed by an unusual and violent flood;—

Therefore, upon mature consideration thereof, it is ordered by this Assembly, that £30 be allowed to the town of Providence, out of the general treasury, the better to enable them to repair the same.

The answer and reply of this present Assembly to the memorial of Capt. Ebenezer Grout, attorney to Asquasuthuks, &c.;—

Sir—This Assembly having duly considered the purport of the memorial by you presented to the Assembly, in October last, do find the pleas and arguments therein exhibited, to be as followeth, viz.:

That old Miantinomi, at the time of his death, had two sons, viz. : Miantinomi and Massecupp, which, as is suggested, were joint heirs to all their father's lands; and forasmuch as they made no division thereof in their life time, the longest liver and his heirs became the rightful owners of the same; and Massecupp being the longest liver, and never having been in rebellion against the English, and being now dead, and his daughter, Asquasuthuks, being his only child now living, is by law the rightful heir to the land of old Miantinomi, and therefore desires of this government to be admitted as such. This, in short, is the purport, &c., of your memorial, to which we answer;—

1st. That could it be allowed that Massecupp had such an interest in these lands as is pretended, for the better preservation thereof, he ought undoubtedly, when his brother took up arms in rebellion against the English, to have made the surrender of himself to the government in which the land lay, so that a record thereof might have been made, the which would have been, without any reflection, a far better evidence for him to any court, than any yet produced.

In the second place, we observe, that you rightly acknowledge the tenure of the Narragansett lands to be such, as that the sachems held in joint tenancy ; and this improvement we rightly make thereof : old Miantinomi, at the time of his father's death, had an own brother, named Casuckqunce, who held in joint tenancy with himself, and when this old Miantinomi was murdered, then Casuckqunce being the survivor, became the chief sachem in his father's and brother's stead ; and so continued until the war put a period to his rule and right ; so that if you please but to reflect upon your own argument, you will find, that neither young Miantinomi nor Massecupp had the right but Casuckqunce ; and therefore, Asquasuthuk's claim can be no other than a mere pretence.

But for further satisfaction in the matter, you refer us to Mr. Treat's petition, the which we have also perused and considered, and do find the substance thereof contained under three heads, viz. ;—

1st. That none of the English laws of limitation can bar Corquos from his lawful entry into the Narragansett lands, because he was a prince ; and that no time hinders the king, but that he may enter into his domains at any time when he pleases.

2d. That our laws of limitation were never intended to extend to the Indian sachems' land, but only to the native English subjects' land.

3d. He says, admitting they might be subject to those laws, yet all reasonable laws of limitation, have regard to mi-

nority, &c.; and that the 21st of James, rep. 16th, allows the minor ten years for his entry, after he comes to the age of twenty-one years, &c.

Now, as to his first argument, it is grounded upon a presumption that Carquos was a sachem, and was really the rightful proprietor of the Narragansett country; but the contrary thereof is already shown.

But to follow him in order, we come to his second argument, and say, though it may be granted, that it might not be intended, nor once thought on, when the several statutes of limitations were first made, that they should extend to the Indian sachems' land; yet, after the Indian sachems had subjected themselves and their lands to the crown of England, to be protected, ruled and governed by the English laws, then, undeniably those statutes must extend both to the Indian sachems and their lands also; and that the chief sachems of the Narragansett did so subject themselves and their lands, in the year 1644, is most certain, and is yet to be seen, under their own hands, and in print. But perhaps Mr. Treat might not be knowing thereof.

And as to his third and last argument, he grounds it upon the aforesaid statute of 21st James, rep. 16th, and from thence draws up this conclusion, that Corquos cannot be barred of his entry into old Miantinomi's land, by the statute, by reason he was but twelve years old, when his father, Massecupp died, and but twenty-two years old when he preferred his petition. But certainly, Mr. Treat had very much forgot himself, or else designedly imposed upon that court, as judging they had not wisdom enough to consider that there were twenty-five years passed from the time of the Indian war, to the time of Massecupp's death, in which time, by the aforesaid statute, he ought to have made his entry, if any right he had so to do.

But, forasmuch as he omitted making his entry by the space of five years more than what is limited by the said statute, and did not so much as make his claim, in all that time, had his right been never so good and lawful (as indeed it was neither), he had undeniably by that statute, been for ever barred; and

it is most certain that where the father's right of entry is so clearly taken away by statute, as here Massecupp's was, if he had any, that both sons and daughters are for ever excluded, and left without remedy ; so that the whole of Mr. Treat's plea for the lawfulness of Corquos, his entry into the lands of the Narragansett country, is both beside law and reason.

And sir, as to what you say (after threatening of us with taking of further steps for relief), that it is not *ex post facto* to lay claim for a minor in this case it may be granted, because the law prescribes no time in which a claim shall be made where there is no right.

But that the matter may appear the more conspicuous, that Massecupp was never possessed, as sachem, of the Narragansett lands, neither solely, nor as joint tenant, with his brother, (we say as before) that upon the death of Miantinomi, Casuckqunce succeeded him in both the right of government and lands ; and the said Casuckqunce and old Ninegret, the other chief sachem, held that country in joint tenancy until the Indian war ; at which time, Casuckqunce, being old, was, as it was supposed (by the influence his near kinsman, Nanantenew, had upon him, as well as upon his subjects), drawn from his allegiance to the crown of England, and taken up arms against the English, and lost his life ; at which time, the whole of that country (that was then unsold), fell by law, to old Ninegret, by survivorship, who had, from the time of subjecting himself, as aforesaid, been a loyal subject to His Majesty, and a cordial friend to the English.

But he soon after dying, and leaving his son Ninegret, an infant, who was his only heir, so that the care of all his land fell to this government ; and so continued until such time as he came to mature years, who then made his entry thereinto, as by law he had good right ; and hath since disposed of considerable part thereof to this government ; and we suppose our title to be good and lawful, and judge we are obliged to defend it.

This Assembly have had under their consideration, what you offered this day, as an addition to your memorial ;

and it appears more like a menace and threatening, than a memorial ; and rather deserves a reprimand than an answer. But that our moderation may appear, we make the following answer to your additional memorial, as you call it ;—

In the first place, you query whether Miantinomi, his heirs, (he being the chief sachem in his day, and king of this government), her claim ought not to be allowed, &c.

We say, that old Miantinomi, in his days, was acknowledged to be one of the sachems of the Narragansett ; but that he, or any of his successors was ever king of this government, we deny, as in duty to our royal sovereigns, the Kings and Queens of Great Britain, we are, and ever have been obliged to do.

And as to our suffering a complaint to be exhibited, we must leave both you and your client to use your liberty ; not doubting but we shall be as able to answer it, as we have been some others, grounded on the like slighty occasion. And as to what you say concerning the heirs of Duke Hamilton, we judge we are in as good a capacity to withstand them as any other governments in this country are.

An Act to prevent Indians being sued for debt.

Whereas, several persons in this colony out of wicked, covetous and greedy designs, often draw Indians into their debt, and take advantage of their inordinate love of rum, and other strong liquors, by selling the same to them, or otherwise to take advantages, by selling them other goods, at extravagant rates, upon trust, whereby said Indians have been impoverished, to the dishonor of the government.

[Here follows the act. See public laws, for 1719.]

It is ordered by this Assembly, and by the authority thereof, that the grand committee, which had new bills lodged in their hands, to be exchanged (for old bills formerly emitted by this colony), bring in the said bills they have changed, and the other money lodged in their hands, at the next session of this Assembly.

It is ordered by this Assembly, and by the authority thereof,

that Ninegret, sachem, shall have lent him out of the general treasury, £150, for the payment of his debts, to be repaid into the general treasury, out of the rents of his lands, as they shall become due.

And this Assembly is adjourned to the 17th of June next ensuing.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 17th day of June, 1718.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

It is ordered by the General Assembly, that the general recorder proceed to transcribe and fit the laws for the press, with marginal notes thereon ; and to be compared, when finished, by the Governor and Major Frye, and that Major Frye get them printed ; and that His Honor, the Governor, shall order so much money out of the general treasury, as he shall think necessary for the same ; and that Major Frye render an account of the charge thereof, to the General Assembly, when thereunto required.

It is ordered by this Assembly, that the town sergeant of Newport shall have allowed him out of the general treasury twenty shillings per annum, for his care and trouble in sweeping and looking after the colony house.

It is ordered by this Assembly, that Moses Ferman, an inhabitant of Long Island, be allowed twenty shillings, out of the general treasury, in order to enable him to transport himself home.

An Act declaring what real estate shall make a person an inhabitant of a town.

Be it enacted by the General Assembly, and by the authority of the same, that whosoever hath, or shall have, £50 real estate, within any town of this government, such person shall not be refused as an inhabitant therein, at any time when he shall remove thither to dwell ; any custom or usage to the contrary hereof, in any wise, notwithstanding.

Whereas, the committee appointed and empowered by the General Assembly of this colony, at their session on the first Wednesday of May, 1717, to perfect and settle the line between the said colony and the Province of the Massachusetts Bay, were bound up or restricted to an agreement, made at Roxbury, between Col. Dudley and Major Jenckes, &c., so as the matter in difference between the two colonies, as to the stating and settling the said line, hath been retarded, to the considerable charge of the colony ;—

This Assembly, taking the premises under their consideration, do hereby enact, constitute and appoint Major Joseph Jenckes, Major Randall Holden, Major Thomas Frye, Capt. Samuel Wilkinson, Esq's, and Mr. John Mumford, surveyor, a committee, to treat and agree with such gentlemen as are, or may be appointed and commissioned, with full power, by the General Assembly of the province of the Massachusetts Bay, aforesaid, for the final settling and stating the aforesaid line between the said colonies ; hereby giving and granting unto the aforesaid Major Joseph Jenckes, Major Randall Holden, Major Thomas Frye, Capt. Samuel Wilkinson and Mr. John Mumford, or the major part of them, our full power and authority to agree and settle the aforesaid line between the said colonies in the best manner they can, as near agreeable to our royal charter as in honor they can compromise the same ; and what the said committee, or the major part of them shall agree to and confirm, under their hands and seals, indented, shall be allowed and confirmed to be the stated and dividing line between the said colonies, for ever thereafter.

But in case it shall so happen that the said committees,

through any misunderstanding, or otherwise, cannot, or do not agree to settle and confirm the said dividing line upon honorable terms, then, and in that case only, this Assembly do authorize and empower the aforesaid committee, or the major part of them, to run and mark out the said dividing line as near agreeable to the words of our charter, as may be, and to plat the same ; and to make return to this, or the next succeeding Assembly, after they have accomplished the same ; any act, clause or clauses of acts, to the contrary, notwithstanding.

Be it ordered, enacted and declared by this Assembly, and the authority thereof, that Ninegret, sachem, shall, and do pass over and convey unto Cooke Ruffin's son, the land formerly granted his father, and to be under the same restriction as Ninegret's other lands are.

Whereas, an act of the General Assembly of this colony, made and passed at Newport, the 18th day of June, 1717, restricted the overseers of Ninegret, the sachem in Narragansett country, from leasing out any of the said sachem's lands for any longer time than seven years, the which hath been found prejudicial to the said sachem's interest, and hath much hindered the improvement of his lands ;—

Be it therefore enacted by the General Assembly, and by the authority of the same, that the overseers of the land of the said Ninegret, sachem, shall, and may have power to lease out the land of the said sachem for any term or time, not exceeding fourteen years, as to them shall seem most conducive for the said sachem's interest ; any act or clauses of acts to the contrary hereof, in any wise, notwithstanding.

An Act for the better regulating the collector's and naval officer's fees, within this colony.

Forasmuch as the General Assembly of this colony, held at Providence, on the 25th day of October, 1716, passed an act for the regulating and stating the collector's and naval officer's fees in this colony ; which act, being found not to be so extensive as was intended ;—

Therefore, the same is hereby declared null and void, and of none effect.

And be it enacted by this General Assembly, and by the authority of the same it is enacted, that these fees hereafter mentioned, shall be the stated table of fees for the collector and naval officer, within this colony. And that the collector and naval officer, or either of them, or any deputy under either of them, shall not take any other or greater fees than is therein mentioned, on the penalty of forfeiting twenty shillings to the colony, for every offence; to be recovered before any one assistant or justice of the peace (upon complaint made), of such town where such offence shall be committed (together with the costs accruing). And the party aggrieved thereby, shall recover his damages, if under forty shillings, before any assistants or justices of the peace of the town where such offence shall be committed, or any two of them; and if above forty shillings, at the General Court of Trials.

An Act for calling in the £3 bills of credit, emitted by this colony in the years one thousand seven hundred and ten, and one thousand seven hundred and eleven.

Forasmuch, as the £3 bills of credit on this colony, emitted in the years aforesaid, have been counterfeited, whereby great damage has happened to several persons, which may discourage the currency of said bills, if not timely prevented;—

Be it therefore enacted by this present Assembly, and by the authority of the same it is enacted, that the possessors of the £3 bills of credit on this colony, emitted in the years aforesaid, do bring into the general treasury of this, His Majesty's colony, all the aforesaid bills, before, or upon the 1st day of May, in the year of our Lord 1719, where all the said bills shall be changed with other bills of public credit; and all of the aforesaid £3 bills of public credit that shall not be brought into the general treasury by the aforesaid 1st day of May, 1719, be, and hereby are prohibited to pass from man to man; or have any further currency; any act or acts, clause or clauses of acts, to the contrary hereof, notwithstanding.

Whereas, the body of laws for the settling and regulating the military forces within this colony, are increased to so great a number by reason of the many wars, which, from time to time this colony hath been engaged in against the French and Indians, and other enemies, which hath rendered many of them useless, and may be for the future prejudicial, if not repealed;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same, and it is hereby enacted, that all acts heretofore made, relating to the militia, or appointing officers for the same, be hereby fully and absolutely repealed, and declared null and void; and that for the future, the following orders, regulations and rules relating to the same, be kept and observed by all persons in this colony.

[Here follows the militia act. See public laws of the colony, 1719, p. 79.]

And for the encouragement of seamen and others, to enlist themselves voluntarily on such occasions;—

Be it further enacted by the authority aforesaid, that all such ships or other vessels that shall be taken from the enemy during such cruise, together with their loading and appurtenances, shall be, and remain to the captors, His Majesty's dues and the charge of the outfit, only excepted; and in case that nothing shall be taken from the enemy, during such cruise, the charge thereof, shall be borne by the colony.

[Here follows "an act for relieving such as shall be maimed in the colony's service; and the widows, parents and relations of such as shall be killed in the colony's service, and shall not be able to subsist and maintain themselves." See public laws of the colony, 1719, p. 94.]

An Act for the better regulating of attachments in civil actions. [Public laws, 1719, p. 95.]

An Act for distributing and settling intestates' estates. [Public laws, 1719, p. 95.]

Whereas, it hath been found by experience in this colony, to

be very wrongful and injurious to the public good, as well as private interest, of the younger children of persons dying intestate, that the whole real estate of such persons dying intestate, should descend to the eldest son, and thereby the other children, whose labors have been very useful, and advantageous to their parents in reducing and improving such real estate, should be left destitute.

An Act for taking depositions out of court. [See public laws, 1719, p. 98.]

An Act for discouraging vexatious and unjust suits in law. [Public laws, 1719, p. 98.]

An Act directing proceedings in actions and suits wherein either the recorder or sheriff are parties. [Public laws, 1719, p. 99.]

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 9th day of September, 1718.

Col. Samuel Cranston, Governor,
Richard Ward, recorder.

Ordered, that the deputy governor be paid £6, out of the general treasury, for twelve day's service in treating with the Massachusetts commissioners, about running the line between that government and this.

Ordered, that Lieut. Col. John Wanton, Capt. Jonathan Nichols and Major William Coddington be, and they hereby are appointed a committee, and fully empowered to lease out the

ferries from Newport to Kingstown, &c., as they shall find most beneficial for the colony's interest.

Whereas, John Mumford petitioned this Assembly, to have the line settled by this Assembly between the land of the said Mumford and Daniel Lewis and partners, and John Richmond appearing for said Lewis and partners; after some debate, said Mumford and Richmond agreed that an east line extended from the north-east corner of John Palmiter's land, shall be the bounds between said Mumford and Lewis's partners, and the same is confirmed by this Assembly, accordingly.

Ordered by this Assembly, that Daniel Howland have the two men that attend the ferry in his rowing boat, exempted from training.

An Act for the more speedy trial of such negro and Indian slaves as shall be found purloining and stealing, &c. [See public laws, 1719, p. 101.]

An Act regulating the recorder's and sheriff's fees, in cases that come before the General Assembly. [See public laws 1719, p. 101.]

Ordered by this Assembly, that Col. William Wanton examine the Newport town sergeant's accounts, for building a small convenient house on the back side of the colony house, and if he find the same to be regular, to make report thereof to the Governor, in order that the same be paid out of the general treasury.

Ordered, that a copy of the charter be printed with the laws.

The general treasurer having, pursuant to an order of this Assembly at their last session, changed the sum of £672 2s., into old bills of credit, emitted by this colony, in the years one thousand seven hundred and ten, and one thousand seven hundred and eleven;—

This Assembly do order that the same be immediately burnt; and also, that the old bills of credit received this ses-

sion of Major James Brown, amounting to £171 11s., being the full of his proportion left to change, be consumed forthwith ; which was done, in the presence of the Assembly.

Ordered, that the Governor be paid £20 out of the general treasury, for his extraordinary service for the colony.

Ordered by this Assembly, that all persons, whatsoever, that have any counterfeited bills in their hands, carry them to His Honor, the Governor ; and that a list be taken of such persons as have lost by them, in order that such sufferers may be relieved in case of conviction of any persons of counterfeiting the same.

Ordered, that the pirates now in jail, be there continued till His Majesty's pleasure be known how he will have them ordered, either home, or give order for the trial of them here, or otherwise ; and that the evidences against them be improved, in order to subsist themselves ; and in case they cannot, to be subsisted out of the general treasury, at the colony charge.

Ordered, that the general treasurer provide sails sufficient for the fort boat, at the colony's charge.

It is ordered by this Assembly, that the acts of this Assembly be published in the town of Newport, under the colony's seal, within ten days after the dissolution of this Assembly ; and that the recorder register them in the colony's book, and send a copy thereof to each town in the colony within twenty days after the dissolution of this Assembly ; and that he be paid forty shillings for registering them, and forty shillings for each copy.

And this Assembly is dissolved.

God save King George.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 29th day of October, 1718.

(Present.)

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,
Major James Brown,
Mr. Thomas Cornell,

Major Randall Holden,
Mr. John Wickes,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Major William Coddington.

DEPUTIES.

For Newport.

Major Nathaniel Sheffield,
Capt. James Clarke.

For Providence.

Capt. Richard Waterman,
Capt. Wm. Crawford,
Lieut. Wm. Harris,
Mr. John Jenckes.

For Portsmouth.

Mr. Adam Lawton,
Mr. John Dennis.

For Warwick.

Mr. John Rice, 2d,
Mr. Samuel Gorton,
Mr. Stephen Arnold.

For Westerly.

Capt. Jos. Stanton.

For Kingstown.

Mr. Jeremiah Gould.

For East Greenwich.

Mr. Benj. Spencer,
Mr. Jos. Edmunds.

For Jamestown.

Mr. Thomas Carr,
Mr. Samuel Slocum.

Major Nathaniel Sheffield, speaker.

Richard Waterman, clerk.

An Act enabling the town council of Providence to sell the es-

tate of Freegift Balcom, a distracted person, and an inhabitant of said town.

Whereas, complaint has been made to this Assembly, that Freegift Balcom, an inhabitant of the town of Providence, has for some considerable time been troubled with distraction, and out of his head, and that he is not able to subsist himself, and that he hath some interest in lands, which may subsist him for some considerable time, if any persons are empowered and improved to sell the same, and apply it to his use ;—

Be it therefore enacted by the General Assembly and by the authority of the same it is enacted, that the town council of Providence, shall, and may, and they hereby have full power and authority granted them to sell, pass over and convey the lands of the said Freegift Balcom to such person or persons, and their heirs and assigns for ever, as shall appear to buy the same, to the best advantage they can, for the subsisting and maintaining of the said Freegift Balcom, and to apply the same to his use. And the grantees or vendees of such land as shall be granted and sold, as aforesaid, shall have, hold, occupy and peaceably and quietly possess and enjoy the same, to them, their heirs and assigns for ever.

Ordered, that the return of the commissioners to settle and run the boundary line between this colony and the Massachusetts be accepted, and placed to record in the colony's book.

The audit improved to audit the naval officer's accounts, having made report that there is in the naval officer's hands, due to the colony, £59 10s., and there is out-standing in several masters' hands, £57 due to the colony, when officers' fees are deducted ;—

Ordered, that the said return be accepted.

Forasmuch, as Pawtucket bridge and the two bridges over Pawtuxet river are very much out of repair, and are very dangerous for travellers, and daily grow worse ;—

It is therefore ordered by this Assembly, that the sum of £30 be allowed out of the general treasury, for repairing of said bridges ; that is, £10 towards each bridge.

Forasmuch, as it hath been found very injurious to the coun-

try, and greatly to retard the business at the General Court of Trials, &c., in allowing three or more attorneys to speak, and plead of one side, for either plaintiff or defendant ; for remedying whereof, for the future,—

Be it enacted by the General Assembly, and by the authority of the same it is enacted, that no person or persons (whether plaintiff or defendant) shall have in any one cause above two attornies or lawyers, to speak and plead for them in the General Courts of Trials, &c. ; and that one of said attornies or lawyers, shall be a freeholder, a freeman and an inhabitant in this colony ; any former usage or custom to the contrary hereof, anyway notwithstanding.

Voted, that Major Randall Holden, Mr. Robert Gardiner and Capt. William Crawford, be a committee to view Fort Ann, and examine and see what may be proper for fitting and repairing of the same, and make report thereof, by advice of the Governor, to the next General Assembly.

Voted, that the recorder draw up an act in form, for regulating of appeals to Great Britain, and present the same to the next General Assembly, in May next.

And this Assembly is dissolved.

God save the King.

Mr. Kay to Mr. Popple.

Rhode Island, 24th November, 1718.

When I had the honor to wait on you, about four months since, at the Cockpit, I craved the honor to know whether the order was sent to the charter governments, that restrained the several governments in the plantations, from putting laws relating to trade, in execution before they were approved of, or confirmed in England, and you were pleased to acquaint me, they were.

I being the collector, appointed by the honorable commissioners of His Majesty's customs in England, for this government, think it my duty to acquaint, they have not received any account of such an order here ; and as I have been informed, not in our neighboring colony of Connecticut ; and several laws being made there, which is humbly conceived, are repugnant to the laws of trade made in England, relating to the plantations, as laying on of duties, and obliging the King's subjects of other governments to pay them ; and curtailing the trade, by obliging the King's liege subjects in bond, to carry the produce of that government, to certain places of trade, limited by their own acts, and abusing the King's officers by laws which are repugnant to the laws of trade, made for the plantations ; and if ordered to be sent

home, would treat the officers in another manner; and also these matters giving great discouragement to trade in general, and many of His Majesty's subjects in this colony having suffered very much by such laws; and as likewise a flourishing trade might be carried on between the several governments of His Majesty's plantations.*

I presume to lay before you, humbly praying you will signify the King's order to these governments, and allow me the favor of being esteemed, sir,

Your most faithful and most humble servant,

NATHANIEL KAY.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Tuesday in May, 1719.

(Present.)

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,

Mr. Thomas Cornell,

Capt. Jonathan Nichols,

Mr. William Anthony,

Major James Brown,

Mr. Stephen Hazard,

Major Randall Holden,

Mr. Elisha Cole.

Mr. John Wickes,

RECORDER.

GENERAL TREASURER.

Richard Ward.

Mr. Joseph Borden.

SHERIFF.

GENERAL ATTORNEY.

Major William Coddington.

Mr. Weston Clarke.

* J. Carter Brown's Manuscripts, No. 528, Vol. VIII.

DEPUTIES.

For Newport.

Col. Wm. Wanton,
Major Nath'l Coddington,
Capt. Job Almy,
Lieut. Edward Smith,
Mr. George Goulding,
Mr. Joseph Whipple.

For Providence.

Capt. William Crawford,
Mr. Elisha Knowlton,
Lieut. William Haris,
Capt. Richard Waterman.

For Portsmouth.

Mr. William Sanford,
Mr. Gideon Freeborne, Jr.,
Mr. Thomas Brayton.

For Warwick.

Capt. Benj. Greene,
Capt. Samuel Greene,
Mr. John Rice, Secundus.

For Westerly.

Capt. Joseph Stanton,
Mr. Isaac Thompson.

For New Shoreham.

Mr. Robert Westcote.

For Kingstown.

Mr. Jeremiah Gould,
Mr. William Brown.

For East Greenwich.

Major Thos. Fry,
Mr. Pardon Tillinghast.

For Jamestown.

Mr. David Greene,
Mr. Samuel Clarke.

Col. William Wanton, speaker.

Mr. William Sanford, clerk.

Nathaniel Kay, Esq., Edward Cane, Samuel Haydon, Jr., William Pinniger, Thomas Walrond, Clarke Rodman and Benj. Baker, of Newport, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1719.

The following officers were declared elected, and duly engaged.

Col. Samuel Cranston, Governor.

Major Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,
Capt. Jonathan Nichols,
Major James Brown,
Capt. Richard Waterman,
Mr. Thomas Cornell,

Mr. William Anthony,
Major Randall Holden,
Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Major William Coddington.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Weston Clarke.

FIELD OFFICERS OF THE MILITIA.

Col. Wm. Wanton, chosen colonel of the regiment of the militia, on the islands in this colony, and engaged.

Major Thomas Frye, chosen colonel of the regiment of the militia, on the main land, in this colony; refused. Major Randall Holden, chosen colonel in his room, and refused. Mr. Joseph Whipple, chosen colonel in his room, and engaged.

Major William Coddington, chosen lieutenant colonel of the regiment of the militia, on the islands, and engaged.

Capt. Benjamin Greene, chosen lieutenant colonel of the

regiment of the militia on the main land, and refused. Mr. George Hazard chosen in his room, and engaged.

Capt. Job Almy, chosen major of the regiment of the militia on the islands, and refused. Capt. Benjamin Bull, chosen in his room, and engaged.

Capt. William Crawford, chosen major of the regiment of the militia on the main land, and engaged.

Voted, that one justice be added to the town of Newport, and one to Portsmouth.

Ordered, that Major Thomas Frye, be allowed £10 out of the general treasury, for his trouble and pains in getting the laws of this colony printed.

Ordered, that Major Thomas Frye pay the £18 in his hands (which was left after the purchase of the law books of Mr. Nicholas Boone) into the general treasury.

Whereas, this Assembly have purchased of Mr. Nicholas Boone fourscore law books,—

It is ordered by this Assembly, that they be disposed of in the following manner: first, that every member of this Assembly have one allowed him; and that every town in the colony have one of said law books lodged in the town clerk's office, there to remain for the use of the town. And that the twenty-nine books not yet given away, be disposed of in manner following: to the town of Newport, four; to Providence, five; to Portsmouth, three; to Warwick, three; to Westerly, three; to New Shoreham, two; to Kingstown, five; to East Greenwich, two; and to Jamestown, two; to be left in the town clerk's office, to and for the use of such towns as they shall see cause to order.

His Honor, the Governor, took the oath to the acts of navigation and trade, before the collector, and the general council of this colony.

Ordered by the General Assembly, and by the authority of the same, that part or all of the Greenman's fine be put into the hands of the Governor and general treasurer, as loan money, in order to change the counterfeit bills made on the

Greenmans' plates, to be repaid into the general treasury, out of the £1500 bond, given by said Greenmans and sureties, for the paying of double damages; and that the Governor, the general treasurer and Mr. Samuel Vernon exchange the counterfeit bills as they come in, and notify the several governments to bring in their counterfeit bills by such time as they think fit.

And to impress three bills upon each counterfeit plate, to compare and prove them by.

And it is further ordered, that if the £1500, aforesaid, be not paid into the general treasury by the time therein expressed, that the general treasurer do then sue the same.

Ordered, that the general treasurer procure a boat of eighteen foot long, for the use of Fort Ann, as soon as he possibly can.

And this Assembly is adjourned to the 16th day of June next.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 16th day of June, 1719.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. Wm. Wanton, speaker.

Mr. William Sanford, clerk.

Ordered by this Assembly, and by the authority thereof, that all the acts and orders of the General Assembly of this colony, made at Providence on the last Wednesday of October last passed, be published in the town of Newport, by beat of drum, with the colony's seal, with the laws passed at this session; and that Capt. William Crawford shall have liberty to

prosecute his appeal against William Smith, of Weston, in the county of Middlesex, before His Majesty, in council ; he giving in bond in the recorder's office, within ten days after the publication of said act to prosecute the same, &c ; any thing contained in the judgment between said Smith and Crawford, to the contrary, notwithstanding.

An Act regulating appeals to His Majesty in council in Great Britain. [See public laws, for 1719.]

Whereas, Daniel Updick, in behalf of himself and James Updick, and Jos. Smith, hath petitioned this Assembly for liberty to fence up the highway lately run through the said Updick's land, for that it is of very little service to the inhabitants thereabouts ;—

The which petition being duly considered by the Assembly, it is ordered and declared by this Assembly, that the said petitioners may hang gates and bars, and maintain them across the aforesaid highway until a further necessity do appear to this Assembly, for the opening of the same ; they reimbursing the town of Kingstown the charges they were at in laying out of said highway.

Whereas, there is an act of Assembly in this colony, that no licenses shall be granted, to retail strong liquors, and forty shillings and ferrymen being included in said act, who only sell small quantities to such as travel across the ferries, and have not such custom as other houses ; and it being very convenient for them to sell strong liquors to refresh travellers ;—

Be it therefore enacted by this Assembly, and by the authority of the same, that it shall, and may be lawful for each and every town council within this colony, where any ferries are stated and duly kept, to license such ferryman or ferrymen, to retail strong liquors for any such sum as they shall think fit ; any custom, law or usage, to the contrary hereof, notwithstanding.

Whereas, this Assembly have been informed by a letter from the Honorable Gerdon Saltonstall, Esq., governor of the colony

of Connecticut, that their government has appointed commissioners to run the line between the said two colonies (with such commissioners as shall be appointed by this government), pursuant to an agreement made at Stonington, by the commissioners of said colonies in the year 1702.

And notwithstanding that government declined, some years since, to join with us in running and settling the aforesaid line, whereby we were at great charge in running the same; yet, for the cultivating and maintaining of good neighborhood between the governments;—

This Assembly do nominate, order and appoint Joseph Jenckes, Esq., deputy governor of this colony, Major Randall Holden, Col. Wm. Wanton, Major Thomas Frye, and Mr. John Mumford, to be, and they hereby are nominated, ordered and appointed a committee, to join with such commissioners as are already, or may be hereafter appointed by the government of Connecticut, for the running and settling the line between the two colonies, pursuant to the agreement made at Stonington, 1702; and the said commissioners, or the major part of them, meeting with the commissioners of Connecticut, and they running and agreeing upon the said line, to be the dividing line between the said colonies, and interchangeably signed and sealed, with their hands and seals, shall forever thereafter be, and remain the dividing line between the said colonies.

Always provided, the commissioners of the colony of Connecticut have the like full and ample power, as it is hereby given to the commissioners of this colony; and to meet at such time and place as they shall from time to time appoint; and His Honor, the Governor, is hereby empowered and desired to give unto the said commissioners a full and ample commission for the same.

We, the subscribers, being of the committee appointed and empowered by the governments of the Province of the Massachusetts Bay, and the colony of Rhode Island and Providence Plantations, for the settling the east and west lines between the said governments, by virtue of the agreement of the major part

of the said committee, at their meeting at Rehoboth, on the 22d day of October last past; at which time, the said line was fully settled and agreed, and by them directed to be now by us now run; having met at the stake of Nathaniel Woodard and Solomon Saffery, on Wrentham Plain, the 12th day of May, Anno Domini 1719, in the morning, and computed the course of the said agreed line, and found it to be, by the compass by which we run, west two degrees, twenty-four minutes south, according to the variation of nine degrees from the magnet, we proceeded to run said line towards Pawtucket river, and proved our course by measuring from the former lines run on either hand, with Rhode Island and Connecticut. We erected a heap of stones on the east side of Pawtucket river, (it being very high on that side from the water), and marked a line about fifteen perches distance from said bank, eastward, on the north side of the land called Balcom's land; and from thence, crossing the river, continued our said course west, as aforesaid, through the country, marking divers trees, and making many monuments of stones in said line, by which it may easily be found hereafter, we carried it by estimation two miles west of Allom Pond, where we erected a large heap of stones, about four perches east of a small river, called Five Mile River.

Dated at said river, the 14th day of May, 1719.

Signed in the presence of—

JAMES WELLING,
JOHN ARNOLD,
BAUFIELD CAPRON,
SAM'L WILKINSON,

JOHN MUMFORD,
SAMUEL THAXTER,
JOHN CHANDLER.

The above return is approved of by the Assembly.

Pursuant to an order of this Assembly, to the general treasurer in May last, the general treasurer brought into this Assembly all the bills of credit, of the date of 1710 and 1711, which were in the general treasury, and amounted to the sum of £1019 2s. 4d.; and of new bills not passable, for raggedness, the sum of £132 8s. 9d.; the which bills were burnt in the presence of the Assembly.

An Act enabling the surveyor of the highways of the town of Newport, to recover the charges of saving before the land of such in said town as live out of the government. [See public laws, for 1719, p. 107.]

An Act for enabling and empowering the town council within this colony to redress and punish all frauds, breaches of trust, and mismanagements of persons entrusted with estates given to charitable uses.

Whereas, the town council of Newport, have, by their humble representation and petition, informed this Assembly that John Clarke, late of Newport, physician, did, by his last will, give a certain real estate of lands, in said Newport, for the relief and benefit of the poor, and bringing up children to school, which, by the mismanagement of some of the persons entrusted with the care and management of the same, had not been rightly improved, nor duly applied for the uses given; which breaches of trust and mismanagement not being discoverable and relievable by actions in other process at common law; and it appearing needful to this Assembly, that not only a particular, but general remedy be given for the redress of such wrongs;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same, and it is hereby enacted, that both for the redressing of all such former breaches of trust in times past, and also, that shall hereafter happen in time to come, in cases where any person or persons have been, or shall be hereafter, by any manner of way or means whatsoever, entrusted with the management or disposal of any estate, either real or personal, or the rents or profits out of the same, accruing or coming, given for the relief of the poor, building of hospitals, or schools of learning, bringing up children to school, or other such like charitable uses, that each respective town council, for the time being, be, and are hereby empowered, authorized, constituted and appointed as a court, to inquire into all frauds, breaches of trust and mismanagements by all such persons as aforesaid, committed or done, of any such estate lying and being within their several and respective jurisdictions; and

to send for any persons, writings, or records, and to examine and inquiry make into the same, by all lawful ways and means as shall by them be thought proper ; and upon the contempt of any person or persons to yield due obedience to their lawful and reasonable citations or orders, such person or persons to fine and commit to prison until performed ; and to pass such judgments and such orders to make for the discovering of, and redressing of wrongs done by such breaches of trust and mismanagements, as to such town council shall appear just and reasonable ; and to enforce the parties guilty of such wilful breach of trust or mismanagement, to make good the damages sustained thereby, out of their own estates, to the parties injured.

And further to enforce and compel the performance of the same, that each town council in their several and respective jurisdictions be, and hereby are authorized to issue out executions, either against the persons or estates of the delinquents, for satisfying the judgments given in such cases, as aforesaid, as in courts of common law is usually done in cases brought before them.

And the town council of Newport, for the time being, are hereby particularly appointed, with the like full powers, as aforesaid, to take all due care, according to the purport and power given in this act, to enforce and compel the trustees and assigns of the aforementioned John Clarke, from time to time rightfully and duly to execute and perform the trust reposed in them by his said will ; and to oblige them to make satisfaction to the parties injured, for all damages sustained by any willful breach of trust or mismanagement by them, or any of them, committed or done ; and in case there shall appear just cause, the said town council are hereby empowered to displace any the said trustees or assigns, and such other person or persons in his or their room and stead to put, as to such town council shall appear needful.

Provided always, notwithstanding, and it is hereby enacted, that it shall and may be lawful to, and for any person or persons aggrieved at any sentence, order or judgment of any town

council, in any the cases aforesaid, to appeal from such sentence, order or judgment, unto the Governor and general council of this colony, for the time being, (as in other cases is usually allowed), who are hereby empowered to alter, mitigate, reverse or confirm such sentence, order or judgment of such town council, and to give a new and final judgment and determination in said case; and in the mean time, such sentence, order or judgment of such town council to be suspended, and execution stopped thereupon; any thing in this act before contained, to the contrary, in anywise, notwithstanding.

Provided, also, that the party or parties desiring an appeal from such town council, to the Governor and general council of this colony, do, the same day such order, sentence or judgment is given, request that such their desire be entered in the records of said court; and within ten days after judgment, give bond to the clerk of said council, and his successors, with sufficient sureties, to prosecute his, her or their appeal to effect; and to stand and abide such final judgment as shall be afterwards given in said cause; or otherwise such person or persons to lose such his, her or their benefit and advantage of appeal, as aforesaid.

Ordered by this Assembly, that all those that attended on the trial of the Greenmans, the last year, be paid for their service therein, out of the Greenmans' fines in the general treasury.

To the Governor, for his extraordinary service the last year, £30.

To the deputy governor, for his extraordinary service the last year, £10.

To the assistants, for their extraordinary service in the cause of the Greenmans, to be divided amongst them, as they see cause, £45.

To the recorder, for his service in said affair, £2.

To the sheriff, for ditto, £4.

To the attorney general and town sergeant, of Newport, forty shillings each, £4.

To every juryman that attended the adjournment in said

cause of the Greenmans, to each three shillings per diem ; they taking an order from the recorder for drawing the same out of the general treasury.

All those jurymen from the main land, to be allowed the same pay for one day coming to court, and one day returning.

Voted and ordered, that His Honor, the Governor, purchase so much silver money for the colony as will make up that that is already in his hands, £130, and remit the same to our agent in Great Britain, for the service of the colony.

Voted and ordered by this Assembly, that £120 be drawn out of the general treasury for laying of a platform, and mounting the guns at Fort Ann ; and Mr. George Goulding is appointed to see the same performed, and to draw the same out of the treasury for the said use, and to render an account thereof, to the Assembly.

Ordered, that the treasurer procure two barrels of powder, for the use of the fort.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 8th day of September, 1719.

(Present.)

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Major James Brown,
Mr. Thomas Cornell,
Mr. William Anthony,

Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

His Honor, the Governor, laid before this Assembly a letter from Josiah Willard, Esq., secretary of the Province of the Massachusetts Bay, by order of the Governor and council of said Province, desiring this government to allow the charges of changing the counterfeit bills made on the Greenmans' plates, and to allow double damages to those that have been defrauded by them, and to reimburse the £150 charges the said Province was at in the discovery of the counterfeit plates, which being duly considered,—

It is ordered and declared by the Assembly, that when all the counterfeit bills, made on the Greenmans' plates, be brought in and exchanged, and the charges of this government be duly paid, that then if there be sufficient left of the Greenmans' fines, the Province of the Massachusetts Bay shall be reimbursed the £150 by them given as a reward to Joseph Jones, for the discovery of the counterfeit plates.

And it is also ordered and declared by this Assembly, that the possessors of the counterfeit bills, made on the Greenmans' plates, do bring the same into the general treasury of this colony before, or upon the 1st day of May next ensuing, upon the penalty of losing the benefit of changing all such counterfeit bills as shall not be brought in at said time.

An Act for the establishing of watches throughout this colony, both in time of war and peace. [See public laws for 1719, p. 109.]

His Honor, the Governor, Lieut. Col. Wm. Coddington and Richard Ward be, and they hereby are appointed a committee to correct the errors of the press, committed in printing the laws of this colony, and to get them printed, and annexed thereunto an act in explanation of an act entitled "an act for the distribution and settling of intestates's estates."

Whereas, there was an act of the General Assembly of this colony, passed at Newport, September the 9th, 1718, entitled "an act for the distribution and settling of intestate estates, in which said act it is declared that the real estate of every

person that dieth intestate, shall be divided amongst his children, to wit: to his eldest son a double portion, &c., and to each of his other children one equal part or share, and that if such intestate die without children, that then the real estate of such intestate shall be equally divided amongst such of the next of kin of the intestate within equal degree, &c., as in said act is declared, without having regard to estates tail, where the tenant in tail cannot devise the same, whereby an estate tail will be destroyed by dividing, and contrary to the intent of the first testator ;—

Wherefore it is enacted by this Assembly and by the authority of the same, that neither the aforesaid act, nor any of the clauses therein, shall be taken, deemed or construed to extend to divide any estate tail where the tenant in tail dieth intestate ; but that all estates tail shall enure according to the laws of England ; any clause in the aforesaid act, notwithstanding.

The representation of His Honor, the Governor, for rebuilding of Fort Ann, is referred to the next General Assembly.

The committee to run the line between this colony and Connecticut, to meet at Mary Carder's, the first Tuesday in October next ; and to notify Connecticut commissioners thereof.

This Assembly desire His Honor, the Governor, to give proper instructions to our agent in Great Britain, to act for the interest of this government, and to improve any gentleman of the law to assist therein.

And this Assembly is dissolved.

God save King George.

Caleb Heathcote to the Board of Trade.

Newport, Rhode Island, September the 7th, 1719.

My Lords: It being incumbent on me to lay before your Lordships some laws and proceedings of the charter governments, which are of extraordinary nature, and, in many respects, hurtful to the prerogative and service of the crown, and contrary to the acts of trade, made for the plantations ; in which, if they are not kept to a strict observance of, and made sensible of their dependence on Great Britain, as they are daily growing very numerous and powerful, so a neglect therein, may with time, be attended with very ill consequences.

I need not acquaint your Lordships, that notwithstanding they have oft received commands for sending home their laws, it has hitherto, in this government, been wholly neglected; and they nevertheless presume to put them in execution, though many thereof are repugnant not only to the laws of Great Britain, but even to the express words of their charter.

I shall instance some of them. One whereof, is a law for issuing bills of credit for £40,000, of which £30,000 was directed by the act, to be let out on land security, at up for five per cent.; and notwithstanding, the interest arising from it, was appropriated for repairing a fortification, by which this harbor is secured. Yet not a penny thereof (although 'tis near five years since that law was made) has been applied or expended for that purpose; although the walls of that garrison are all decayed and tumbling down, the gun carriages rotten, and many of the guns lying amongst the rubbish; by means whereof, this place is exceedingly exposed to the insults either of pirates, or declared enemies; nor can the officers of His Majesty's customs be safe in putting the acts of trade in force, because on seizing of any vessel for illegal trade (being out of command), they may easily be carried off to sea, or made willing to be put on shore, and which hath been several times, and very lately, practices in the charter governments.

Another law was made in this colony, entitled "an act for establishing of fees;" by virtue whereof, the officers of His Majesty's customs have been most grievously insulted and abused; which occasioned my applying to the honorable, the commissioners of His Majesty's customs, and they took the attorney general's opinion thereon, who declared that the execution of such laws were just reasons for forfeiting their charter; and the commissioners directed me, and by their letter threatened the government with a *scire facias*, if they insisted on such laws, which I acquainted the Governor and Assembly by letter, withall, but without receiving any answer.

And can't omit humbly observing to your Lordships, that upon former complaints sent home, threats of that nature having been oft signified to these governments, and nothing further happening upon it, thus occasioned their abuse of that gracious indulgence, and has only been a means to confirm them in that absurd notion of their laws being sufficient in themselves; and to have no need of the royal assent to confirm them.

But I hope your Lordships will think of such measures, thoroughly to convince their presumption therein, and at least oblige them to send all such laws home; whereby any duties or imposts are laid on trade and merchandize or any other, whereby they pretend to subject any of the officers of His Majesty's customs, to rules of their own making; for while they have a power (as they imagine) of making laws separate from the crown, they'll never be wanting to lessen the authority of the King's officers, who, by hindering them from a full freedom of illegal trade, are accounted enemies to the growth and prosperity of their little commonwealths.

And 'tis very wonderful to me, who am thoroughly acquainted with the temper of the people, that none of His Majesty's officers of the customs, have been mobbed, and torn in pieces by the rabble, and of which some of them have very narrowly escaped; an instance whereof, happened in this town, to the present collector, who having made seizure of several hogsheads of claret, illegally imported, and notwithstanding he had the Governor's warrant, and the high sheriff, besides his own officers to assist, and took the claret in the day time, yet the town's people had the insolence to rise upon them, and insult both them and the civil officers; and having, by violence, after a riotous and tumultuous manner, rescued and possessed them-

selves of the seizures, set the hogsheads ahead, and stove them open, and with pails drank out, and carried away most of the wine, and then threw the remainder into the streets.

This tumult was no sooner over, but one Mr. John Wanton, who uses the sea, and is master of a sloop, a magistrate, of the people's choice (as may be reasonably supposed), for keeping up the rage and humor of the mob, did immediately issue out his warrant for apprehending of Mr. Kay, the collector, under pretence of his taking other, and greater fees for clearing of vessels, than the laws of this colony allowed of (and which amounted to only two shillings sterling); but the matter being fully examined before the Governor, and it appearing that he had taken no greater fees than above mentioned, and which had always been customary, and that the prosecution was maliciously intended to expose the collector, he was dismissed. But Mr. Wanton not satisfied with what the Governor had done, and being willing to ingratiate himself amongst his neighbors, who had so lately advanced him, issued out a second warrant for the very same fact; and to magnify his zeal on that occasion, had him arrested, and taken into custody in the custom house, while in his duty, and thence hurried him away, amidst a crowd of spectators, refusing to admit him to bail.

These are such unheard of proceedings, as will, I humbly suppose, induce your Lordships to believe that such a person as Mr. Wanton is unworthy of authority, under color whereof, he so highly abuses and discourages the officers of His Majesty's customs in the discharge of their duty.

I most humbly beg your Lordships' pardon for the freedom I have taken in writing so long a letter, it being not possible for me to have given in fewer words, so clear and full a view of the crown's sufferings by the contempt and ill usages of His Majesty's officers, and which are chiefly owing to that unlimited power, the charter governments lay claim to, of making laws, and requiring an obedience to be paid to them, before their first passing your Lordships' approbation, and had the royal assent; a misconduct, I humbly hope your Lordships will be pleased to have redressed in such ways, as in your great wisdom shall be thought most proper; there being nothing I have so much at heart, as to serve His Majesty in the best manner I can, and on every occasion to approve myself, my Lords,*

Your Lordships' most faithful and most obedient humble servant,

CALEB HEATHCOTE.

To the Right Honorable, the Lords Commissioners for Trade and plantations.

* J. Carter Brown's Manuscripts Vol. VIII. No. 538.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1719.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,
Capt. Jonathan Nichols,
Major James Brown,
Mr. William Anthony,

Major Randall Holden,
Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Lieut. Col. Wm. Coddington.

DEPUTIES.

For Newport.

Col. Wm. Wanton,
Major Nath'l Coddington,
Lieut. Col. John Cranston,
Capt. Joseph Whipple,
Mr. George Goulding.

For Providence.

Capt. Valentine Wightman.

For Portsmouth.

Mr. Stephen Brownell,
Mr. Gideon Freeborne, Jr.,
Mr. William James,
Mr. Albro Anthony.

For Warwick.

Major Job Greene,
Capt. Benj. Greene,
Capt. Samuel Greene,
Mr. Israel Arnold.

For Westerly.

Mr. Samuel Rogers.

For Kingstown.

Capt. John Eldredge,
Mr. Jeremiah Gould.

DEPUTIES.

For East Greenwich.

Mr. Thomas Spencer,
Mr. Thomas Nichols.

For Jamestown.

Mr. Teddeman Hull,
Mr. William Battey.

Col. William Wanton, speaker.

Mr. Thomas Spencer, clerk.

Voted by this Assembly, that Mr. Stephen Arnold and Mr. Jacob Clarke, who were returned representatives from the town of Providence, are not qualified to sit as members of this General Court of Assembly.

Thomas Richardson, of Newport, in the colony aforesaid, merchant, appellant from a judgment of a General Court of Trials, held at Newport, within and for said colony, on the first Tuesday of September last past, in an action of the case, Nathaniel Nudigate, of said Newport, gentleman, appellee, where judgment of said General Court of Trials was rendered for the appellee, then defendant, on a rehearing for the sum of £20 and costs;—

The appellant and appellee being duly heard, and the case duly considered, this Assembly do adjudge and decree, that the judgment of the said General Court of Trials be abated £19 out of the £20, there recovered; and that the appellee, Nathaniel Nudigate, have his costs. Costs taxed, is £2 10s. 2d.

Ordered by this Assembly, and by the authority of the same, that the sheriff sell all the personal estate of Reuben Hull (who is now in His Majesty's jail, convicted of murder), for the defraying the charges accruing on the same; and also, that he keep the possession of his real estate, until further order from the General Assembly.

In answer to the memorial of Edward Winslow, Esq. and James Allen, gentleman, for an allowance for their time, charge and trouble in exchanging the sum of £410 1s. of counterfeit bills;—

This Assembly do declare and order, that no travelling charges be paid out of the Greenmans' fines, &c., until all the counterfeit bills are brought in and exchanged, and the charges of this government first duly repaid.

Whereas, by a letter to the Governor and company of this colony, from the lords commissioners of trade, &c., for the foreign plantations, we are ordered to send home a chart or map of this colony ;—

In obedience thereunto, it is ordered by this Assembly, that a committee be appointed, and accordingly this Assembly do appoint and empower the Honorable Joseph Jenckes, Esq., deputy governor of this colony, Major Randall Holden, Col. Wm. Wanton and Major Thomas Frye, a committee to run the lines, and make a plat or chart thereof, and return thereof to make to the General Assembly in May next ; and Mr. John Mumford is appointed surveyor for the said work.

And they also are continued a committee to run the line between this colony and Connecticut, with their commissioners ; and if they neglect, then to perform the same without them.

An Act enabling the town councils of each respective town in the colony to take care to preserve and improve the fishing of the several rivers in their respective jurisdictions, and to prevent obstructions from being made, to hinder the same. [See public laws for 1719, p. 110.]

Whereas, complaint has been made to this Assembly, that William Sullivant and Richard Knight, son of Ann Knight, both of Providence, on the 26th of September last past, being training day, did, with others, abuse Capt. Thomas Harris of said town, in the due execution of his office ; and also that Ebenezer Sprague and Josiah Thornton, did, in a tumultuous manner, on the 5th of this instant October, at a training of said company, brought a petition amongst them to sign, petitioning the General Assembly of this colony for repealing the act relating to the militia ; which petition they encouraged

them to sign, contrary to the statutes in such cases made, which tends much to the raising of tumults and riots ;—

For the preventing whereof, it is ordered by this General Assembly, and by the authority of the same, that His Honor, the deputy governor, the colonel and major of the regiment on the main land, with the civil authority of said town, call before them the aforesaid William Sullivant, Richard Knight, Ebenezer Sprague and Josiah Thornton, and so many of the other tumultuous persons as they shall think meet ; and upon examination, if they find just cause, to bind them over to the next General Court of Trials, to answer the same.

Whereas, it hath been plainly laid before this Assembly, that Reuben Hull (who was at the last General Court of Trials and general jail delivery, held for this colony, condemned to die on the 10th of November next), hath been troubled with lunacy several times before the committing of the aforesaid murder ; and has ever since appeared in a stupified and insensible condition, the which being duly considered ;—

This Assembly do reprieve the aforesaid Reuben Hull from the execution of the aforesaid judgment of the General Court of Trials and general jail delivery, until the second Wednesday of May next, and he is reprieved accordingly.

An Act declaring what town officers are exempt from serving as jury men in the General Court of Trials and general jail delivery. [See public laws for 1719, p. 110.]

An Act establishing vendue masters throughout this colony [See public laws for 1719, p. 111.]

God save King George.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1720.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

DEPUTIES.

For Newport.

Col. Wm. Wanton,
Capt. Job Almy,
Lieut. Col. John Cranston,
Capt. Jos. Whipple,
Capt. Henry Bull,
Mr. George Goulding.

For Providence.

Major Wm. Smith,
Mr. Hope Angell.

For Portsmouth.

Mr. George Cornell,
Mr. Giles Slocum,
Mr. Jos. Brownell,
Mr. Wm. Coggeshall.

For Warwick.

Mr. Anthony Low,
Mr. Stephen Arnold,
Capt. Benjamin Greene.

For Westerly.

Capt. John Babcock,
Mr. Thomas Hiscox.

For New Shoreham.

Capt. Simon Ray,
Mr. Robert Westcote.

For Kingstown.

Mr. Daniel Pierce,
Mr. Rouse Helme.

For East Greenwich.

Major Thos. Fry.

For Jamestown.

Mr. Robert Taylor,
Mr. Benedict Arnold.

Col. William Wanton, speaker.

Capt. Joseph Whipple, clerk.

FREEMEN ADMITTED AT THIS ASSEMBLY.

Benjamin Wilson, Francis Gilbert, Isaac Smith, Samuel Warkinan, Jr., Stephen Mumford, Jr., Peter Easton (son of John Easton), John Dickinson, Godfrey Malbone, Samuel Allen, Charles Whitfield, Samuel Darling, Thomas Gould, Jr., John Easton, Jr., John Gould, John Clarke, Giles Slocum, Samuel Snell, Thomas Burroughs, Ezekiel Burroughs, Christopher Almy, Jr., Henry Collins, Richard Tripp, Samuel Dunn, Geo. Dunbarr, Samuel Whitehair, of the town of Newport, are admitted freemen of this colony.

Joseph Shearman, John Lawton, Jeremiah Fish, Joshua Coggeshall, Josiah Arnold, John Anthony, Jno. Shearman, William Potter, Jr., Thomas Cooke (son of Joseph Cooke), and Ebenezer Allen, all of Portsmouth, are admitted free of this colony.

Elkanah Johnson and John Knowles, of Warwick, are admitted freemen of this colony.

Caleb Littlefield, Jr., George Mitchel, Gideon Ray and Thos. Rathbone, Jr., all of the town of New Shoreham, are admitted freemen of this colony.

Benjamin Sheffield, Edmond Sheffield, Daniel Smith and Peter Crandall, all of Kingstown, are admitted freemen of this colony.

John Frye, Ishmael Spink, John Wilson, William Hambleton, John Greene (son of Benjamin Greene), Benjamin Greene, Jos. Hopkins, Jeremiah Jones, Daniel Hill, John Case, Wm. Case, Richard Sweet, Jr., John Greene (son of John Greene), Hezekiah Matthewson, Nathaniel Niles, John Mackenny, Wm. Davis, Jos. Sweet, and Samuel Spencer, all of the town of East Greenwich, are admitted freemen of this colony.

John Hull, Jr., of Jamestown, admitted a freeman of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1720.

Col. Wm. Wanton, speaker.

Mr. Rouse Helme, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Mr. William Anthony,
Capt. Jonathan Nichols,	Major Randall Holden,
Major James Brown,	Mr. John Wickes,
Mr. Nicholas Power,	Mr. Stephen Hazard,
Mr. Thomas Cornell,	Mr. Elisha Cole.

RECORDER.

Richard Ward.

GENERAL TREASURER.

Mr. Joseph Borden.

SHERIFF.

Lieut. Col. Wm. Coddington.

GENERAL ATTORNEY.

Mr. Weston Clarke.

FIELD OFFICERS OF THE MILITIA.

Col. Wm. Wanton chosen colonel of the regiment on the islands, and engaged.

Col. Jos. Whipple, chosen colonel of the regiment on the main land, and engaged.

Lieut. Col. William Coddington, chosen lieutenant colonel of the regiment on the islands, and engaged.

FIELD OFFICERS OF THE MILITIA.

Lieut. Col. George Hazard, chosen lieutenant colonel of the regiment on the main land, and engaged.

Major Benjamin Bull chosen major of the regiment on the islands, and engaged.

Major William Crawford, chosen major of the regiment on the main land, and engaged.

Voted, that one justice be added to the town of Providence, and one to the town of Westerly.

John Russel, of Newport, in the colony of Rhode Island, &c., tailor, and Aaron Milliman, of said Newport, tailor, appellants, in an action of debt, damage £40, current money of New England, from a judgment of a General Court of Trials, held at Newport, the last Tuesday of March last past; John Langford, of said Newport, merchant, appellee :—

The appellants' and appellee's reasons being duly heard and maturely considered, this Assembly do adjudge that the aforesaid bond, upon the which the aforesaid John Langford sued the aforesaid appellants, and recovered against them as aforesaid, be, and it is hereby chancerized down to £10; being the just damages; and that the appellee have his costs. Costs taxed £2.

Edward Mott, of Kingstown, in the colony aforesaid, husbandman, appellant, from a judgment of a General Court of Trials, held at Newport, within and for said colony, on the last Tuesday of March last past, in an action of debt, damage £500, current money of New England, Jahleel Brenton, of said Newport, Esq., appellee; at which said court, the said appellee recovered the £500 sued for, and cost of court :—

The appellants and appellees' reasons and allegations being duly heard, and the damages the appellee sustained, duly considered, this Assembly do adjudge and decree, that the now appellee have the aforesaid bond of £500 chancerized down to the just damages sustained—£15; and it is chancerized down to £15, accordingly; and that the appellee have costs. Costs

taxed, is £4 11s. From which judgment, the said Jahleel Brenton, appellee, desired an appeal to His Majesty in council, in Great Britain.

The Assembly, considering the damages the said Brenton suffered are but £15, and so under the sum allowed for appeals, by the law of the colony, do refuse to grant said appeal.

John Freebody of Newport, in the colony aforesaid, mariner, appellant, from a judgment of a Court of Trials, held at Newport, aforesaid, within and for the colony aforesaid, on the last Tuesday of March last past, in an action of the case, damage £70 current money of New England, Joseph Whipple, of said Newport, merchant, appellee, at which said General Court of Trials, judgment was rendered for the now appellee, then defendant, for costs of court ;—

And the appellant's and appellee's reasons being duly heard and maturely considered, this Assembly do adjudge and decree, that the aforesaid judgment of the aforesaid General Court of Trials, be affirmed for the now appellee ; and that the appellee have his costs. Costs taxed £2 00s. 8d.

The appellant prayed an appeal to His Majesty in council, in Great Britain ; which this Assembly refuse to grant, for that the same is not allowed by the laws of the colony ; the cause in controversy, being under £300.

Whereas, Reuben Hull, now a prisoner in His Majesty's jail, condemned for murder, was reprieved by the General Assembly, held for this colony, on the last Wednesday of October last, until the second Wednesday of this instant May, and this Assembly taking the premises into their serious consideration, do see cause that the said Reuben Hull be, and he hereby is further reprieved until the 23d day of June next.

Ordered, that His Honor, the Governor, still continue to change the counterfeit bills made upon the Greenmans' plates, until further order of the Assembly.

Ordered, that the last year's audit, or the major part of them, for the auditing of the general treasurer's and naval officer's accounts, be still continued for the same work.

Their Honors, the Governor and deputy governor, are desired to draw up a letter to be sent home, to the lords commissioners of trade, &c., for the foreign plantations, with the plat or chart, of our government.

Ordered, that Lieut. Col. William Coddington, and Capt. Joseph Whipple, be a committee appointed to examine the accounts between John Rhodes, of Newport, and John Astin, of Kingstown, and make report how they find the said account, to the next General Assembly, to be held on the 1st of June next.

Voted, that all petitions and other things that now lie before this Assembly, be referred to the next sitting of this Assembly.

And this Assembly is adjourned to the 14th of June next.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 14th day of June, 1720.

The Hon. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. William Wanton, speaker.

Mr. Rouse Helme, clerk.

Ordered and voted, that John Dublin have £4 per annum paid him out of the general treasury of this colony, during his natural life, being for the loss of one of his eyes in the public service.

And it is also voted, that William Cheach, an Indian man, have one trucking cloth blanket every year out of the general treasury, during his natural life, for the loss of one eye in the public service.

Whereas, the time set by the Assembly, for bringing in of

the counterfeit bills made on the Greenmans' plates, in order to be exchanged, expired on the 1st day of May last past, and it is supposed that all of the counterfeit bills made on said plates are not yet brought in ;—

Therefore, it is ordered and declared by the General Assembly, that the possessors of all such counterfeit bills shall bring them into the general treasury of this colony, in order to be exchanged by the 1st day of May next, or else shall lose the benefit of having them exchanged.

Ordered and voted, that His Honor, the Governor, be allowed £50 out of the general treasury, in gratuity for his good service the last year ; and also, that the deputy governor be allowed out of the general treasury £30, in gratuity for his good service the last year.

Ordered, that the deputy governor and Major Fry go to Westerly, in order to take depositions relating to the proceedings of the commissioners, in the year 1665 ; and that their charge be borne out of the general treasury.

Whereas, several persons, who are of this body politic, scruple to take an engagement where the words "as in the presence of God," is in, whereby the corporation is much hurt, for want of their service in the same ;—

Be it therefore enacted by the General Assembly, and by the authority of the same it is enacted, that the words, "as in the presence of God," in the deputies' engagement, be left out of the same, and omitted ; any former law, usage or custom to the contrary hereof, anywise notwithstanding.

This Assembly do desire His Honor, the Governor, to send to the government of Connecticut, to know whether they'll repair half of Pawcatuck bridge.

Ordered, that Samuel Dyre, gunner of Fort Ann, be allowed £10 out of the general treasury, for the wharf and causeway, by him built on Fort Island, including his accounts of charges on the old boat.

Whereas, the inhabitants of the north-west part of the township of Providence, living at or near a place called Wiorik-heague, petitioned this Assembly, for to have a company or

trained band (separate from the others), in their part of said town, for that they are obliged to go twelve or fourteen miles to training, and often fined, because they cannot attend the same ;—

The which petition, being duly considered, this Assembly do enact, and by the authority of the same, it is enacted, that the aforesaid north-west part of the township of Providence, at or near a place called Wiorikheague, be a separate and distinct company or trained band, with all the privileges and benefits as any other company of militia in the said town enjoys ; and that His Honor, the deputy governor, Col. Jos. Whipple and Major Wm. Crawford, state and settle the bounds of said company, how far they shall extend.

Whereas, Reuben Hull, of Kingstown, in the colony of Rhode Island, &c., yeoman, was, at a General Court of Trials and general jail delivery, held at Newport, within and for said colony, on the first Tuesday of September, 1719, sentenced to be hanged till he was dead (for a murder, of which he was convicted, at said court), on the 10th day of November, then next following, and he, the said Reuben Hull, being reprieved by the General Assembly, sitting on the first Wednesday of May, last past, the said Reuben Hull was further reprieved until the 23d day of this instant June ; and by the General Assembly sitting at Newport, the 4th of June, 1720 ;—

It is ordered and voted, that the said Reuben Hull, be no longer reprieved ; and that His Honor, the Governor, as chief judge of the General Court of Trials, and general jail delivery, do grant and give forth to the sheriff a death warrant, to execute the said Reuben Hull on the 23d day of this instant June, between the hours of 11 of the clock, in the forenoon, and 4 of the clock, in the afternoon.

Ordered, that the Governor send a messenger to the General Assembly of Connecticut, at their next sitting, to have their positive answer whether they will stand to the agreement of the commissioners of the two colonies for the settling of bounds or not.

God save King George.

At a General Assembly holden at Hartford, in His Majesty's Colony of Connecticut, in New England, on the 14th day of May, in the fifth year of the reign of our Sovereign Lord, George, King of Great Britain, &c., Anno Domini 1719.

Whereas, there has been a claim of land on the eastward part of this colony, in the name of the Honorable Samuel Cranston, Esq., Governor of His Majesty's colony of Rhode Island, and William Wanton and Job Greene, Esqs., of the same colony, laid before this Assembly, by the committee appointed by the Assembly in October last, to view the lands of Voluntown, and those adjacent thereunto, whereby they assert a right to the lands as far as a line of twenty miles, extends from a certain station in Warwick; and forasmuch as it is of necessary consequence to the settling of the lands in those parts, that the said line be carefully surveyed and run by surveyors and men under oath to carry the chain;—

Ordered, that William Pitkin, Esq., and the surveyors of the county of New London, with such others to assist in carrying the chain, as they shall judge necessary, attend that service, in behalf of this government, according to such directions as they shall receive from the Governor and council, joining therein with such surveyors and other persons, as shall be appointed by the government of Rhode Island to run the said due west line, taking care that such as carry the chain, be under oath, to to carry the said chain faithfully, and as exactly as they can; and they shall make report of their doings therein to this Assembly in October next. And the Governor is hereby desired to give notice of this conclusion to the Honorable Samuel Cranston, Esq., Governor, as aforesaid, desiring the concurrence of the government of the said colony, herewith.*

Report of the Connecticut Commissioners.

To the Honored General Assembly, sitting at Hartford, May 12, 1720:

Whereas, this Assembly did, in their session in May last, nominate and appoint William Pitkin, Esq., and myself, to join with several gentlemen of the colony of Rhode Island, commissioned by their Assembly to run and measure the twenty miles line from a certain station in Warwick, due west;—

In obedience thereto, we went on the said service, with persons to assist in carrying the chain, and met with the said gentlemen on the 12th instant, at the house of Mrs. Carder, in Warwick, who were, Major Giucks, the deputy governor, Col. Wanton, Major Frye, Major Holden, and Capt. Mumford, with such others as attended them, who showed their order to join with us; but after some conference with the said commissioners, they told us they would not join with us, unless we would join with them to run all the lines between the governments, as well as the aforesaid twenty miles line.

* Pub. Records of Connecticut, Vol. V. p. 167.

As for the other lines, besides the said twenty miles line west, we told them we had no order to join with them ; and Mr. Pitkin asked them whether they were willing we ourselves should measure the said twenty miles line ; they said no, they were not willing, unless we had power to run with them all the aforesaid lines, or to that purpose. They were again asked, whether they were willing we should go with them, and observe how they measured the said twenty miles line, to which they consented, and told us they were not only to measure that line, but all the lines of their government, in order to send a plat of their colony to England, as they were commanded.

And on the 13th instant, we went with the said gentlemen to see the said twenty miles measured from a rock on the westerly side of Warwick Neck, which they said was the most easterly corner of said neck, and they were willing that their surveyor and myself should join to take a survey of the distance over the bay from the said neck westward, to Warwick main land, by Boston road, at a tree marked ; and from the said rock on the neck, to the aforesaid tree, is west five degrees and a half north ; and we agreed, after a survey of the same, that the distance over the bay from station to station, was almost three miles and a half ; I found it to be three miles and one hundred and forty perch ; and their surveyor found it to be three miles and one hundred and fifty-two perch.

And so from this tree by the road, they run west seven degrees north, and their chainmen followed ; we also went with them, until the said twenty miles were out, by their account, which reached almost half a mile westward, beyond the bounds they had formally made ; and by our observation we made of their measure, I think we all agreed it was too large ; and were it done by indifferent men, under oath, it would not come so far westward, by a considerable matter ; for one of the chainmen, if not both, were interested persons.

After this was over, I stayed at the house of Francis Smith awhile, after Mr. Pitkin went homeward, until the aforesaid commissioners came there for lodging ; and in discourse with them, I told them that our government would never be satisfied with their measure of the said twenty miles, until it was done by indifferent men, under oath. To which they answered, they had been at a great deal of needless charge already, and were disappointed of meeting us the last fall, and if it must be done by indifferent persons, it must be wholly at our government's charge.

This is the substance of what I observed. I have here enclosed a plat of Pawcatuck river, to the pond, which plat I took out from a plat Mr. Mumford had, who told me he made it himself, after the surveys of the said river had been taken by Capt. Carder, deceased.

I have since showed this plat to a man in the town of Preston, who was born and brought up by the said river, and says he is well acquainted with the several courses, and he tells me this map or plat, is a plain description of the said river.*

This is all, from your humble servant,
New London, April 18th, 1720.

JOHN PLUMBE.

For the General Assembly, at Hartford, sitting May 12th, 1720.

* Connecticut Records, Colonial Boundaries, Vol. I. Doc. 208.

Letter from Connecticut to Rhode Island.

Hartford, June 1, 1720.

Gentlemen:—We have been informed by the commissioners appointed on the behalf of this colony, to join with such as you should appoint, for running a line of twenty miles in length, due west from a rock, lying in the south-east corner of Warwick, (and who attended for that end, according to your appointment, at Warwick, the 12th of last month), that your commissioners refused to join with them in running that line, unless they would agree to proceed and set up a line of division between the colonies from the place where the said twenty miles should terminate.

We are much surprised at the report. It was upon a memorial relating to the property of some lands supposed to be in this colony (which memorial was signed by the Honorable Samuel Cranston, Esq., your Governor, and others), that we agreed to assist, by commissioners, in running that line, that we might be the better able to resolve concerning the right claimed; without which, we could not so well answer the desire of that memorial, as the act we passed thereon (a copy of which was sent you), will make very manifest.

We had no thought, at that time, of settling the line between our colonies, which has too often been fruitlessly endeavored; nor is there any word in our act referring to it; so that the rejecting of our commissioners, upon the special business they were appointed to assist in, because they would not proceed to another, which was foreign to it, and about which there was no concert between us, is a matter which we believe you will think needs some explanation.

As for the fixing of the line between us, we would be very glad, if it were fairly accomplished; you know how often we have endeavored it by commissioners fully empowered for that end; and particularly once, (since that matter was, by order of the crown, argued before the late Earl of Bellamont, when he was governor of the Massachusetts Bay), viz.: at Stonington, about seventeen years since, when, had the commissioners you sent, been fully empowered to determine the matter, as ours were, something might have been done effectually. But for want of such power, our commissioners could not make a better use of the opportunity, than to discover, as well as they were able, how far your desires might carry you beyond the bounds of your colony, as set in your charter; though, as we conceive, they entrench upon the prior grant and charter of the crown made to us. And it was very manifest by the transaction at that meeting, that you were not willing (if your commissioners according to the instructions you gave them), to rest contented with Pawcatuck river, mentioned in your charter, as your boundary west, as far as it goes into the country, towards the north, unto the head thereof.

You are not ignorant how Pawcatuck river came to be named Narragansett river, purely in your favor, after our charter was executed, which carried us to Narragansett bay, and what a large addition was designed to be thereby made to your colony.

It seems, therefore, to us, the more strange that you should not rest with that river as a boundary; and a north line from the pond (which is so well known to be the head of it), to the Massachusetts line; since that agreement between the agents of both colonies, in England, (upon which foundation your charter fixes your western

bounds), is what you seemed to insist upon, though to us it seemed not to be of such force.

We are in no doubt, but whenever that matter comes to be determined, you will find yourselves under a mistake, in pretending to extend the bounds of your colony as far west as Warwick purchase, is supposed to reach; and though we were willing, whatever might be the just right of the gentlemen who made that purchase, as to the soil, should be allowed them, yet, you cant reasonably imagine we should be willing that under that pretence, you should annex it to your colony, and assume the government of it, which of right belongs to us, even according to the tenor of the agreement of our agents, upon which you have such dependence.

We have been careful, since that line is yet in dispute, not to suffer any of our grants to be carried beyond the easternmost part, or head of the Pawcatuck river, as supposing it a friendly part to keep a fair distance from anything that may look like an encroachment on our neighbors.

And we cannot but think it would be fair and honorable on your part to observe the same measures; and not advance any settlements to the westward of the known head of Pawcatuck river, which, besides that it may prove a great damage to the people settling there, so it will not express that regard to peace and good neighborhood, which we willingly cultivate, and hope you will have a suitable regard to.

We are, gentlemen,

Your very humble servants,

The Governor and Company of the English colony of Connecticut.

Signed per their order, HEZ. WYLLYS, Secretary.

To the Honorable, the Governor and Company of His Majesty's colony of Rhode Island and Providence Plantations.

Letter from Rhode Island to Connecticut.

Newport, Rhode Island, July 7th, 1720.

Gentlemen :--Your letter, or remonstrance, bearing date from Hartford, June the 1st, 1720, is communicated unto us, by our Honored Governor (and is now before us); and upon observing the contents thereof, we perceive the whole scope and drift of your said remonstrance, is to give us to understand (and so we take it), that you will not comply with the agreement of the line between the two colonies, made at Stonington, in the year 1703, but wholly decline and reject that agreement, by reason (as you say), that our commissioners were not fully empowered.

We shall not insist upon the force and validity of the power given to our commissioners, since it is by you rejected; neither do we reflect upon the fallaciousness of your commissioners at that time, in making such a solemn and formal agreement under [their] hand and seal, purely to discover how far our desires (as you intimate), would carry us beyond the bounds of our colony, as set in our charter. This is one of the many fruitless endeavors that hath been made for an amicable settlement of that line.

But as you have rejected that, as well as all other endeavors, for an accommodation, and will not be satisfied without swallowing up the greatest [part] of our small colony, and that, as your colony is on the west without bounds or limits, [you]

covet the same on the east, we are therefore resolved no longer to be thus imposed upon by you ; but are determined, with the blessing of God, with all expedition to make our appeal to the King in council, for his determination and decree of our westerly bounds.

And that you may not be surprised, we do hereby notify you thereof, that you may take such steps as you may think fit, to justify and vindicate your unjust and unneighborly encroachments upon this colony, and the many hostilities committed within the same.

We are in no doubt (but when that matter comes to be determined) that we shall not find ourselves under any mistake, without it be through our ignorance ; and for peace's sake, in condescending to let you extend your eastern line as far east as Ashaway river, and the south-west corner of Warwick Purchase.

Neither are we ignorant how Pawcatuck river came to be called Narragansett river, nor how you, through the private and clandestine deception of your agent, Col. Winthrop, got your charter to be bounded upon the Narragansett river, contrary to his solemn promise and engagement to our agent, Mr. John Clarke ; all which, we shall plainly demonstrate, and make appear when that matter shall come before the King in council, and give you to understand that we are not ignorant ; and that as the first steps taken by your agents were fraudulent and deceptions, by endeavoring in a surreptitious manner to grasp at all our colony, save the islands, so your government hath been ever since treading in the same steps, in giving us all the disquiet and uneasiness, you have been capable of doing.

We shall not now enter upon any debate about the extent of Pawcatuck river, as it is mentioned in our charter, but shall leave that matter to be determined by our superiors (who are the most impartial judges), and in the mean time, as you gave us a friendly caution (as you say), not to suffer any settlements to be made to the westward of a certain pond in the Narragansett country, which you vainly call the head of Pawcatuck river, so we can do no less than friendly to advise and caution you ; and likewise we do forewarn you from making any settlements by virtue of any grant from your government, under color of conquest lands, as you unjustly call them, or any other ways, not to assume or exercise any jurisdiction of government to the eastward of Pawcatuck, alias Narragansett river, from the middle channel or main stream thereof, so far as it extends itself north or northerly to the head thereof ; and another line drawn due north, from thence to the Massachusetts south line, until his Majesty hath determined the controversy between us. In so doing, you will more fully express that regard to peace, and good neighborhood which (you say), you so willingly cultivate.

As to the other part of your remonstrance, relating to the running the twenty mile line, of Warwick Purchase, we presume you have put that matter out of dispute, until our western bounds be settled and determined, so that it will be superfluous and needless, to making direct answer thereunto ; and although you were surprised that our commissioners should decline joining with yours in running that line, &c., we are no ways surprised at your rejecting, and not joining, in the running that line agreed upon between the two colonies, it being what we expected from you, and doubt not but your oversight will be our gain in the conclusion ; though we are heartily sorry, that you have compelled us to make our appeal (the which no pretence whatsoever, will now deter us, from prosecuting), and should have submitted and been contented to have suffered as we have done, rather than have contended with our neighbors, with whom we always coveted to live in peace

and good friendship; but on the other hand, we have no doubt, but through your means, and the justice of our cause, we shall receive an impartial decree and determination in our favor, much more to our advantage and interest than Ashaway river, and the south-west corner of Warwick Purchase, the which you have rejectéd, though so much to your interest and advantage.

We are, gentlemen, your humble servants,
The Governor and Company of the English
colony of Rhode Island and Providence
Plantations, &c.

Signed per their order, RICHARD WARD, Secretary.
To the Honorable, the Governor and Company of His Majesty's
colony of Connecticut.

Testimony concerning the head of Pawcatuck River.

Robert Stanton, aged sixty-seven years, William Bennit, aged sixty-one years, John Randall, aged fifty-four years, Mathew Randall, aged forty-nine years, Doctor Thomas Wardin, aged forty-five years, who have hereunto each of them subscribed their names, testify that they well know the river, commonly called and famously known by the name of Pawcatuck, which lieth between the towns of Stonington and Westerly; having, for the greatest part of their time lived on, or near the banks of the said river, and are well acquainted with the course of it, from the mouth of it, where it enters itself into the Sound, or salt water, on the south; as it extends northward, until it receives first a small river from the north, called Shewnuck, and then another river called Ashaway; and afterwards, another, called Wood river; and then, to a great pond, receiving some other small streams by the way, all coming from the north; which pond is called by the English, the head of Pawcatuck river, and is well known and esteemed so to be. And that they verily believe the map or draught of the said river, up to the aforesaid pond, the head of it, delineated on this paper, doth agree with the general course thereof; though it has more crooks in it. And we judge the said pond to be about three miles to the north of the mouth of the said Pawcatuck river.

MATHEW RANDALL,
THOMAS WORDEN,
ROBERT STANTON,
WILLIAM BENNET,

his
JOHN ✕ RANDALL,
mark.

Groton, August 16th, 1720.

Then personally appeared before me, Gurdon Saltonstall, Esq., Governor of His Majesty's colony of Connecticut, the above said Robert Stanton, Wm. Bennet, John Randall, Mathew Randall, Thos. Worden; and having each of them subscribed thereunto in my presence, made oath to the truth of the above written testimony.*

In witness whereof, I have hereunto subscribed my name, and caused the seal of said colony to be affixed.

G. SALTONSTALL.

A true copy, attest, HEZ. WILLYS, Secretary.

Governor Cranston to the Board of Trade.

Colony of Rhode Island, &c.,

Newport, June 14th, 1720.

Right Honorable: In obedience to your Lordships' commands, bearing date from Whitehall, August the 7th, 1719, we have herewith sent your Lordships a chart or map of this His Majesty's colony, and should have sent it sooner, but your commands not coming to our hands until the beginning of November last, the winter's season would not admit us to make an exact survey, so that we were forced to suspend it until the weather was moderate, and the country passable.

The extent of the chart or map, is drawn according to the bounds and limits set forth and granted us by our royal charter (to the best of our judgments, by skillful artists), the which bounds are described by the red lines, bordering on the other colonies.

There having been a long controversy between this government and the governments of the Massachusetts and Connecticut (our bordering neighbors), about the bounds of our colony; they have (as we presume) unjustly withheld from us considerable part of our colony within the above said bounds or limits, the which your Lordships will perceive by the green lines (the which describes what we are at present possessed of), and how much of our jurisdiction is forcibly detained from us; though, for the sake of peace, and for the maintaining a friendly correspondence with the government of Connecticut;—

In the year 1703, by commissioners chosen and commissioned by each government, a line was agreed upon between the two colonies, though to our considerable loss and damage (occasioned by the ignorance of our commissioners of the situation of the country), we were content to abide by it, and to confirm the said agreement.

But the government of Connecticut, though often requested to join with us in running and stating the said line (though much to their advantage), hath not joined with us therein, but hold us in suspense, daily making encroachments upon our jurisdiction, and properties; the which unjust proceeding hath caused us to remonstrate and explain the whole cause to our agent, in order to be laid before His Majesty in council, as we have done, that on the other side relating to what (we presume) is withheld from us by the government of the Massachusetts Bay.

We beg your Lordships' pardon for this digression, the which, for the better explanation of the chart or plat of our colony, could not well be avoided. We also presume the matter in controversy will come before your Lordships whenever the difference may come to a hearing; not doubting but we shall then receive equal justice.

This colony is bounded on the north and east on the province of the Massachusetts colony and the late colony of New Plymouth, on the south upon the ocean, and on the west on the colony of Connecticut, as by the chart or map will more plainly appear and demonstrate.

As to any English that have made any settlements on the frontiers, towards the lakes and mountains, the governments of the Massachusetts Bay, New York and Connecticut can best inform your Lordships. This colony being bounded and sur-

rounded, as aforesaid; and no encroachments have been made by the subjects of any foreign prince on said colony; but what encroachments we have suffered, hath been made by our neighbors, as aforesaid.

This colony, in comparison of the other provinces and colonies on this continent, is very small, at the extent, as your Lordships will perceive by the chart or map, if compared with their's. If our neighbors should be countenanced and protected in what they have encroached upon us, and are daily, it would be reduced to a small morsel.

But we having entire confidence and assurance in the wisdom and goodness of our most gracious sovereign lord, the King, and the justice and integrity of his most noble council, and your Lordships, that when a true state of our case is explained by the chart or map of this colony now sent you, upon the grant of our charter, as to the bounds and limits thereof, but we shall be confirmed in our just rights and privileges. And that as we are His Majesty's loyal and faithful subjects, doubt not but we shall have equal justice with our neighbors.*

Signed by order of the General Assembly, by your Lordships' most humble and obedient servant.

SAMUEL CRANSTON, Governor.

Letter from Rhode Island to Connecticut.

Newport, August 18th, 1720.

Honorable Gentlemen: By a letter from the Governor and Company of the above said colony, bearing date from Newport, July the 7th, 1720, in answer to yours of June the 1st, 1720, they were pleased to notify you, that with the blessing of God, they were determined, with all expedition, to make their appeal to His Majesty, for the settling and determining the western bounds of this His Majesty's colony of Rhode Island, &c., and the eastern bounds of your colony of Connecticut, the which hath been by you so long contested.

And that you might not plead ignorance of their proceedings, I was directed by the Governor and Company, aforesaid, to inform you, that they have commissioned and appointed the Honored Colonel Joseph Jenckes, Esq., deputy governor of this colony, their agent, (to prosecute their appeal before the King in council) with full power and authority to procure His Majesty's final determination and decree of the said bounds.

I am also to notify you, that our said agent hath taken his passage by the way of Ireland, and will take his departure from hence, in a very few days. The ship being ready to sail; and with the blessing of God, our said agent may be in Great Britain, by the beginning of October next; so that I am directed, as aforesaid, to warn and exhort you, to make such provision as you may think proper, either by your agent, or otherways, to meet our said agent at Whitehall, in order to show reason, (if any they have), why the westerly bounds of this His Majesty's colony may not not be settled and determined by His Majesty, according to the grant of King Charles the 2d, of happy memory, as is set forth in his royal charter of incorporation to this government; the which, you have so unneighborly for so many years

* J. Carter Brown's Manuscripts, No. 529, Vol. VIII.

obstructed, to the great disturbance, molestation, charge and expense of this government; and against the interest of His Majesty, and contrary to all justice, reason and equity.

I am to pray you not to give any delay upon this foot; you being sufficiently notified of the government's resolution and dispatch. So that should you neglect or prolong the time of meeting their agent, as aforesaid, he is advised to make what improvement he can, of your defect.

Signed by order, in behalf of the Governor and Company of the
English colony of Rhode Island and Providence Plantations in New
England, &c., by gentlemen, your most humble and obedient
servant,

SAMUEL CRANSTON, Governor.

To the Honorable, the Governor and Company of His Majesty's colony of Connecticut, these.

Letter from Connecticut to Rhode Island.

New London, August 22d, 1720.

Sir :—Yesterday I had the favor of your letter of the 18th instant, with another of the same date, in the name of your Assembly, to the General Assembly of this colony, relating to the controversy concerning the dividend line between the governments—an unhappy controversy.

I have the same aversion which you [have], to anything that looks like a dispute too full of heat, and should have been heartily glad, if what the crown has more than once done in that matter, would have given our colonies mutual satisfaction, and we might have dwelt together in peace.

I am the more uneasy, when I find myself obliged to communicate to our Assembly the messages from yours, which I have received under your cover, for the sake of some terms of impeachment that are in them, which I know are disagreeable enough to your wisdom and temper. Yet, I shall take the first opportunity to do it; though that cannot be before Col. Jenckes, your agent, sails, or even before he arrives in Britain, if it should be as soon as you mention.

But, as it will not be improper for the appellant to make the first appearance, so I dare be confident the Assembly here will give the earliest dispatch they can, to their part in this affair. Col. Jenckes, if he purposes to stay till the business is finished, cant expect to take his leave of the court before the next spring; so that I hope there will be no loss of time, if we can but come within five or six weeks of him; and he will not think much of such a short stay. The winter months are commonly the months of business at court.

And if we may find several gentlemen whom we must be concerned with in this business, at leisure to attend it, after Christmas is a little over, it will be as much as we can expect. Pray give my service to the Colonel, with my wishes for his safe passage; and tell him I hope he will have no occasion to complain of our absence or neglect, as any disadvantage to his negotiation. And for my part, I shall from inclination, as well as in compliance with Your Honor's desire, do all I can to prevent it; as I shall also, that this state controversy may not interrupt the personal regard owing to the gentlemen of your council and Assembly; and particularly to Your Honor. I take this opportunity to enclose to you a printed copy of our

charter, which I know not whether you have yet seen, and desire you would please to favor me with one of yours, (which I understand has been lately printed) by the return of the bearer, Mr. Star, who will wait upon Your Honor for that end.

I am Your Honor's most humble and obedient servant,

G. SALTONSTALL.

Governor Cranston.

Letter from Gov. Saltonstall of Connecticut, to Agent Dummer.

New London, August 23, 1720.

Sir:—I told you in my last, which was of the 14th of July, that we had received an odd sort of a letter and citation from the government of Rhode Island, respecting the bounds between us, signifying their appeal to His Majesty, &c.

I was then in hope, that what instructions were needful to be sent you on this occasion, (together with a plan of the colony) might be ready in a shorter time than I now find they can. I am forced to wait for some papers relating to the controversy of the line between Rhode Island and us, which I expect from Boston and Plymouth. In about a fortnight or three weeks more, all will be ready. In the mean time, I am served with a new summons from Rhode Island, a copy of which, with my answer, I have enclosed, that you may see how we manage here, and understand as much about the proceedings hitherto, as I am able to inform you.

As to the form of the citation, it must be submitted to you, that are acquainted with the methods of court in such cases. But I should think they had better have obtained by their agent, Mr. Partridge, a time for a hearing, with an order to us to attend and answer them, than the method they have chosen. As to the matter to which they require us to answer, viz.: why the King should not once more settle the east bounds of our colony, and the west of theirs; when the time for it comes, we have principally two things to say:

1. We are well pleased with the bounds given us in our charter, which includes the Narragansett country; and we think cant be revoked by the charter of Rhode Island, granted above a year after ours.

2. If His Majesty should once more determine these bounds, we are not sure that Rhode Island will like that determination any more than what the crown has done in this affair twice already. First, King Charles the Second, appointed Narragansett river and bay to be the east bounds of our colony. This, the Rhode Islanders complaining of, prevailed with that King, a year after, in their patent, to ordain that Pawcatuck river should be their bounds on the west; and that this river of Pawcatuck, and a north line drawn from the head of it, to the south line of the Massachusetts colony, should be their west bounds, and our east bounds; whereby the greatest part of Narragansett country, and part of the Pequod country, is included within their patent, and actually under their government.

But neither does this please them; nor will they be satisfied, without bringing their west bounds ten miles west of the head of Pawcatuck river, and so extending it thence to the south line of the Massachusetts, by which means they would take from this colony, a tract of land ten miles wide, and upward of thirty miles long. Otherwise, I verily believe we should not have troubled ourselves about the rest of the Narragansett country, though it is far the greatest and best part of it; but have

consented for peace's sake, that it should (at least for the present) remain under their government.

But since they have taken measures to bring this matter, in debate, before His Majesty, it is but just that we should insist upon our charter, which is the prior grant; and we cant but think that it well passed both the soil and government, to this colony; as it has been resolved by Edward Cranfield, Esq., and others, commissioners in the year 1683-4, who held a court by commission from the King, in that country, to inquire to whom its soil and government belong; and afterwards, by Sir Thos. Trevor, in 1696, when Point —— was referred to him, by right honorable the lords of trade, as you will see by what we shall send you, I hope within a few weeks; and therefore here shall add no further, but that—

I am, sir, your humble servant.*

G. SALTONSTALL.

Memorial from Rhode Island to the King relative to the Connecticut Boundary.

To the King's Most Excellent Majesty in council :

The humble petition of Joseph Jenckes, Esq., and Richard Partridge, agents for the colony of Rhode Island and Providence Plantations, in New England, in America, sheweth :

That the inhabitants of the said colony of Rhode Island and Providence Plantations, having formerly purchased some lands of the native Indians there, obtained a grant for the same of the Earl of Warwick, and others, who were appointed commissioners in 1643, for the plantations in America, and afterwards in 1663, had a patent granted 'em, by King Charles the Second, confirming to 'em their said lands; bounding them on the west side upon a river there called Pawcatuck, alias Narragansett river, as the greater or middle stream thereof reacheth up into the north country, northwards, unto the head thereof; and from thence by a straight line drawn due northwards, until it meet with the south line of the Massachusetts colony, as by the said charter more fully appears; and which lands the said inhabitants have enjoyed and been possessed of, upwards of sixty years; and made large settlements, and greatly improved the same, and defended it with the hazard of their lives and estates.

That they have been unjustly disturbed at sundry times in their quiet and peaceable possession of their lands by the government of Connecticut colony, which adjoins eastwards to that of Providence Plantations, who pretend a claim to great part of the land thereof, under their charter, from His said Majesty, King Charles the Second, though without any just or lawful grounds for the same, as your petitioners in behalf of the said inhabitants don't in the least question to make appear to your Majesty, when you shall be graciously pleased to give 'em an opportunity so to do. (The pretensions on which the Connecticut colony ground their claim with your petitioners; answer and reasons against the same, being too long and numerous to be here inserted.)

* There is no superscription to this letter, the filing only showing to whom it was addressed.

But notwithstanding they have no just right thus to disturb the said inhabitants of Rhode Island and Providence Plantations, in the possession of their lands, yet they took upon them formerly, in a very violent manner, to seize and imprison the sheriff, belonging to the said Providence Plantations, whilst in the due execution of his office ; and since that, have entered on part of their lands, and (which is very extraordinary) have taken upon 'em even to grant away and dispose of a township, called Killingly, of about two miles in depth, and twelve miles in breadth, within the said colony of Rhode Island, to the great prejudice of the proper proprietors.

That the said government of Connecticut, not content to confine themselves within their own bounds, as aforesaid, do still further insist on a large portion of the said colony of Rhode Island lands, though the same are several miles within a line that was run between the said two colonies of Rhode Island and Connecticut, by commissioners sent over into New England, Anno Domini 1664, by His Royal Majesty, King Charles the Second, to determine such differences as might arise, touching the bounds or limits of the colonies, in that country.

Wherefore, and as the said proceedings of Connecticut colony are unwarrantable and without any grounds to support the same, and as by the Rhode Island charter, the inhabitants thereof are required to come to the crown for relief in cases of this nature, and for putting a final end to the differences between the said two colonies respecting their bounds or limits, and for the lasting peace and tranquility of Your Majesty's loyal subjects of Rhode Island and Providence Plantations, and that they may quietly enjoy their rights and privileges for the future.

Your petitioners humbly pray Your Majesty to interpose your royal authority, and that you would be graciously pleased to hear your petitioners in defence of their rights, and that they may have their boundaries between them and Connecticut confirmed, according to their charter, and agreeable to the lines run by the aforesaid commissioners from the crown ; and that Your Majesty would be pleased to give such further and other orders and directions for the relief of Your Majesty's loyal subjects of Rhode Island colony, who are so remote from the immediate influence of Your Majesty's justice or government, as may protect them in the perpetual peaceable possession of their lands, either by laying some considerable penalty upon the first infringers of them, or in such other way as your great wisdom shall think fitting, that so they may not hereafter be molested as they have hitherto been, to their very great prejudice.

And your petitioners shall ever pray, &c.

Order in Council.

At the council chamber, Whitehall,
February 20, 1720-21.

By the Right Honorable, the Lords of the Committee, for hearing appeals, complaints, &c., from the plantations :

His Majesty having been pleased, by his order in council, of the 3d of January last, to refer unto this committee the humble petition of Joseph Jenckes, Esq., and Richard Partridge, agents for the colony of Rhode Island and Providence Plantations, in New England, relating to the boundaries between them and Connecticut colony ; and humbly praying that the same may be confirmed to them, according to their charter, and agreeable to a line run by commissioners sent over in 1664, to settle the same ;—

Their Lordships, this day, taking the same into consideration, and having heard the petitioners thereupon, by their counsel, learned in the law, as also Mr. Dummer, agent for the colony of Connecticut; are pleased to order, as it is hereby ordered, that the said Mr. Dummer do return to this board by Monday next, his answer, in writing, to the said petition. (A copy whereof, is hereunto annexed.) And that the whole matter be heard at the first meeting of the committee, after mid-summer next; whereof, all parties concerned, are to take notice, and come prepared to be heard at the same time, accordingly.*

TEMPLE STANYAN.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 7th day of July, 1720.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. Wm. Wanton, speaker.

Mr. Thomas Spencer, clerk.

Whereas, His Honor, the Governor, has communicated to this Assembly, a letter from the Governor and company of His Majesty's colony of Connecticut, directed to the Governor of this colony, wherein they refuse to stand to, and comply with the bounds between the two colonies as settled by the commissioners of both colonies, at Stonington, in the year 1703; upon consideration whereof, and of the further difference between this colony and the Province of the Massachusetts Bay;—

It is voted and enacted by this General Assembly, and by the authority of the same it is enacted, that the Honorable Joseph Jenckes, Esq., our deputy governor, be, and he hereby is appointed agent for this colony, to appear before His Majesty in council, in Great Britain, and there to represent this colony, with Mr. Richard Partridge, our present agent there, or

* R. I. Hist. Soc. Mss., pp. 61, 62, 66 and 69.

without him, as causes or matters may require ; there to manage the affairs of this colony for the settling of the bounds between this colony, and those of the Massachusetts Bay and Connecticut, and all other business that may arise or happen ; and that His Honor, the Governor, give him a commission for the same, accordingly.

And it is voted, that so much money as will purchase gold, silver or bills of exchange for the sum of £300, be forthwith drawn out of the general treasury, and out of the naval officer's hands, and to be remitted home by our agent, for the uses aforesaid ; and that Capt. Job Almy, Capt. Joseph Whipple and Mr. Joseph Borden, be a committee to draw out the same, accordingly.

It is also voted by this Assembly, that our aforesaid agent, the Honorable Joseph Jenckes, Esq., be, and he hereby is fully authorized and empowered to draw upon the general treasury of this colony, bills of exchange for the sum of £700 (if he shall need or require so much).

And that said bills of exchange shall be paid out of the general treasury, according to the contents thereof.

And it is also voted by this Assembly, that the Honorable Joseph Jenckes, Esq., be allowed £60 per annum, for his agency, besides expenses borne during his agency, and so pro rata, for such time as he shall continue in our service.

And it is also voted, that the deputy governor be allowed £60 out of the general treasury, for to furnish himself with necessaries for his voyage.

And it is also further voted and enacted, that His Honor, the Governor, procure, provide and send home all necessary instructions, evidences and depositions as may be necessary for the service of the colony in the premises.

And also, that His Honor, the Governor, send a messenger with a notification to the government of Connecticut, to notify them to appear before His Majesty, in council, to answer the complaint of this government against them, for their intruding into the lands of this colony.

An Act empowering the assistants and justices of the peace, and wardens, to try all matters of theft and purloining, where the thing purloined, or stole, exceed not twenty shillings. [Public laws for 1730, p. 113.]

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 27th day of July, 1720.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Mr. Thomas Cornell,
Capt. Jonathan Nichols,	Mr. William Anthony,
Major James Brown,	Mr. Elisha Cole.
Mr. Nicholas Power,	

Col. William Wanton, speaker.

Mr. Thomas Spencer, clerk.

Voted, that Capt. John Jenckes wait upon his father, during the time of his agency for this colony, in Great Britain; and that he be allowed £30 out of the general treasury, to furnish himself with necessaries for his voyage; and that he be allowed £30 per annum out of the general treasury of this colony, during his continuance and attendance in said affair, besides all ordinary expenses borne; and that if he return before one year be expired, yet he shall be allowed £30 for his going; to be paid to him or his order, from time to time, as it shall become due.

Voted, that all matters and things that now lieth before this Assembly, unfinished, be referred to the next General Assembly.



Voted, that this Assembly be adjourned to any such time as the Governor or deputy governor shall see cause to call them together before the second Tuesday of September next; and if not called by the second Tuesday of September next, then this Assembly shall be dissolved.

God save King George.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1720.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Major Randall Holden,
Major James Brown,	Mr. Stephen Hazard,
Mr. Nicholas Power,	Mr. John Wickes.
Mr. William Anthony,	

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Col. William Wanton.	Capt. John Waterman,
<i>For Providence.</i>	Mr. Anthony Low,
Mr. Arthur Fenner,	Mr. Stephen Arnold,
Mr. Wm. Smith,	Mr. Thomas Stafford.
Mr. William Harris,	<i>For Kingstown.</i>
Mr. Daniel Abbott.	Capt. Christopher Allen,
<i>For Portsmouth.</i>	Mr. Wm. Spencer.
Mr. Gideon Freeborne,	<i>For East Greenwich.</i>
Mr. Joseph Dennis,	Mr. Pardon Tillinghast,
Mr. Daniel Pearce.	Mr. Joseph Weaver.
	<i>For Jamestown.</i>
	Mr. David Greene,
	Mr. John Underwood.

Col. William Wanton, speaker.

Mr. Daniel Abbott, clerk.

Jahleel Brenton, of Newport, in the colony aforesaid, Esq., appellant, Thomas Pelham, of said Newport, merchant, appellee, from a judgment of a General Court of Trials, held at Newport, aforesaid, within and for the colony aforesaid, on the first Tuesday of September, last past, where a verdict of jury and judgment of said court, was rendered for the said Thomas Pelham, against the said Jahleel Brenton, for the sum of £94 2s. ;—

And the appellant and appellee being duly heard and maturely considered, the judgment and decree of this Assembly is, that the judgment of the said General Court of Trials, held at Newport, on the first Tuesday of September, last past, be chancerized down to the just debt and damage sustained by the said Thomas Pelham.

And this Assembly do order, adjudge and decree, that the said Thomas Pelham have and recover of, and against the said Jahleel Brenton, the sum of £62 2s., and costs of suit ; and the judgment of the said General Court of Trials, is chancerized down to £62 2s., accordingly.

Mr. Nathaniel Newdigate, of Newport, gentleman, admitted a freeman of this colony.

The following, all of Providence, were admitted freemen of the colony ;—

William Arnold, John Arnold, Jr, Daniel Arnold, Thomas Smith, Jr., Ichabod Comstock, Job Comstock, John Wallen, James Wallen, Jr., Joseph Phillips, Daniel Mowry, Joseph Mowry, Jr., John Scott, Joseph Scott, William Brook, James Angel, Jr., John Sailes, Jr., Richard Sailes, Cornelius Solsbury, William Whipple, Thomas Sailes, Zebedee Hopkins, Elisha Hopkins, Valentine Inman, John Whitman, Thomas Burlinggame, James Congdon, Benjamin Westcott, Thomas Hudson, John Burlinggame, Jr., Benjamin Sailes, Stukely Westcott, Samuel Ralf, Jr., Thomas Ralf, Hugh Ralf, Josiah Burlinggame, Jonathan Knight, Richard Knight, son of Jonathan, Richard Searles, Thomas Burlinggame, Jr., John Stone,

John King Weaver, Jacob Clack, Charles Dyre, Samuel Gorton, John Potter, son of John, deceased, Wm. Randall, Jr., Moses Burlinggame, Samuel Burlinggame, Robert Knight, Peter Burlinggame, Wm. Westcoat, Richard Knight, John Knight, Edward Potter, Samuel Bates, Henry Randall, Nicholas Sheldon, Jr., John Calvin, Jr., John Weeden, Roger Burlinggame, son of John, John Thorton, Josiah Thorton, Abraham Clarke, Thomas Field, Jr., Josiah Wescoat, Jr., John Arnold, son of Richard, Zuriel Waterman, John Man, John Angel, Daniel Man, William Potter, Richard Pray, John Cowen, Charles Walker, Elisha Arnold, Ephraim Arnold, James Arnold, Timothy Carpenter, Jr., Jeremiah Field, Benjamin Carpenter, William Carpenter, Nathaniel Waterman, Jr., James Williams, Elisha Knowlton, Joseph Waterman, Wm. Sprague, James Dexter, Jr., Benjamin Sprague, John Sprague, Joseph Field, Zachariah Matthewson, John Pain, Charles Tillinghast, Benjamin Wright, William Ashton, Daniel Cook, Israel Smith, Samuel Kilton, Thomas Clemons, Richard Clemons, Jr., Robert Curry, Stephen Dexter, Henry Estence, Cornelius Estence, Thomas Harding, Nathaniel Jencks, Jr., John Manton, Thomas Comstock, John Comstock, James Angel, Joseph Angel, Thos. Kilton, Peter Ballou, Jr., Nathaniel Brown, Maturin Ballou, John Whitman, Urine Davis, Thomas Olney Weaver, Noah Whipple, James Brown, Jr., Joseph Inman, Joseph Bagley, Thomas Whipple, Jonathan Whipple, Jr., Daniel Brown, Jeremiah Brown, John Hawkins, Jr., Joseph Smith Cooper, Daniel Smith, Robert Smith, William Olney, Jr., Benjamin Whipple, Thomas Olney, Jr., John Brown, James Aldrick, Peter Aldrick, Joseph Place, Joseph Place, Jr., David Rutten Ceree, Richard Evans, Jr., David Evans, Christopher Smith, Jr., Jonathan Aldrick.

Whereas, Wm. Jencks, of Providence, has, by petition, laid before this Assembly, that he has been £15 out, upon Pawtucket bridge, and that there is a piece of land lying to the northward of Blackstone river, in an angle (of said river), belonging to this colony, the which is but of small value, for the

Assembly to pass their right thereto unto him, the said William Jencks ;—

And the Assembly, after due consideration of the premises, do grant all their right, title and interest in the said piece or angle of land, aforesaid, unto the said Wm. Jenckes, his heirs and assigns, for ever.

Always provided, that Mr. Arthur Fenner and Capt. Daniel Abbott survey the said land, and if it appear to be worth more than £15 or £16, the said William Jencks to pay the overplus into the general treasury of this colony, to and for the use of the colony.

God save King George.

Order in Council.

At the Court, at St. James's, the 19th day of January, 1721.

By the Lords of the Committee of His Majesty's Most Honorable Privy Council :

His Majesty having been pleased, by order in council, of the 3d of January last, to refer unto this committee the humble petition of Joseph Jenckes, Esq. and Richard Partridge, agents for the colony of Rhode Island and Providence Plantations, in New England, relating to the boundaries between them and Connecticut colony, and humbly praying that the same may be confirmed to them according to their charter, and agreeably to a line run by commissioners sent over in 1664, to settle the same ; and their Lordships thinking it proper that the same should receive an examination by the Lords commissioners of trade and plantations, before any determination be made therein, are pleased to order, that the said petition, as also an answer thereto, from Mr. Drummer, agent for the colony of Connecticut (copies whereof are hereunto annexed), be, and they are hereby referred to the said Lords commissioners to consider the same, and report their opinion thereupon to this committee, and to ascertain the boundaries between the two provinces, and who has had the possession of the lands in question, and in which of the boundaries those lands lie.*

ROBERT HALES.

* J. Carter Brown's Manuscripts, Vol. VIII., No. 531.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1721.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Lieut. Col. John Wanton,	Mr. William Anthony,
Capt. Jonathan Nichols,	Major Randall Holden,
Major James Brown,	Mr. John Wickes,
Mr. Nicholas Power,	Mr. Stephen Hazard,
Mr. Thomas Cornell,	Mr. Elisha Cole.

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Col. Wm. Wanton,	Mr. Job Greene,
Capt. Edward Thurston,	Capt. Benjamin Greene,
Capt. John Brown,	Capt. John Rice,
Mr. Thomas Weaver,	Mr. Moses Lippitt.
Mr. William Barker,	<i>For Westerly.</i>
Mr. John Coddington.	Mr. Isaac Thompson,
<i>For Providence.</i>	Mr. John Hill.
Mr. Wm. Smith,	<i>For New Shoreham.</i>
Capt. Daniel Abbott,	Capt. Simon Ray,
Mr. Ebenezer Sprague.	Mr. Thomas Mitchell.
<i>For Portsmouth.</i>	<i>For Kingstown.</i>
Mr. Gideon Freeborne,	Mr. Jeremiah Gould,
Mr. Thomas Brayton,	Mr. John Watson, Jr.
Mr. Daniel Pierce,	<i>For East Greenwich.</i>
Mr. Joseph Dennis.	Capt. Joshua Coggeshall,
	Mr. Robert Spencer.
	<i>For Jamestown.</i>
	Capt. Nicholas Carr,
	Mr. Benedict Arnold.

Col. William Wanton, speaker.

Capt. Edward Thurston, clerk.

Peleg Sanford, Israel Brayton, Francis Sanford, Thomas Brown, Isaac Smith, Elisha Smith, William Mumford, Caleb Coggeshall, and Edward Thurston, son of Samuel Thurston, all of the town of Newport, are admitted freemen of this colony.

Thomas Shearman, Francis Alway, and Samuel Sweet, all of Portsmouth, are admitted freemen of this colony.

Joseph Clarke, Nathaniel Sweet, William Holden, and Benony Price, all of Warwick, are admitted freemen of this colony.

John Mott, Caleb Littlefield, Nathaniel Littlefield, Dormac Rose, Nathaniel Raye, Joseph Mitchell, and Alexander Dodge, all of New Shoreham, are admitted freemen of this colony.

William Bailey, and Benjamin Sweet, son of Richard Sweet, both of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1721.

Col. William Wanton, speaker.

Mr. Jeremiah Gould, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

Lieut. Col. John Wanton, deputy governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Mr. Arthur Fenner,

Capt. Edward Thurston,

Andrew Harris,

ASSISTANTS.

Mr. Thomas Cornell,
Mr. William Anthony,
Capt. John Waterman,

Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton, Jr.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Capt. Henry Bull.

An Act for the better preventing of drunkenness. [Passed at this session ; see public laws of 1730, p. 114.]

Whereas, Jahleel Brenton, of Newport, in the colony aforesaid, Esq., appealed from a judgment of a General Court of Trials, held at said Newport, on the last Tuesday of September, last past, given in favor of Thomas Pelham, of said Newport, merchant, to a General Assembly, held at Providence, on the last Tuesday of October, last past, where judgment of said Assembly was rendered for the said Thos. Pelham against the said Jahleel Brenton, for the sum of £62 2s., debt and costs of suit ; and the said Jahleel Brenton petitioning the said Assembly for relief of a mistake by him supposed to be committed in said judgment, whereupon the said case was referred to this Assembly ; and the appellant and appellee being duly heard, and their reasons duly considered ;—

This Assembly do adjudge and decree, that the aforesaid sum of £62 2s., given for the said Thomas Pelham, at the General Court of Assembly, be chancerized down to £60, and that said Pelham have costs.

And it is further decreed, that the sum of £47 17s. 9d., recovered by the aforesaid Jahleel Brenton, against the said Thomas Pelham, at a General Court of Trials, held at Newport, aforesaid, on the last Tuesday of March, 1720, be deducted out of the said £60 given by this Court to said Pelham ; and that

said Brenton pay the said Pelham the balance thereof, being £12 2s. 3d., and costs. Costs taxed 2s.

Judgment satisfied by Richard Ward, by order of the appellant, and on his account, May the 24th, 1721.

Whereas, Samuel Bissell, of Newport, blacksmith, by petition, prayed this Assembly for encouragement to carry on the nailing trade within this government ;—

The prayer of said petition being considered by this Assembly, they do order, that the said Samuel Bissell have £200 out of the general treasury, upon good security, to refund and pay the same into the general treasury, at the end of four years and a half from the ending of this present session of Assembly ; he giving bond that he will improve the same to the uses mentioned in his petition, and no other.

Whereas, Capt. Daniel Abbott and Mr. Arthur Fenner were ordered to survey and plat, and value a piece of land granted by the Assembly, in October last, to William Jenckes ;—

And they having surveyed, platted and valued the same, reported to this Assembly, that the land in the angle of Pawtucket river, granted to said Wm. Jenckes, contains thirty-three acres and fifty-three poles, and no more ; and is in value worth ten shillings per acre, and no more ; as in the plat by them presented to this Assembly is set forth ; which return is accepted of by this Assembly.

An Act for raising and emitting £40,000 in bills of credit, by way of loan, &c. [See public laws, 1730, p. 115.]

Voted and enacted by the General Assembly of this colony, and by the authority of the same, that the assistants of this colony, for the time being, shall each of them have £10 per annum, out of the general treasury of this colony, for their service.

And that the deputies convened in General Assembly, shall, for every day's service by them spent in the public affairs, in attending in the General Assembly during the sessions thereof, have six shillings per diem each for such service, to be paid

by each respective town, as formerly, where they had but three shillings per diem allowed them.

Voted, that this Assembly be adjourned to the second Tuesday in June next, to the town of Newport.

And this Assembly is adjourned, accordingly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 13th day of June, 1721.

The Hon. Samuel Cranston, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Mr. Wm. Anthony,

Capt. Edward Thurston,

Capt. John Waterman,

Mr. Arthur Fenner,

Mr. John Wickes,

Mr. Andrew Harris,

Mr. Elisha Cole.

Mr. Thomas Cornell,

Col. William Wanton, speaker.

Mr. Jeremiah Gould, clerk.

Ordered, that Capt. Joseph Stanton, of Westerly, procure evidences relating to Pawcatuck river, and the reason why called Pawcatuck, &c.; the charge to be paid out of the public treasury.

The demands of the governments of New York and the Massachusetts Bay, for money, on this colony, is referred to the next Assembly, in October next.

Ordered, that His Honor, the Governor, have £50 out of the general treasury, as a gratuity for his extraordinary service the last year.

Ordered, that £15 be lodged in the hands of Mr. Isaac Thompson, of Westerly, by him to be improved in repairing half of the bridge over Pawcatuck river, if Connecticut colony repair the other half; and if they do not in some reasonable time repair their half, then Mr. Thompson is to return the same into the general treasury again.

It is enacted and declared by the General Assembly, and by the authority of the same, that the possessors of the counterfeit bills that were made on the Greenmans' plates, do bring all such bills into the general treasury of this colony, and have them changed by the 1st day of October next, or else shall lose the benefit of having them exchanged; and that the general treasurer publish the same, in the Boston Gazette.

Ordered, that Capt. Edward Greenman have £100 paid him by the general treasurer (out of the £1500 bonds given for security for payment of double damages), for his present relief.

Upon the petition of Richard Ward, of Newport, praying that he might have some bills of credit out of the public loan, upon security by bond, he having only an estate tail, in this government;—

This Assembly do order and direct the trustees of this colony, to permit and suffer the said Richard Ward to have and take upon loan as much of said bills (as the highest taker is allowed), upon such security as by them shall be thought needful.

Voted and enacted by this Assembly, and by the authority of the same, that the price of hemp and flax, to be paid into the general treasury, is as followeth, viz.:

Good merchantable hemp shall be received by the general treasurer, at eight pence per pound; and good merchantable flax, at ten pence per pound, and no more.

Ordered by this Assembly, that any person, an inhabitant of any town in this colony, that hath his free hold in another town than where he dwells, he giving such estate in security to the committee, shall, notwithstanding, have the liberty of taking out of the bank, bills in the town where he dwells.

Voted and enacted by the General Assembly, and by the

authority of the same it is enacted, that English half-pence shall be received into the general treasury of this colony in all public payments, at three half-pence apiece.

Voted and enacted by the General Assembly, and by the authority of the same, that the moiety, or half part of the interest that shall, on the letting out of £40,000 in bills of credit by this colony, arise or accrue for the space of five years from the session of this Assembly, be applied to and for rebuilding or repairing Fort Ann, as the committee hereafter appointed shall judge most necessary.

And Col. Joseph Jenckes, Jonathan Nichols, Esq., Lieut. Col. William Coddington, Capt. Nicholas Carr, and Capt. John Brown, be, and they, or the major part of them, are hereby fully empowered and authorized to make the said fort of any other form than now it is of, and to improve men in the work, and provide materials for the same.

Ordered, that the committee appointed for the sales of the negroes, and cocoa, and sugar, pay and allow to Lieut. Col. Wm. Coddington all such reasonable charges and allowance for his time, that he hath spent and taken in securing the same.

Voted, that Col. Jenckes do, in conjunction with the Governor, provide all such evidences and pleas as are, or may be needful, to send home to our agent, in Great Britain, for the better enabling him to go on with the complaint against the colony of Connecticut.

Voted, that the widow of Doctor John Jenckes, who deceased in this colony's service, in Great Britain, have £10 allowed her out of the general treasury of this colony; it being a gratuity for the extraordinary service of her said late deceased husband.

Adjourned to the second Tuesday in September.

God save King George.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 10th day of August, 1721.

The Hon. Samuel Cranston, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Mr. William Anthony,

Capt. Edward Thurston,

Capt. John Waterman,

Mr. Andrew Harris,

Mr. Stephen Hazard,

Mr. Thomas Cornell,

Mr. Elisha Cole.

Voted, that all the mortgage deeds shall commence from the date thereof, for five whole years; and all the mortgage deeds and bonds of the several towns be delivered into the hands of the grand committee, and they to give to the said towns' committee a receipt for the same; and that the grand committee deliver the bonds to the general treasurer, and to take a receipt of the general treasurer for the same; and his receipt shall be their discharge. And the said grand committee at all times to be accountable to such acts and orders as shall be made by the General Assembly, for requiring said mortgage deeds out of their custody.

Voted, that all mortgages taken in the former trustees names, before the sitting of this Assembly this present 10th day of August, be of full force and virtue for the uses in such mortgages mentioned; and that all mortgages that have been discharged by the former committee, since the sitting of the Assembly in October last, and until the session of this Assembly; and the said discharge is signed by two of the present committee, for the signing and emitting of this present £40,000, shall be good and valid in law.

Voted, that inasmuch as Joseph Hauxey and Benjamin Peckham hath delivered into the hands of the general treasurer, the sum of £494 in public bills of credit upon the account of Edward Greenman and his son ;—

Whereupon, the action commenced against the said Greenman, by the general treasurer, on the colony's concern, be abated and dismissed from any trial at the next General Court of Trials, where there is an action commenced against said Greenman, till further consideration thereon ; they paying the lawful charge thereon.

An Act to prevent the small pox from being brought into this colony, from the town of Boston, &c.

Whereas, the small pox is very prevalent in the town of Boston, and is very contagious and mortal, the which, if it be brought into this government, may prove very destructive to the trade thereof, and will endanger the lives of some thousands of persons, if timely care be not taken to prevent the same ;—[See public laws, 1730, p. 119.]

Voted, that all petitions that shall come before the General Assembly, and be voted out, shall be returned back to the petitioner or petitioners that preferred them.

God save King George.

1721.]

AND PROVIDENCE PLANTATIONS.



Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1721.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Capt. John Waterman,
Mr. Andrew Harris,	Mr. John Wickes,
Mr. Arthur Fenner,	Mr. Stephen Hazard,
Mr. Thomas Cornell,	Mr. Elisha Cole.
Mr. William Anthony,	

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Col. Wm. Wanton,	Major Randall Holden,
Lieut. Col. Wm. Coddington	Capt. John Rice,
Capt. John Brown,	Mr. Amos Stafford,
Mr. Wm. Barker,	Mr. Wm. Arnold.
Mr. Thos. Weaver,	<i>For Westerly.</i>
Mr. John Coddington.	Capt. Jos. Stanton,
<i>For Providence.</i>	Lieut. Theodaty Rhodes.
Major Wm. Smith,	<i>For Kingstown.</i>
Capt. James Olney,	Mr. Jeremiah Gould.
Lieut. Elisha Knowlton.	Mr. George Babcock.
<i>For Portsmouth.</i>	<i>For East Greenwich.</i>
Mr. Gideon Freeborne,	Mr. Thomas Spencer,
Mr. Thos. Brayton,	Mr. Thomas Nichols.
Mr. Daniel Pearce,	<i>For Jamestown.</i>
Mr. Joseph Dennis.	Mr. William Battey.
	Mr. Benedict Arnold.

Col. William Wanton, speaker.
Mr. Thomas Spencer, clerk.

Wm. James, Samuel Babcock, Daniel Babcock, Benjamin Saunders, John Lewis, Jr., and George Stillman, all of Westerly, are admitted freemen of this colony.

Voted, that a fifth foot company be set off in the south-west part of the township of Providence, according to the prayer of the petition of Thomas Angel, and fifty others with him; and that Col. Joseph Whipple, and Major Anthony Low, set off and state the bounds of said company, and make report of their doings to the General Assembly of this colony, that shall sit on the first Wednesday of May next.

An Act for allowing the soldiers pay for their guns, which went on the expedition to Canada, in the year 1711.

Be it enacted by this Assembly, and by the authority thereof it is enacted, that all the enlisted soldiers which went on the said expedition to Canada, or their legal representatives, shall have and receive from the general treasurer of this colony twenty-five shillings each, in bills of credit, which shall be in lieu of their guns, which by the proclamation they were to have.

This government having duly examined and considered the demand of the Province of the Massachusetts Bay, for £111 5s. 3d., do find that this colony hath already borne and paid their full proportion of all charges taxed on the governments in the year 1710, for the expedition to Port Royal.

Voted, that the demands of the Governor of New York, for £150, on this colony, be not granted; and that His Honor, the Governor, by letter, acquaint His Excellency of this resolution of the Assembly, in such terms as he shall think most agreeable.

An Act to redress the misemployment of lands, goods and stocks of money heretofore given to certain charitable uses.
[See public laws, 1730, p. 122.]

Joseph Jenckes, Esq., having exhibited to this Assembly his account of disbursements of the colony's money, by [him] re-

ceived during his agency for this colony, amounting to £300 18s., the same is approbated by this Assembly, and the said Joseph Jenckes, is discharged therefrom.

Voted, that Joseph Jenckes, Esq., have £30 allowed him, as a gratuity, out of the general treasury, for his good service done the colony, during his agency.

God save King George.

Representation, &c.

To the Right Honorable, the Lords of the Committee of His Majesty's Most Honorable Privy Council.

My Lords : In obedience to your Lordships' commands, signified by your order, bearing date the 19th January, 1721-2, whereby you referred to us the petition of the agents of Rhode Island, and the answer of the agent of Connecticut thereunto, directing us to ascertain the boundaries between the two colonies, and who has had the possession of the lands in question, and in which of the boundaries those lands lie.

We have examined into the pretensions of these two colonies, and having heard them by their counsel and agents in relation to the subject matter of the said petition and answer, we take leave to represent to your Lordships ;—

That the agent and counsel for the people of Rhode Island, produced an instrument, bearing date the 17th day of March, in the year 1643, signed by Robert, Earl of Warwick, and certain other persons, at that time appointed commissioners by the Parliament, for the government and regulation of the plantations, whereby it appears to us, that a grant was then made to the people of Rhode Island and Providence Plantation, of a certain tract of land, on the continent of America, bounded in the following manner, viz. :

“ North and north-east, on the patent of Massachusetts; east and south-east, on Plymouth patent; south, on the ocean; and on the west and north-west, inhabited by Indians, called Narrowganneucks, alias Narragansetts; the whole tract extending about twenty-five English miles, unto the Pequot river and country.” And although this instrument cannot be reputed valid in the law, yet it must be allowed, in some measure, to be an evidence of what was then reputed to be the boundary of the said province.

It doth likewise appear to us, that after the restoration, application was made to His Majesty, King Charles the 2d, by the agents of Connecticut and of Rhode Island, for charters to fix the respective government and boundaries of the said provinces, and charters were accordingly granted for that purpose.

But the charter for Connecticut being obtained previous to that of Rhode Island, the boundaries of Connecticut were fixed to their advantage; and as the people of Rhode Island pretend, greatly to their detriment.

The said charter for Connecticut bears date the 23d day of April, in the year 1662, and their boundaries are described in the following manner, viz. :

“ All that part of our dominions in New England, in America, bounded on the east, by Narragansett river, commonly called Narragansett bay, where the said river

falleth into the sea ; and on the north, by the line of the Massachusetts plantation ; and on the south, by the sea ; and in longitude, as the line of the Massachusetts colony, running from east to west (that is to say), from the said Narragansett bay, on the east to the south sea on the west part, with the islands thereunto adjoining, together with all firm lands, soils, grounds, &c.”

But the people of Rhode Island contend that great part of their territories are unjustly swallowed up by the aforesaid charter of Connecticut ; and if the same be valid, it undoubtedly cuts off all their pretensions to any thing upon the continent.

This grievance they complained of, soon after the said charter was obtained ; and it doth appear to us, that John Winthrop and John Clarke, then agents for the respective colonies of Connecticut and Rhode Island, did notwithstanding the aforesaid charter to Connecticut, submit to arbitration, what should be the boundaries between the said colonies.

And we do find that the charter, which was afterwards granted to Rhode Island, in the fifteenth year of Charles the Second, taking notice of the aforesaid arbitration, hath fixed their boundaries in the following manner, viz. :

“ All that part of our dominions in New England, in America, containing the Nayhautick, Nanhigansit, alias Narragansett bay and country, and parts adjacent, bounded on the west or westerly by the middle or channel of a river there, commonly known by the name of Pacatuck, alias Pawcatuck river, ; and so along the said river, as the greater or middle stream thereof reacheth or lies up into the country northward, unto the head thereof ; and from thence, by a straight line drawn due north, until it meet with the south line of the Massachusetts colony ; and on the north or northerly, by the aforesaid south or southerly lines of the Massachusetts colony or plantation, and extending towards the east or easterly, three English miles, to the east or north-east of the most eastern or north-eastern parts of the aforesaid Narragansett bay, as the said bay lieth or extendeth itself from the ocean on the south or southerly, unto the mouth of the river, which runneth towards the town of Providence ; and from thence along the easterly side or bank of the said river, higher called by the name of Seacunk river, unto the falls called Pawtucket Falls, being the most northerly line of Plymouth colony ; and so from the said falls, into a straight line due north, until it meet with the aforesaid line of the Massachusetts colony, and bounded on the south by the ocean ; and in particular, the lands belonging unto the towns of Providence, Pawtuxet, Warwick, Misquamacock, alias Pawcatuck ; and the rest upon the main land, in the tract aforesaid ; together with Rhode Island, Block Island, and all the rest of the islands and banks in the Narragansett bay, and bordering upon the coast of the said tract, aforesaid, Fisher's Island only excepted, together with all firm lands, soils, &c.”

And further, the said charter doth direct, that the river Pawcatuck, shall at all times hereafter, be called and deemed to be the Narragansett river, mentioned for a boundary in the charter to Connecticut.

From whence the people of Rhode Island pretend that the west boundary between them and the colony of Connecticut ought to be formed by a red line marked in the map, hereunto annexed, drawn from a place called Shaw's Ford ; and thence extended due north, till the same meets with the south boundary of the Massachusetts bay, whereof your Lordships will be more perfectly informed by a view of the said map, to which we shall frequently have occasion to refer.

In confirmation of this pretence, the agent for Rhode Island produced the copy of a paper supposed to have been the return to a commission issued by King

Charles the 2d, in the year 1665, for settling the boundaries between the two colonies; and likewise an original letter from His said Majesty, to the above said commissioners, whereby they pretended the proceedings of the said commissioners were ratified and approved of; but upon examining the said two papers, it appeared that the first of them was not a legal return, because Col. Nichols, the person appointed to be of the quorum in the said commission, had not signed it; and that King Charles the Second's letter was only a general letter of thanks to the inhabitants of Rhode Island, for their civil reception of His Majesty's commissioners.

The said agents further urged, that so lately as in the year 1703, by agreement between commissioners appointed in behalf of the said colonies respectively, for settling their boundaries, it was unanimously agreed, that the western boundary between Rhode Island and Connecticut, should for the future, be formed by a line to be drawn from the mouth of Ashaway river, where it falls into the Pawcatuck, and thence extending north to the south line of the Massachusetts bay, which line, your Lordships will find particularly described in green, on the map.

And as a further proof of their right to the boundary now contended for, the agents for Rhode Island produced several affidavits from ancient inhabitants, viz. : Tho. Nichols, John Spencer, John Rice, John Lewis, Peter Crandal, Arthur Fenner and Wm. Hopkins, whereby it appeared that the people of Rhode Island had been in possession of several tracts of land, extending west from the Narragansett bay, to the red and green lines above mentioned, marked in the map as the boundaries between the two colonies, for which, the deponents swear, taxes had constantly been paid to the government of Rhode Island only.

And Wm. Wilkinson, now dwelling in Southwark, but formerly an inhabitant of Rhode Island, appearing in behalf this colony, affirmed that he, and his father before him, had been surveyors in the said province, and that to his certain knowledge, divers persons had extended their plantations from Providence and other towns, near to the red and green lines marked in the map, if not beyond them, and had paid taxes for the same, to Rhode Island only.

In answer to what had been urged in behalf of Rhode Island, the agent for the people of Connecticut and their counsel, did insist that the charter to Connecticut being previous in date to that of Rhode Island, the latter charter could not take away what had been granted by the preceding one; and did produce an opinion under their hand of My Lord Trevor, then Sir Thomas Trevor, and attorney general to His late Majesty, King William the Third, bearing date the 28th day of October, in the year 1696, wherein, upon a former dispute for settling the boundaries between the two colonies, he declared,—

“That the grant to Rhode Island is void in law, because the country of Narragansett bay, was granted before to Connecticut; and that therefore the government of Narragansett bay doth of right belong to Connecticut, and not to Rhode Island.”

They likewise referred to the copy of a return entered in the books of our office, bearing date in 1685, wherein Edward Cranfield, Esq. and others, appointed commissioners by King Charles the 2d, for settling the boundaries between the provinces of Rhode Island and Connecticut, had expressly declared that the people of Rhode Island had no manner of right to the boundary now contended for by them; and upon inspection, it doth appear by the said return, that the said commissioners were clearly of opinion, that by virtue of King Charles the 2d's letters patent

granted to Connecticut, the jurisdiction in, and through the said province, or Narragansett country, of right belongs to the said colony of Connecticut.

They likewise insisted that the agent for Connecticut, after having obtained the patent for that province, had no authority to submit the boundaries to a second determination; but yet, allowing for argument's sake, that the boundary granted to Rhode Island by a charter subsequent to that of Connecticut, could be valid in law, it would not by any means follow, that either the red or the green line marked in the map, could be intended by that charter to be the western boundary between the provinces of Rhode Island and Connecticut, inasmuch as the words of the said charter direct that boundary to be formed by the channel of the river Pacatuck, alias Pawcatuck river, as the greater or middle stream thereof reacheth or lies up into the country northward, unto the head thereof; from whence they inferred that neither Shaw's Ford, nor the head of Ashaway river, could be the point from whence a line should be drawn northward, to meet the southern boundaries of the Massachusetts Bay, because nothing could be understood, in common acceptation, to be the head of the Pawcatuck or Narragansett river, but the pond, or source that fed the same.

And that this construction might very naturally be reconciled to the words of the charter, viz.: "so far as the same runs northwardly," inasmuch as it doth appear by the map, that the pond, or source of this river, though there are many turnings between that and the mouth of it, doth certainly lie more to the north, than the mouth of the said river.

And as to the settlement of the boundaries pretended to have been made by commissioners appointed on both sides for that purpose, in the year 1703, when the green line was drawn, they averred that the commissioners of Connecticut did not concur in marking of the said boundary, and that the same was drawn by those of Rhode Island only.

But upon further inquiry into this fact, it appeared to us, by the confession of the agent of Connecticut, that the commissioners of Connecticut did actually meet and concur with those of Rhode Island, in drawing of the said green line, as a boundary between the two colonies; the said agent however, contended that this agreement was invalid; the Assembly of Connecticut having disallowed the proceedings of their own commissioners, because those of Rhode Island were not fully empowered; but he produced no act of Assembly, or any other proof of this fact, except his own averment.

In reply to what had been offered in behalf of Connecticut, the counsel for Rhode Island insisted that it was evident by their charter, that King Charles the 2d had been deceived in his grant to Connecticut, and that the recital in the said charter of the arbitration made between the two agents of Connecticut and Rhode Island, upon which their grant was founded, was a clear evidence of this assertion, that since so many years had passed from the time of that arbitration, and from the date of the patent which carried that arbitration into execution, it could not now be made a question in law, whether the said agents had proper authority for submitting the same; and although they did agree that a subsequent charter could not take away what had been fairly granted by a former patent, yet they insisted that where the former grant was subject to many doubts, the King might explain the same by a subsequent charter, and they did aver that this was the present case. For the river Pawtucket, or Providence river bordering upon the Massachusetts Bay, which the agent of Connecticut contended to be the true Narragansett river,

and consequently one of the boundaries granted to Connecticut, by their charter, was never known to be called by the name of the Narragansett river.

And although this fact was denied by the agent for Connecticut, yet it appears to us by the charter to Connecticut, that the Narragansett river, mentioned for a boundary in that charter, is the Narragansett bay, and consequently very different from the Pawtucket river.

Mr. Cranfield, and the other commissioners who joined with him in making the return above mentioned, were likewise of this opinion, and say that the people of Plymouth colony had always bounded themselves by the bay, as the true Narragansett river; and it also appeared to us by the evidence of Wm. Wilkinson, that the Pawtucket, or Providence river, had not within the memory of man, been called by the name of Narragansett.

And as to the construction which had been contended for, to fix the boundaries between the two provinces (supposing the Rhode Island patent to be valid), from the pond, or head of the Pawcatuck or Narragansett river, by line to be drawn thence northwardly to the southward boundary of the Massachusetts Bay, the counsel for Rhode Island did insist, that no such construction could possibly be put upon their charter, because the words being as follows: "As the greater or middle stream thereof, reacheth or lies up into the country northward, unto the head thereof," it would be a strange absurdity to imagine that the charter should begin at the mouth of the said river, and return again so many leagues to the eastward, in order to fix a western boundary. That if the words "head thereof," had been left out, the boundary could have admitted of no dispute; and that therefore, it would be more natural to explain those words, "head thereof," by the preceding, viz.: "so far as the same runs northward," than to alter the plain meaning of the preceding words, by subsequent redundancy; and that in common intendment, it was impossible that the river could be their western boundary, whenever it should cease to run northwards.

And as a further proof of this construction, they insisted upon their uninterrupted possession of several plantations near Shaw's Ford, and Westerly, marked in the map, which had constantly paid taxes to Rhode Island; and no proof was offered on the other side to show that the dominion of Rhode Island in those parts had been controverted.

Upon the whole, it seems probable to us, as well from the pretended grant of the Earl of Warwick and others, to the colony of Rhode Island, as from the submission of the boundaries to arbitration, by the agents of Connecticut and Rhode Island so soon after the charter for Connecticut had been obtained, that King Charles the 2d was surprised in his grant to Connecticut; and that His Majesty intended to redress the grievance complained of by Rhode Island, by his subsequent charter to them; but the former charter to Connecticut being still in force, and never made void by *scire facias* or otherwise, it is certain that the relief intended for Rhode Island, is of no force in law.

However, in justice to Rhode Island, it must be observed, that the transactions of the commissioners appointed by the respective colonies of Connecticut and Rhode Island, when the green line was drawn for a boundary between them, are a strong proof that those of Connecticut did apprehend that the pretensions of Rhode Island were just and equitable.

Considering, therefore, that the matter in dispute has no relation to private property; that the contest, which is purely for government and jurisdiction, has al-

ready lasted sixty years, and may, unless the royal authority should interpose, be perpetual, to the great disturbance of the peace of these colonies, and to the utter discouragement of planting and settling the lands in dispute, it were to be wished, that they would both voluntarily submit themselves to His Majesty's immediate government, as some other colonies have done, and that they might be annexed to New Hampshire *

All which is humbly submitted.

WESTMORELAND,
J. CHETWYND,
P. DOEMINIQUE,
T. PELHAM,
M. BLADEN,
R. PLUMER.

Whitehall, March 22d, 1722-3.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1722.

The Hon. Samuel Cranston, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Capt. Edw. Thurston,
Mr. Andrew Harris,
Mr. Thos. Cornell,
Mr. Wm. Anthony,

Capt. John Waterman,
Mr. John Wickes,
Mr. Stephen Hazard,
Mr. Elisha Cole.

DEPUTIES.

For Newport.
Col. Wm. Wanton,
Lieut. Col. Wm. Coddington,
Capt. John Brown,

Mr. Wm. Barker,
Mr. Thomas Weaver,
Mr. John Coddington.

* J. Carter Brown's Manuscripts, No. 515, Vol. VIII.

DEPUTIES.

For Providence.

Capt. Jos. Whipple,
Mr. Nicholas Power,
Mr. Thos. Olney,
Mr. Wm. Turpin.

For Portsmouth.

Mr. George Cornell,
Mr. Giles Slocum,
Mr. Thos. Hicks,
Mr. Jos. Brownell,

For Warwick.

Mr. Anthony Low,
Mr. Thos. Stafford.

For New Shoreham.

Capt. Simon Ray,

For Jamestown.

Capt. Nicholas Carr,
Mr. Teddeman Hull,

Col. William Wanton, speaker.

Mr. Teddeman Hull, clerk.

FREEMEN ADMITTED AT THIS ASSEMBLY.

George Dennison, James Brown, James Gardner, Ephraim Higgins, David Akin, Jeremiah Wilson, John Stanton, 3d, Jas. May, Wm. Peobody, Henry Green, Jonathan Thurston, John Davis, Sam'l Thurston, Rich'd Monday, Wm. Almy, Jos. Slocum, John Mumford, Jr., Sam'l Allen, Jeremiah Barker, Jas. Barker, Benj. Thurston, John Casey, Robert Gardner, Stephen Hookey, Jr., Jacob Dehain, Elisha Coggeshall, James Brown, Caleb Clagget, James Thurston, Jonathan Clarke, son of Richard, Carey Clarke, Wm. Barker, Jr., Jonathan Easton, John Carr, Rowland Allen, Robert Bennet, Wm. Bennet, Thos. Bayley, Philip Shearman, Joshua Coggeshall, Peleg Wilbour, James Phillips, Michael Phillips, Israel Phillips, Peter Taylor, James Cranston, and John Bennet, all of Newport, are admitted freemen of this colony.

William Antrim, Peter Barnes, John Whipple, cordwainer, Josiah Burlingame, Ebenezer Cook, Jonathan Randal, Job Harris, Abraham Turtolotte, Elisha Hopkins, Thomas Harris, Jr., John Harris, Solomon Prince, Richard Thornton, and Thos. Vincent, all of Providence, are admitted freemen of this colony.

Ralph Allen, Walter Cornel, John Bennet, Samuel Fetteplace, Ebenezer Shearman, Wm. Remington, Caleb Shrieve, and Thomas Cory, all of Portsmouth, are admitted freemen of this colony.

Benjamin Gorton, son of John Gorton, Thomas Rice, Samuel Greene, Robert Westgate, Edward Gorton, Thomas Tippits, and John Wightman, all of Warwick, are admitted freemen of this colony.

Christopher Phillips, John Wills, Jr., Robert Case, John Jenckins, George Haszard, Jr., Robert Wilcox, son of Thomas, Stephen Wilcocks, son of Thomas, William Robinson, Daniel Knowles, Stephen Haszard, Jr., Jeremiah Sheffield, Wm. Eldred, John Gardner, Benjamin Haszard, Henry Northup, Jr., George Wightman, Joseph Congdon, Nicholas Northup, James Sweet, Benjamin Sweet, James Huling, Henry Northup, Jeffery Wilcox, Samuel Cooper, Joseph Wright, Wm. Mumford, Robert Haszard, Immanuel Northup, Jeffery Haszard, Benjamin Mumford, Thomas Potter, Jr., Peleg Mumford, Jr., John Crowder, David Nickols, Anthony Eldred, Isaac Gardner, Edward Dyre, Jr., Alexander Huling, Jr., Thomas Josling, Benjamin Wells, Peter Boss, Richard Mumford, Robert Knowles, Joseph Mumford, George Haszard, son of Thomas, Stephen Cooper, Jeremiah Haszard, Jr., Ichabod Potter, Jr., Wm. Sheffield, son of Ichabod, William Havens, Jr., Nathaniel Niles, and Thomas Eldred, son of Daniel Eldred, all of Kingstown, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1722.

The Hon. Samuel Cranston, Governor.

The Hon. John Wanton, Deputy Governor.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Major James Brown,

Capt. Benjamin Ellery,

Mr. Andrew Harris,

Mr. Thos. Cornell,

Mr. Geo. Cornell,

Mr. Giles Slocum,

Major Randall Holden,

Mr. John Wickes,

Mr. Jeremiah Gould,

Mr. Elisha Cole.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Major Thomas Frye, speaker.

Mr. Teddeman Hull, clerk.

Voted, that Lieut. John Wanton, Major Thomas Frye, Mr. Jeremiah Gould, and Lieut. Col. William Coddington, be, and they hereby are appointed an audit, to audit the general treasurer's accounts, and make their return thereof, to the next session of this Assembly.

Voted, that Lieut. Col. John Wanton be allowed £30 out of the general treasury, for his service as deputy governor of this colony, for the year last past.

Voted, that the deputy governor of this colony, for the time being, be allowed £30 per annum, as a salary for said office, out of the general treasury of this colony.

This Assembly is adjourned to Newport, the third Tuesday of June next, if not notified to meet before.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of June, 1722.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Major James Brown,

Capt. Benjamin Ellery,

Mr. Andrew Harris,

Mr. George Cornell,

Mr. Giles Slocum,

Major Randall Holden,

Mr. John Wickes,

Mr. Jeremiah Gould,

Mr. Elisha Cole.

Major Thomas Frye, speaker.

Mr. Teddeman Hull, clerk.

James Arnold, of Newport, in the colony, aforesaid, shipwright, appellant from a judgment of a General Court of Trials, held at Newport, on the last Tuesday of March last past, in an action of the case of Charles Whitfield, of the same Newport, mariner, appellee, at which said court, judgment was rendered for the said Charles Whitfield, now appellee, for £63 19s. 5d. ;—

The appellant's and appellee's reasons of appeal being duly heard, and maturely considered, the judgment and decree of this Assembly is, and they do hereby adjudge and decree, that the judgment of the General Court of Trials held at Newport, on the last Tuesday of March last past, be mitigated and chanцерized down to £4; and it is chanцерized down, accordingly; and the appellant have his costs of this court. Costs taxed, is £1 16s. 8d.

Christopher Almy, Jr., of Newport, in the colony, aforesaid, gentleman, appellant in an action of the case from a judgment of a General Court of Trials, held at Newport, on the last Tuesday of March last past, Eunice Greenman, of said Newport, spins-ter, appellee, at which said court, the said Eunice obtained judgment against the said Christopher Almy, for the sum of £92, the appellant's and appellee's reasons being duly heard and maturely considered;—

The judgment and decree of this Assembly, and they do hereby adjudge and decree, that the judgment of the said General Court of Trials, given for the said Eunice Greenman, on the last Tuesday of March last past, be confirmed; and that the appellee have her costs. Costs taxed, is £2 2s. 6d.

Whereas, there is a petition before this Assembly, preferred by Capt. Simon Davis and Mercy Osborn, of Bristol, presented to the Assembly in June last past, which has been referred till this time, which petition is for money, as they say, is due to Mr. John Clarke, late of Newport, gentleman, deceased, his estate, and by him given to his wife, who was mother to the said Davis and Osborn, as the petition mentions; and this house having thoroughly considered the premises, and upon examining the several records of said colony, and evidences, do think there may be something due to said Clarke's estate, from the colony;—

Therefore, we being willing that justice may be done, it is our opinion, and it is voted, that there be £100 in bills of credit, paid to said Davis and Osborn; and they to give a full discharge to the colony; and likewise to the assigns of said Clarke's estate, for their whole demands of every thing due to said

Clarke's estate, from the colony ; and that they distribute said sum according to said Clarke's instructions ; the charge of obtaining the abovesaid sum, being first paid and deducted.

Whereas, Major Sheffield petitioned this Assembly for his negro Ben, to be restored to him, who was detained in the constable's custody ;—

Upon consideration whereof, it is voted, that Major Sheffield have his negro delivered forthwith to him, with his earnings since the constable has had him.

Whereas, John Hance petitioned this Assembly, for relief from the grievance he lay under, by being obliged by the inhabitants of New Shoreham to pay £14, for their helping him, being in his sloop, which was left several leagues off from Block Island, at anchor, by the pirates ;—

Which petition being duly considered, it is voted and declared, that the said John Hance pay the inhabitants of New Shoreham, £7, and no more, for their assisting him to bring in his sloop.

Jacob Anthony, Thomas Goodfellow, Richard Sandford, Richard Shearman, Thomas Scranton, Joseph Crandall, Samuel Albro, Ephraim Harris, Joseph Wilcocks, and Thomas Cook, son of Thomas Cook, weaver, all of Portsmouth, are admitted freemen of this colony.

Voted, that Capt. Edward Greenman have, out of the general treasury, £25, for his present necessity.

Voted, that Major James Brown, Col. Wm. Wanton, and Lieut. Col. William Coddington, be a committee to examine the account of what money has been paid by His Honor, the Governor, and the general treasurer, out of the Greenmans' fines, and the £1500 for the changing the counterfeit bills, before Greenman's petition be answered ; and that the counterfeit bills be burnt.

Voted, that the she iff be commissary for the colony's stores for this present year ; and that for his service and store, he have £10 out of the general treasury.

And that Capt. John Brown see the stores delivered to the commissary ; and that he take a receipt for the same, and

lodge it with the general treasurer, and to be paid for his trouble therein.

Voted, that Mr. Wm. Anthony be allowed £5 out of the general treasury, for his extraordinary service, on account of the small pox, the year past.

Voted, that His Honor, the Governor, have £50 out of the general treasury, as a gratuity for his extraordinary service the last year.

Whereas, Elisha Cole, Esq., did obtain an act of the General Assembly, at their session, at Warwick, in October, 1721, for the stopping up a highway in Kingstown, which is much to the disturbance and prejudice of the inhabitants of said town, as by their petition, bearing date May, 1722, doth appear; and whereas, the said act was obtained without the town's being notified to answer, seems to be illegal;—

Therefore, it is voted, that the said act be, and it hereby is made null and void, and of none effect.

And it is also voted, that the said Elisha Cole do, sometime between this and December next, take away the bars and gates, and leave the said way clear of all incumbrances, as before the said act was passed.

Voted, that there be a second company, or trained band, made in the town of East Greenwich, and that all the inhabitants to the westward of the old line of the town of East Greenwich, be a second company, and do their duty there as they have been accustomed to do in the other part of said town, before this division; and that the field officers appoint the place of training.

Voted, that His Honor, the Governor, and Lieut. Col. Wm. Coddington, be a committee to draw the minutes of this Assembly into acts.

Voted, that a second company of militia be made out of the town of Warwick; and that the field officers of the main land regiment make the division, and appoint the place of training, with the most conveniency for both companies.

Voted, that Capt. Jonathan Nichols and Capt. John Brown,

be a committee to examine the account of the charges of the late expedition, and to pass what they find rightly charged.

Col. Wm. Wanton, Major Thomas Frye and Capt. Joseph Stanton, paid into the general treasury the sum of £50, [as] trustees to Ninegret, sachem, in part of the money lent him out of the general treasury.

Voted, that the sum of £277 6s. 7d., half in old bills of credit, and the sum of £174 13s. 3d., of new bills, received of the treasurer, the bills being impassable by reason of raggedness, be burnt in the presence of this Assembly ; and it was burnt, accordingly.

Capt. Job Almy, Mr. Joseph Whipple and Mr. Joseph Borden, are allowed £15, out of the general treasury, for the exchanging of £1061 6s. of paper money into silver, for the colony's service.

Forasmuch, as the town of Kingstown is very large, and full of people, so that it is found convenient for the ease of the inhabitants, and dispatch of business, to divide the same into two parts, and make two towns thereof;—

Be it therefore enacted by the authority of this Assembly, that the town of Kingstown be divided and made into two towns, by the names of North and South Kingstown ; and that each of them have one assistant, and the like privileges as other towns in this colony have, and do enjoy.

Voted, that Capt. Jonathan Nichols, Col. Wm. Wanton and Mr. Teddeman Hull, be a committee to divide the town of Kingstown into two towns, and state the bounds thereof with all the equality as may be, and Kingstown to pay the charge.

Voted, that this Assembly be adjourned to the last Tuesday of August next, except the Governor see cause to call them sooner ; and it is adjourned accordingly.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday of August, 1722.

The Hon. Samuel Cranston, Governor.

Richard Ward, recorder.

Major¹ Thomas Frye, speaker.

Mr. Teddeman Hull, clerk.

Voted, that the committee appointed by the Assembly, the third Tuesday in June, 1722, to divide Kingstown into two towns, and state the bounds thereof, do proceed in said business, and complete the same, according to said act ; and make their return to the next Assembly, to be held at Providence, the last Wednesday of October next.

Whereas, Wm. Borden, of Newport, in this colony, petitioned this Assembly, that they would grant him a bounty for the making of duck, with hemp, of the production of our own soil ; which enterprize, if effectually carried on, we judge will be of great advantage to this colony ;—

Be it therefore enacted by this Assembly, and by the authority of the same it is enacted, that for the encouragement and carrying on the said work, that the said Wm. Borden shall have and receive for the space of five years, out of the general treasury, the bounty of twenty shillings, for each bolt by him made which shall be equal in goodness, to good merchantable Holland's duck ; which shall be viewed and sealed by such person or persons as shall be appointed to view the same ; and that no other persons shall be entitled to any bounty for the making duck, as aforesaid, within the said term of five years.

Voted, that the counterfeit bills in the Governor's hands, amounting to £957 14s., and the counterfeit bills in the general treasurer's hands, amounting to £116 15s. 6d., made on

the Greenmans' plates, be reduced to ashes, in the presence of this Assembly ; and the same was done, accordingly.

Voted, that the sum of £235 5s. 1d., half in bills of credit of this colony, of the several denominations following, be reduced to ashes, in the presence of this Assembly ; and the same was done, accordingly. * * * *

An Act in addition to an act, entitled an act for preventing damage to be done by firing the woods in any town of this colony. [See public laws, 1730, p. 127.]

Voted, that Capt. Edward Greenman and his son Silas, have [given] up their £400 bond, in the general treasurer's hands ; they giving to the general treasurer of this colony, a bond of £100, conditioned for the payment and changing of such counterfeit bills as shall further be brought to be changed, into the general treasury of this colony.

Voted, that His Honor, the Governor, have £25, out of the Greenmans' fines, in the treasurer's hands, for his extraordinary service, in changing the counterfeit bills ; and that Mr. Samuel Vernon be allowed £5, for his service in said affair, out of said fines, in the treasurer's hands.

Voted, that Capt. John Brown and Capt. Job Almy be the sealers to seal all such duck as shall be made by Wm. Borden, till May next ; and that they be paid twelve pence per bolt, for sealing, by said Borden, for all they shall seal.

Voted, that the committee of Providence, for renewing the mortgages, and taking of bonds for the first £40,000, have twenty shillings each, for their service ; and that the committee of each other town, be paid after the same proportion, for the mortgages and bonds by them taken.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1722.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. Giles Slocum,
Major James Brown,	Major Randall Holden,
Capt. Benjamin Ellery,	Mr. John Wickes,
Mr. Andrew Harris,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Elisha Cole.

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Col. William Wanton,	Major Job Greene,
Lieut. Col. Wm. Coddington,	Capt. Benj. Greene,
Capt. John Brown,	Mr. Moses Lippit,
Mr. Wm. Barker,	Capt. John Rice.
Mr. John Coddington.	<i>For Westerly.</i>
<i>For Providence.</i>	Mr. John Hill,
Col. Joseph Whipple,	Mr. Isaac Thomson.
Mr. Philip Tillinghast,	<i>New Shoreham.</i>
Mr. Nicholas Power,	Capt. Simon Ray.
Mr. Thomas Olney.	<i>For Kingstown.</i>
<i>For Portsmouth.</i>	Mr. Rouse Helme,
Mr. Thomas Cornell,	Mr. John Watson, Jr.
Mr. William Anthony,	<i>For East Greenwich.</i>
William Coggeshall,	Mr. Pardon Tillinghast,
Mr. Stephen Brownell.	Capt. Joshua Coggeshall.
	<i>For Jamestown.</i>
	Capt. Nicholas Carr,
	Mr. Teddeman Hull.

Lieut. Col. William Coddington, speaker.

Mr. Teddeman Hull, clerk.

Benjamin Ellery, of Newport, in the colony aforesaid, Esq., appellant from a judgment of a General Court of Trials, held at Newport, within and for said colony, on the first Tuesday of September last past, in an action of the case, damage £500, John Wanton, of the same Newport, Esq., late deputy governor, of said colony, appellee; at which said Court of Trials, the said John Wanton obtained a verdict of jury and judgment of court for £100 ;—

The appellant and appellee being duly heard, this Assembly do adjudge and decree, that the judgment of the General Court of Trials held on the first Tuesday of September last past, be, and it is hereby chancerized down to twenty shillings; and that the appellee have his costs of this court.

Voted, that His Honor, the Governor answer Governor Shute's letter and demand for men and money, to carry on a war against the Indians at the eastward, and to see upon what grounds the war is begun, and if upon just grounds, that then the Governor and council be, and they hereby are empowered to appoint and send a person to treat with the Governor of Boston about our reasonable quota of men or money, for carrying on said war.

Upon the memorial of Jahleel Brenton, of Newport, Esq., praying that the £30, granted him by the General Assembly of this colony, in the year 1697 or 1698, for his charge, care, time and pains, in answering the Duchess of Hamilton's claims, in behalf of this colony ;—

And this Assembly, considering the same, do order, that the said Jahleel Brenton be paid the said sum of £30, out of the general treasury of this colony; provided, that it doth not appear that it hath been already paid.

Voted, that Mr. Isaac Thomson be paid the sum of £18 12s., out of the general treasury; being the balance of his account of disbursements for the colony, in repairing the half of Pawcatuck bridge.

Voted, that Peleg Rhodes be allowed £10 out of the general treasury, for his service in making Pawtucket bridge.

Voted, (upon the petition of William Borden,) that he be allowed twenty shillings per bolt, for every bolt of duck by him made of the produce of this country, for one other five years more than was formerly granted him, to make up ten years in the whole; he making the said duck, &c., as in said act is specified.

Voted, that this Assembly be adjourned to Providence, on the last Tuesday of February next, if the Governor or deputy governor don't see cause to call them sooner.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Tuesday of February, 1722.

The Hon. Joseph Jenckes, Deputy Governor.

Richard Ward, recorder.

Col. William Wanton, speaker.

Mr. John Coddington, clerk.

An Act regulating the return of writs of arrest and summons.
[Public laws, for 1730, p. 128.]

Voted, that the act for dividing of Kingstown, be not repealed.

We, whose names are hereunto subscribed, being appointed and authorized, by virtue of an act of the General Assembly of His Majesty's colony of Rhode Island, &c., held at Newport, by adjournment, the third Tuesday of June, 1722, to divide the town of Kingstown into two towns (with all the equality that could be, and to be called by the name of North and South Kingstown), have proceeded as followeth, viz.:

Beginning at the Narragansett bay, at the dividing line between Mr. Francis Willett and Mr. William Robinson, and so continuing said line to the river commonly called Pettaquamscutt river; and from thence, a westerly course sixteen degrees southerly, unto a certain bound mark in the country road, at a corner of a hedge between Watson and Watson; and from thence, west four degrees north, until it comes into a highway between Mrs. Mary Haszard and Eber Shearman; and from thence, keeping the highway, which runs west twenty-one degrees north, to a marked tree, near the end of said highway; and from thence, taking a westerly course twenty-seven degrees northerly, to a marked tree, something to the southward of Job Babcock, Jr.'s house, and so continuing the same course as near as we could, for the badness of the way, taking a marked tree marked on four sides, on the other side of the swamp, continuing the same course unto a stake and heap of stones at, or near Misquamacock line, and the line contained in the aforesaid Kingstown, to the southward of said dividing line, to be called South Kingstown; and all to the northward, to be called North Kingstown.

And it is the opinion and intent of the aforesaid subscribers, that if, and in case it should so happen, that the aforesaid line should run through any man's land or property on that side where his house or major part of the land thereunto belonging, shall fall, he shall be one of that town, and he shall pay rates and taxes into, and do all other duties in the same, for all his said estate, as afore mentioned.

As witness our hands, this 23d of September, one thousand seven hundred and twenty-two. JONATHAN NICHOLS,
WM. WANTON,
T. HULL.

Voted, that this foregoing return be accepted, and that North Kingstown be the eldest town.

It is voted and enacted by this Assembly, that the town meeting to be held at the house of Thomas Joslin, (for the late town of Kingstown, now North and South Kingstown)

on Monday next, do choose jury men to serve in the next General Court of Trials, to be held for this colony, on the last Tuesday of March next; and that the freemen of each of the respective towns of North Kingstown and South Kingstown, meet on the third Wednesday of March next, in each of their respective towns, at some convenient place in each respective town as the assistants or justices dwelling in each respective town, shall appoint, and shall then choose deputies, and give in their proxies for the general election, and appoint their quarter meetings, and that the inhabitants of each town at their town meeting on Monday next, be advised thereof by the assistants of said town; and that the towns of North Kingstown and South Kingstown, govern themselves accordingly.

And that the recorder draw up for each town their charter, in order to deliver them to the magistrates at the election, such as shall be chosen for each respective town.

And that all former charters shall cease, upon their receiving their charters for each town. And at their respective town meetings to be held on the third Wednesday of March next, each town shall choose two men, to join in a committee to audit the treasurer's accounts, that each town of North and South Kingstown may have their proportion of said money, when they have chosen their respective treasurers, in proportion according to their taxes for each town.

And that the records of the late town of Kingstown be put into the hands of the clerk of North Kingstown, to be, and remain in said North Kingstown; and that a copy of all records belonging to South Kingstown, to be drawn out of the records of the late Kingstown, and to be delivered to the clerk of said South Kingstown, when chosen, and to be paid for out of North and South Kingstown treasuries.

And that Mr. Rouse Helme and Mr. Francis Willett be, and they hereby are appointed to draw a copy of said records; and that each town of North and South Kingstown, shall, after they receive their charters, choose two petty jurymen and one grand jurymen, to serve at each General Court of Trials, to be held for this colony.

And it is further ordered, that the day of choice of town officers for each town, be mentioned in their charters.

Voted, that the act for regulating of North and South Kingstown, be immediately proclaimed.

Voted, that Mr. John Coddington be added to the recorder, to draw up the other acts in form, and that they be proclaimed under the colony's seal, in Newport, within fourteen days after the dissolution of this Assembly.

This Assembly is dissolved.

God save the King.



Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 30th day of April, 1723.

The Hon. Samuel Cranston, Governor.

The Honorable Joseph Jenckes, deputy governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. Giles Slocum,
Major James Brown,	Major Randall Holden,
Capt. Benj. Ellery,	Mr. John Wickes,
Mr. Andrew Harris,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Elisha Cole.

DEPUTIES.

<i>For Newport.</i>	<i>For Providence.</i>
Col. Wm. Wanton,	Col. Joseph Whipple,
Lieut. Col. Wm. Coddington	Mr. Philip Tillinghast,
Capt. John Brown,	Mr. Nicholas Power,
Mr. Wm. Barker,	Mr. Wm. Turpin.
Mr. Thos. Weaver,	
Mr. John Coddington.	

DEPUTIES.

For Portsmouth.

Mr. Thomas Cornell,
 Mr. William Anthony,
 Mr. Gideon Freeborne,
 Mr. Daniel Pearce.

For Warwick.

Capt. John Waterman,
 Capt. Benjamin Greene,
 Mr. John Warner,
 Mr. John Greene.

For Westerly.

Capt. John Babcock,
 Mr. Christ. Champlin, Jr.

For New Shoreham.

Capt. Simon Ray,
 Lieut. Thomas Mitchell.

For North Kingstown.

Mr. Robert Hull,
 Mr. Francis Willett.

For South Kingstown.

Mr. John Watson,
 Mr. Job Babcock.

For East Greenwich.

Major Thos. Fry.

For Jamestown.

Capt. Nicholas Carr,
 Mr. Teddeman Hull.

Col. William Wanton, speaker.

Mr. John Coddington, clerk.

Daniel Updike, Samuel Phillips, William Phillips, Robert Odlin, William Ellery, Thomas Stephens, Jr., Samuel Weeden, Isaac Martindale, James Coggeshall, John Akin, Job Almy, James Allen, Samuel Fitch, John Gidley, John Manchester, Elias Wair, Walter Chapman, Ebenezer Goddard, Robert Wrightington, Elisha Sandford, May Nickols, Robert Little, Caleb Weeden, Valley Pearce, Josiah Coggeshall, Jr., Samuel Mott, Jr. and Benjamin Sayer, all of Newport, are admitted free of this colony ; and Caleb Carr is admitted free of this colony also.

John Sheldon, Jr., Daniel Mathewson, Jr., James Mathewson, Jr., Edward Sheldon, Stephen Thornton, Pardon Sheldon, Joseph Thornton, Joseph Randal, John Randal, Benj. Thornton, Jr., John Aldrich, Jr., Benjamin Wright, Jr., Jos. Thornton, Jr., Thomas Thornton, Thomas King, Henry Harris, Jr., Joseph Williams, son of Thomas, John Tredwen, Daniel Herndeen, Richard Waterman, Jr., Abraham Sheldon, Joseph Arnold, Jr., Daniel Jenckes, Jr., Elisha Greene, Samuel Eburn,

Jonathan Sprague, the third, Nathan Paine, Stephen Paine, Benjamin Paine, Cornelius Salsberry, Jr., John Barnes, William Burton, Edward Mitchel, Henry Sweeting, Roger Williams, Charles Barding, Providence Williams, David Aldrich, Joséph Sheldon, John Whitman, William Page, Zuriel Waterman, Jr., Benjamin Waterman, Jr., Stephen Field, John Hoyle, Nathan'l Field, Joseph Carpenter, John Power, John Herndeen, Jr., John Church, Elisha Herndeen, John Place, Enoch Place, Solomon Herndeen, John Dexter, Jr., Jeremiah Arnold, Arthur Fenner, Jr., Edward Fenner, John Fenner, David Arnold and Joseph Brown, all of Providence, are admitted freemen of this colony.

William Cooke, Caleb Bennet, Daniel Lawton, son of Jeremiah Lawton, Robert Burrington, Daniel Shrieve, John Freeborne, William Anthony, Jr. and John Coggeshall, all of Portsmouth, are admitted freemen of this colony.

Elisha Greene, Timothy Sheldon, Ebenezer Greene, Joseph Carder, Abiah Carpenter, John Holden, son of Charles, Giles Slocum and Amos Lockwood, all of Warwick, are admitted freemen of this colony.

Thomas Clarke, Thomas Hiscox, James Benniss, Samuel Babcocke, Stephen Wilcox, Edward Wilcox, John Mackoun, Jr., Jos. Maxon Jr., Thos. Burdick, Jr., Edw. Saunders, Jr., Stephen Saunders, Thomas Brand, Thomas Wells, Josiah Hill, Joseph Reynolds, William Devil, Thomas Stanton, Daniel Stanton, Samuel Burdick, Robert Burdick, John Maxon, Jr., John Cottrel, Peter Crandall, Jr., John Loveliss, Daniel Babcocke, Jonathan Brown, Thomas Morehouse, Joseph Crandall, John Lewis, Jr., Samuel Allen, Edward Blevin, William James, Benjamin Saunders, John Lewis, son to John Lewis, Thomas Lillibridge, James Rogers, Thomas Rogers, John Moore, Peter Button, Jr., Samuel Perry, Samuel Burdick, Jr., Ezekiel Gavet, Zacheus Reynolds, Thomas Burdick, son to Samuel Burdick, William Champlin, son to Christopher Champlin, and John Roose, all of Westerly, are admitted freemen of this colony.

Abel Franklin, Joseph Hull, and David Greene, Jr., all of Jamestown, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1723.

Col. William Wanton, speaker.

Mr. John Coddington, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Lieut. Col. John Wanton,
Capt. Edward Thurston,
Mr. Andrew Harris,
Mr. George Cornell,

Mr. William Anthony,
Major Randall Holden,
Mr. John Wickes,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton, Jr.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

May the 3d.

The Governor took the oaths to navigation and trade, in the presence of the Assembly.

Whereas, there is an act passed in this colony, requiring any person marrying an executrix or administratrix, to give bond double the value of the personal estate of the testator or intestate, to the town council and their successors in said office where the will or inventory was proved ;—

It is the opinion of this Assembly, that no person shall be

obliged to give any such bond after the decease of such executrix or administratrix, and that it is the intent of said act.

Whereas, the town of New Shoreham, by petition, has laid before this Assembly the great damage they have sustained in losing their pier, by the late great storm, whereby there is scarcely any landing on said island, to bring off any of their produce, nor no riding for vessels in a storm; and also the great detriment which is done, for the want of a pier at said island, for the encouragement of the navigation of this colony, especially the fishery, which is begun to be carried on successfully, and that the inhabitants of the island are not able of themselves to do the same;—

Upon consideration whereof, it is voted and enacted by this Assembly, that the inhabitants of New Shoreham have liberty of gathering money by subscription, throughout this colony; and that the town of New Shoreham make a rate upon said town, for completing the same.

Voted, that £15 be paid out of the general treasury to Capt. John Waterman and Capt. Benj. Greene, for, and towards the repairing of the bridge built over Pawtuxet river, near said Capt. Green's house.

Voted, that the £10, due to Col. Wm. Wanton, Capt. Jonathan Nichols and Mr. Teddeman Hull, for dividing of Kingstown, be paid out of the general treasury.

Voted, that this Assembly be adjourned to Newport, on Tuesday, the 18th day of June next; and it is adjourned accordingly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 18th day of June, 1723.

The Hon. Samuel Cranston, Governor.

Richard Ward, recorder.

Col. William Wanton, speaker.

Mr. John Coddington, clerk.

An Act for the better securing the pirates, now in His Majesty's jail, in Newport.

Forasmuch as there are thirty pirates brought into this harbor, by Capt. Sologarr, commander of His Majesty's ship the Grey Hound, and now in His Majesty's jail, in Newport, and it being suspected that they may endeavor to escape from thence, unless they are watched and guarded by night;—

For the preventing of which, be it enacted by the General Assembly, and by the authority of the same it is enacted, that the field officers of the regiment of the militia on the islands, shall, and they are hereby empowered to order and set a military watch of such and so many men as they shall deem needful and necessary, to secure the said pirates from making their escape if attempted, and to set such penalties on default of not watching, as to them shall seem needful; and that the charge of the watch be paid out of the general treasury; any former law, custom or usage to the contrary hereof, in any wise notwithstanding.

Voted, that £100, be remitted out of the general treasury, to our agent in Great Britain, for the service of the colony; and Col. Wm. Coddington and the general treasurer procure bills of exchange or silver, to that value, and deliver it to the Governor, who is to send it to our agent.

Voted, that the £123, odd money, in the hands of Mr. Robert Gardner, late naval officer, be paid by him to Capt. Simon

Ray, to and for the use of New Shoreham, to assist them in rebuilding their pier, they building it in two years' time.

Voted, that the sum of £642 12s. 1d., of torn ragged bills in the treasury, be burnt in the presence of this Assembly ; and it was burnt accordingly.

Voted, that the general treasurer get the colony house repaired, and refitted where needful ; and the charges to be paid out of the general treasury.

Voted, that Mr. Daniel Updike, the attorney general, be, and he hereby is ordered, appointed and empowered to gather in the money due to this colony, for the importation of negroes, and to prosecute, sue and implead such person or persons as shall refuse to pay the same ; and that he be allowed five shillings per head, for every slave that shall be hereafter imported into this colony, out of the impost money ; and that he be also allowed ten per cent. more for all such money as he shall recover of the outstanding debts ; and in all respects to have the like power as was given to the naval officer by the former act.

This Assembly is adjourned to the second Tuesday of September next ensuing.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Tuesday of September, 1723.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. William Anthony,
Lieut. Col. John Wanton,	Major Randall Holden,
Capt. Edward Thurston,	Mr. Rouse Helme.
Mr. George Cornell,	

Col. William Wanton, speaker.

Mr. John Coddington, clerk.

Voted, that the accounts of the charges of the trial and executing of the pirates, and their keeping, &c., which are exhibited to this Assembly, and by the lower house endorsed "allowed," be paid out of the general treasury.

Voted, that Mr. Valentine be allowed £10, out of the general treasury, and Richard Ward £6, for their service in attending the trial of the said pirates.*

Voted, that £50 more than was granted by this Assembly at their former session, be raised and sent to our agent in Great Britain, for the colony's service; and that Col. William Wanton be added to the former committee for the raising of the same.

Voted, that Mr. Daniel Updike, the attorney general, have

* [The trial and executions of these pirates, is an important event in Rhode Island history. It appears that two piratical vessels, named the *Ranger* and the *Fortune*, which had committed several piracies on the high seas, being in company on the 8th May, 1723, captured the ship *Amsterdam Merchant*, John Welland, master, the day after which, they plundered her of money and a considerable amount of stores, cut off one of the captain's ears, and afterwards sunk the vessel. A month after, they took a Virginia sloop, and after rifling her, let her go. The following day, this vessel fell in with His Britannic Majesty's ship the *Greyhound*, Capt. Solgard, of 20 guns, to whom they related the particulars of their capture and release. Learning that the pirates had sailed to the northward, in the direction of Block Island, the *Greyhound* pursued and came up with them three days after, near the east end of Long Island. The pirates taking the *Greyhound* for a merchant vessel immediately gave chase, when an engagement took place, which lasted an hour, when, the former finding they had mistaken their antagonist, and were getting the worst of it, put away before the wind, and attempted to make their escape. The wind being light, Capt. Solgard got out his oars, and followed in pursuit. A second engagement followed, during which the *Greyhound* got between the pirates, and after a while succeeded in disabling one of them, when they called for quarter. In the action, seven men were wounded on board the *Greyhound*, and many on board the piratical vessel. She was then taken to Newport, together with her crew of thirty-six men. The pirates were soon after tried in Newport, and twenty-six sentenced to be hanged. The execution took place on Gravelly Point, "within the flux and reflux of the sea," opposite the town of Newport, on the 19th July, 1723. A full account of the trial of these pirates, may be found in the *Newport Mercury* for July, August and September, 1858.]—J. R. B.

£5 allowed him out of the general treasury, for his service in attending on the trial of the pirates.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 26th day of November, 1723.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS

Capt. Jonathan Nichols,	Major Randall Holden,
Lieut. Col. John Wanton,	Mr. John Wickes,
Capt. Edw. Thurston,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Rouse Helme.
Mr. Wm. Anthony,	

Col. Wm. Wanton, speaker.

Mr. Teddeman Hull, clerk.

Voted, that all business that was referred to the last general Assembly to be held on the last Wednesday in October last, be brought to a hearing in this Assembly.

Whereas, Rouse Helme, Esq. and Francis Willet, Esq., petitioned this Assembly, that they might have their pay for their transcribing of the records of the late town of Kingstown, pursuant to the act of Assembly; and that the towns of North and South Kingstown have refused to pay the same;—

Whereupon it is enacted, that the said Rouse Helme and Francis Willet, at their next quarter meeting, demand their pay again for the same; and if they shall refuse and neglect

to pay the said money due for transcribing said records (which being thirteen hundred and twenty pages, comes to £66, but the said persons being willing, in consideration of prompt payment, to take £60 for the same ; provided, said work be done as it ought to be), that then the said persons shall take a note from under the town clerk's hand, that the said town refuses to pay the same ; which, being carried to the general treasurer, the said general treasurer shall pay to the said Rouse Helme, Esq., £30 out of the money in his hand, which is due to said South Kingstown, for their part of the interest money, as is allowed them by act of Assembly in May, 1721 ; and to Francis Willet, Esq., £30, out of the money in his hands, which is due to the town of North Kingstown, for their part of the interest money, as allowed them by act of Assembly ; and that the general treasurer keep the said town's money in his hands, till he be informed whether they will comply with said persons in paying the said money due to them.

Voted and enacted, that there be £1000, in bills of credit out of the general treasury, remitted to our agent in Great Britain ; and that Col. Wm. Wanton, Lieut. Col. Wm. Coddington and Mr. Joseph Borden be a committee to remit home the same in bills, gold or silver, or any thing else, as they shall judge most for the interest of the colony, by advice of the Governor ; and that what the committee did about remitting home the former bills, silver and logwood, is approved of by this Assembly.

Whereas, our agent, by order of the lords commissioners, &c., has written to this government, for answer whether we will surrender our charter to the King ;—

Which being duly considered, it is voted by this Assembly, that the answer drawn by the Governor, be sent home.

[The boundary dispute between Rhode Island and Connecticut appears to have been a source of annoyance to the home government. The matter was brought before the council, at Whitehall, on the 17th July, 1723, when the several petitions reports and counter-reports from these colonies were considered. "The Lords

Commissioners of Trade," says the order of council, "observing by said reports, that the matter in dispute has already lasted sixty years, and may, unless the royal authority should interpose, be perpetual, to the great disturbance of the peace of these colonies, and to the utter discouragement of planting and settling the lands in dispute, and that it were to be wished they would both voluntarily submit themselves to His Majesty's immediate government, as some of the colonies have done, and that they might be annexed to the Province of New Hampshire."

The reports and petitions referred to, were then referred back to the agents of the colonies, in order that they might learn of them, "whether the said provinces are willing to submit themselves to His Majesty's immediate government, as proposed, as the most effectual means to put an end to disputes between them." This order of council was transmitted by Richard Partridge, agent for Rhode Island, and Mr. Dummer, agent for Connecticut, both then in London, to the colonies represented by them. On the 10th February, 1723-4, Mr. Partridge communicated the reply of Rhode Island to the proposal of the council, to be annexed to New Hampshire. He says:

"I find they would by no means part with any of their privileges granted them by their charter, unless it be wrenched from them, against their minds, which is humbly hoped will not be done, until they have forfeited it.

"As far as I can learn, it is not only impracticable to join Rhode Island, Connecticut and New Hampshire together, by reason of the distant situation of the governments, but it would be very injurious to our inhabitants, for that many substantial families would be liable to be turned off from their estates and ruined, being our opponents in the present controversy between us, would be much superior in number, and thereby carry what they please against us; and we are fully persuaded would favor a certain company of men of their own sort, who claim, under pretence of an old mortgage from the Indians (fraudulently obtained), great part of our lands in Providence Plantations," etc., etc.

Mr. Partridge requested the board of trade to appoint a day for re-considering the matter in dispute, and that counsel be allowed to speak.

The reply of Rhode Island referred to in the proceedings of the General Assembly, is signed by Samuel Cranston, Governor of the colony, and bears date November 26, 1723. It is addressed to the agent, Richard Partridge, and is a document of considerable length, setting forth the claims of the colony, and re-capitulating a history of the boundary controversy.

Connecticut also declined the proposal to resign her charter, and be annexed to New Hampshire, and expressed an "earnest desire that they may still enjoy it." In their reply, they exhibited anew the grounds of their claims.

The several petitions, reports, letters and accompanying documents from Rhode Island and Connecticut, referred to, being quite voluminous, are not printed here. They may be found in the last volume of Mr. John Carter Brown's collection, in the order of their dates. The result was, that the subject was subsequently taken up by the King, in council, and in 1726 the boundary line was adjusted, as will appear by the document of that period.]—J. R. B.

Letter from Messrs. Cranston and Jenckes, to Governor Shute, respecting the boundary line between Rhode Island and Massachusetts.

Honorable Sir:—We presume Your Honor is not insensible of the agreement made at Roxbury, in the year 1710, by commissioners fully empowered by your government and the government of this colony, for the settlement of the line between said governments. The substance of said agreement is as followeth, viz.:

That the stake set up by Nathaniel Woodward and Solomon Saffry ———, approved ——— in the year of our Lord 1642 (and since that often renewed), in the latitude of $41^{\circ} 55'$, being three English miles distance, southward from the southernmost part of Charles river, agreeable to the letters patents of the Massachusetts Province, be accounted and allowed on both sides the commencement of the line between the two governments, in such manner that after it has proceeded between the said two governments, it may pass over Connecticut river at, or near Bissel's house, as is deciphered in the plan and track of that line, by said Nathaniel Woodward and Solomon Saffry, now shewn forth to us, &c.

But the commissioners for the government of Rhode Island, pleading that if they should agree to a line so far south, the town of Providence would be very great losers thereby; they having purchased considerable of lands to the northward of such lines, some years before the Massachusetts had any pretence to claim so far southward.

Whereupon, there was, by said agreement, a mile of land to be allowed to the town of Providence, on the north side of said line, as by the said agreement will more fully appear. But when the commissioners for the two governments came to run the said line of Woodward and Saffry, they found it would vary much more to the south of a due west line, than what your commissioners told ours it would, or than any of them were apprised of at the time of making said agreement. Whereupon, there arose a dispute between the commissioners, how the said line should be run; those for your province, pleading that it ought (according to the agreement) to be run to Bissel's house, let the house be as much to the southward of a due west line as it would. Those for the colony, pleaded that by the agreement, the line was to pass over Connecticut river, at, or near Bissel's house, as was deciphered by the plan and tract of that line; and the said plan and tract deciphered Bissel's house to stand due west; upon which difference, the commissioners parted. But afterwards there was, by the government of Rhode Island, other commissioners added to the former; and the commissioners for your province having some further power granted them, for construing the said agreement according to the best of their understanding, met with ours at Rehoboth, on the 22d of October, 1718, where it was agreed that the said line should be so run as that it should be two miles and an half to the southward of a due west line at Connecticut river, allowing nine degrees for the variation of the compass.

But the commissioners for your province insisted upon having the aforesaid mile of land; but those of our commissioners as did not belong to Providence, wholly refused it, declaring that the said mile of land was a particular grant to the town of Providence, and they would not meddle to release it. But such of our commissioners as did belong to said town of Providence, did declare, that provided your government would quietly allow them these farms that they had already laid out, they would not trouble themselves any further about the mile of land; and would also allow to

Mr. Belling the seven hundred acres that he had of Providence lands ; and if your commissioners would promise to see that performed, they would agree to release the mile of land, otherwise, they would not ; and accordingly your commissioners did promise that they would use their utmost endeavors that the said farms should be confirmed to such of Providence as they were laid out to.

And notwithstanding this government was very sensible that these farms were but a small part of the aforesaid mile of land, yet they had so great a regard to the credit of our commissioners' words, that they then were, and yet are contented to forego the remaining part of the said mile of land, provided the farms are laid out to those persons they were originally laid out unto.

We are informed, that the gentlemen commissioners of your province, have, with the rest of your honorable council, shown that honorable regard to the *promise* made by said commissioners, to endeavor as well by ———, as by strength of argument, to have made it good ; however, it came about to be retarded in your house of representatives. Perhaps it was occasioned through some mistake, or want of a right understanding of the matter ; wherefore, we request that Your Honor and council will be pleased to recommend it once more to your house of representatives to re-consider your former vote ; and that Captain Comstock, or those interested in said farms with him, may be allowed by counsel, to open the true state of the case to them ; and we hope that, upon a re-consideration, they will see just cause to alter the aforesaid vote, and order that the said farms be allowed and confirmed in the places where they were laid out to the said Providence men. The doing of which, will not only oblige us, but will put an end to all controversies on that foot. The men have been put to considerable charges already, in seeking to obtain their right, which in justice they they ought not to be exposed unto.

For any to suppose the allowing of land up in the country, where they can find it, will be a sufficient recompense to them, and a fulfilling the said agreement, we take to be a great mistake ; and if your honorable house of representatives (upon a second consideration upon what will be further offered), do not see cause to concur with the vote passed in your honorable council, at your last session, we shall then expect that your Assembly will appoint a committee or surveyor, to join with such as the Assembly of this colony shall appoint, to measure off the said mile of land to the town of Providence, according to the aforesaid agreement made at Roxbury ; for we cannot understand that the said mile of land is released by the agreement made at Rehoboth, there being not one word written of any such thing ; that the agreement having relation only to the point of compass by which the line of government was to run. But it is readily granted, that by a verbal agreement then made, the said mile of land is to be released upon your court allowing and confirming said farms.

We pray Your Honor's honorable council and house of representatives to believe that we have nothing else in our view, but the peace and welfare of the two governments ; and that matters in difference or dispute, may be settled and determined in justice and equity, so as a friendly and neighborly correspondence may be cultivated and maintained between us.*

We are Your Honor's most obedient humble servants.

Newport, on Rhode Island, Aug. 6, 1723.

SAMUEL CRANSTON,
JOSEPH JENCKS.

* Letters and Papers, &c., Mass. Hist. Soc., Vol. II., p. 124.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of February, 1723-4.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. Geo. Cornell,
Lieut. Col. John Wanton,	Mr. William Anthony,
Capt. Edward Thurston,	Mr. John Wickes,
Mr. Andrew Harris,	Mr. Rouse Helme.

Col. William Wanton, speaker.

Mr. Teddeman Hull, clerk.

Robert Gibbs, Jeremiah Field, Resolved Waterman, Pardon Tillinghast, Wm. Waterman, Thomas Williams, Jr., Wm. Carpenter, Jr., Titus Thornton, Jeremiah Thornton, James Thornton, Jr., William Walling, John Corpe, John Gorton, Israel Gorton, John Hawes, Clement King, Thomas King, James King, Jr., Job Whipple, son of Lieut. Job, Eliezer Whipple, Jr., Hezekiah Sprague, John Steere, miner, and Hosea Steere, all of Providence, are admitted freemen of this colony.

Gideon Freeborne, Capt. John Earl, Enoch Briggs, Stephen Talman, Thomas Dufy, Roger Burrington, John Burrington, Joseph Thomas, Josiah Arnold, Jr., John Butts, Benjamin Talman, Nathaniel Manchester, William Broadway, Wm. Brightman, Daniel Lawton, Thomas Lawton, William Brown, Joseph Ward, Lieut. John Sanford, Job Shearman, William Allen, Jonathan Hill, James Sweet, James Sweet, Jr., Daniel Pearce, John Pearce, son of Daniel. John Pearce, Jr., Preserved Pearce, John Allen, Ebenezer Smith, Thomas Remington, John Pearce, Joseph Brownel, Abiel Tripp, Nathaniel Hall, Robert Fish, Jr., John Shrieve, John Shrieve, Jr., John Albro, Jacob Mott, Jr.,

Benjamin Lawton, Joseph Cook and George Sisson, all of Portsmouth, admitted freemen of this colony.

Samuel Dyre, Job Jenkins, Caleb Clark, Thomas Rathbone, Jonathan Shearman, Jabez Reynolds, William Chapsee, Samuel Wright, Jr., Nathaniel Cottrill, William Tanner, Joseph Reynolds, Jr., Benjamin Congdon, Jr., John Spencer and John Gardner, all of North Kingstown, are admitted freemen of this colony.

An Act directing the admitting freemen in the several towns in this colony. [See public laws, 1730, p. 131.]

Voted, that in all cases where any person or persons shall be arrested in any case, and the person enters a declaration, and afterwards withdraws or discontinues his action, the defendant, or defendants, shall have their costs taxed at such court to the which they were to appear.

Whereas, there was an act passed at the last session of this Assembly, prohibiting any freeman of any town to choose or vote for deputies, unless they were free of the colony, which being found inconvenient,—

Therefore, it is voted, that the said be, and it is hereby repealed.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of May, 1724.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Major Randall Holden,
Capt. Edward Thurston,	Mr. John Wickes,
Mr. Andrew Harris,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Rouse Helme.
Mr. Wm. Anthony,	

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Lieut. Col. John Cranston,	Lieut. Stephen Arnold,
Capt. John Brown,	Mr. Samuel Stafford,
Mr. William Barker,	Mr. Fones Greene.
Mr. Henry Tew,	<i>For Westerly.</i>
Mr. John Odlin.	Capt. John Babcock,
<i>For Providence.</i>	Mr. Theodaty Rhodes.
Capt. Richard Waterman,	<i>For New Shoreham.</i>
Mr. Wm. Smith,	Lieut. Thos. Mitchell.
Capt. Daniel Abbott,	<i>For North Kingstown.</i>
Cornet Jonathan Sprague.	Capt. John Eldredge,
<i>For Portsmouth.</i>	Mr. William Spencer.
Mr. Giles Slocum,	<i>For South Kingstown.</i>
Mr. George Lawton,	Mr. Wm. Robinson,
Mr. Joseph Brownell,	Mr. John Watson.
Mr. Thos. Hicks,	

DEPUTIES.

For East Greenwich.

Major Thomas Frye,
Mr. John Spencer.

For Jamestown.

Capt. Nicholas Carr,
Mr. Richard Tew.

Lieut. Col. Wm. Coddington, speaker.

Capt. Richard Waterman, clerk.

Sion Martindale, Samuel Sheffield, William Brock, Joseph Jacobs, James Ematts, William Fanning, Nathaniel Hatch, Edward Thurston, Jr., William Heffernan, Jr., Thomas Davis, Lawrence Clarke, Jr., Thomas Bingham, Jr. and Water Chapman, all of Newport, are admitted freemen of this colony.

George Pigot, John Waterman, Jr., Daniel Greene, Zerobabel Westcote, Israel Arnold, Jr., Benjamin Smith, Jr., Richard Greene, Jr., John Lippitt, John Budlong, Jr., James Greene, Benjamin Greene, son of Jabez Greene, John Low, Jr., Jeremiah Westcote, Jr., Benjamin Greene, son of Samuel Greene, Daniel Sweet, Jr., John Johnson and Randal Rice, Jr., all of the township of Warwick, are admitted freemen of this colony.

Robert Potter, Jr., Michael Harris, John Handson, Jeremiah Fish, Samuel Babcock, Isaac Sheldon, Christopher Helme, Geo. Gardner, Abraham Perkins, James Kinyon, Jr., Jeremiah Clarke, Samuel Tift, Jr., Joseph Sheffield and Josiah Shearman, all of South Kingstown, are admitted freemen of this colony.

Giles Pearce, Walter Spencer, Henry Mathewson, Jr., Henry Greene and Joseph Corey, all of the town of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1724.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,

Col. Wm. Wanton,

Capt. Edward Thurston,

Mr. Nicholas Power,

Mr. Geo. Cornell,

Mr. Wm. Anthony,

Major Randall Holden,

Mr. John Wickes,

Mr. Jeremiah Gould,

Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Voted, that all matters lying before this Assembly, be referred to the next session of this Assembly, on the 23d day of June next.

And this Assembly is adjourned to the 23d day of June next, accordingly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 23d day of June, 1724.

Col. Samuel Cranston, Governor.

Richard Ward, recorder.

Major Thomas Frye, speaker.

Capt. Richard Waterman, clerk.

Upon the petition of Thomas and Nicholas Northup, of North Kingstown, for liberty of erecting of a ferry from North Kingstown, to Jamestown, at the expiration of the present lease granted for the same ;—

It is voted, that the said Thomas and Nicholas Northup shall, at the end and expiration of the present lease, have liberty of keeping of a ferry from North Kingstown, to Jamestown ; they observing and keeping such order and regulation as the committee appointed to lease out the same, shall order and appoint, according to his petition.

Col. William Wanton, Esq., having exhibited to this Assembly the accounts of his expense, charge and damage done to his horses, in going to Connecticut, in the beginning of March last, the Assembly appointed a committee to inspect and view the same, and make their report to this Assembly, who reported that Col. William Wanton, in their opinion, ought to be allowed for his expense, time, trouble, charges and damages sustained in his horses, in said journey, £79 15s. 6d. ;—

Whereupon, it is voted, that Col. William Wanton have £79 15s. 6d., for his time, trouble, charge and expense in said journey, out of the general treasury.

Major Thomas Fry, speaker of the house of deputies, protested against said vote.

Whereas, there is an act of the General Assembly of this

colony, made and passed in the year 1666, wherein and whereby it is enacted that the deputies of the several towns in this colony and their estates, shall be free and exempt from all summons, arrests, and attachments and executions, whatsoever, from the time of their being chosen until they are dismissed from such service, which by long experience is found to be prejudicial to many of the inhabitants of this colony, who have been thereby often time kept out of their just dues, to their great hurt and damage;—

For the preventing whereof, for the future, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that all persons that are chosen deputies of the several towns, and their estates shall be free and exempt from all writs of summons, attachments, arrests and executions whatsoever, during their sessions, and three days before, for their coming to the Assembly, and three days after, for their return home, and no longer; any other former law, usage or custom, to the contrary hereof, in any wise, notwithstanding.

Upon the prayer of sundry inhabitants of North Kingstown, for to have one or more companies of militia erected in their town;—

It is voted and enacted by this Assembly, that the lieutenant colonel of the regiment on the main land, with the commissioned officers of the company of said town, set off one or more company or companies of militia in said town, and divide it so as it will be most for the ease of the inhabitants to do their duty in, and to make their return to the next sitting of the Assembly, that the Assembly may do therein as they shall think fit.

Upon the petition and prayer of Hezekiah Gorton, of Warwick, for liberty to keep a ferry from Warwick Neck, to the north end of Prudence Island;—

It is voted and enacted, that the said petitioner shall have all due and proper encouragement to undertake and carry on said ferry; provided, there be a good and sufficient way laid out through Prudence Island; and that the other part of the ferry proposed, be kept with boats agreeable.

It is voted, that Daniel Pearce, shall have the privilege of the drift way laid out by the jury, according to the jury's return: and Capt. Updike shall have the £10 paid him according to the jury's verdict, immediately after the next English harvest is over; and the said Pearce to have the liberty of the way agreed upon, till that time; and at the time when the said Pearce hath the way laid out by the jury, that then he shall allow a sufficient way from the end of said way unto the sea or salt water, through his said Pearce's land, according to his offer and petition to this Assembly.

An explanation of an act of Assembly, exempting Indians from being sued for debt. [See public laws, 1730, p. 133.]

It is voted, that Samuel Dyre, gunner of Fort Ann, shall have, and receive out of the general treasury, £90, upon his delivering of all the buildings and fences, which he hath erected on Fort Island, alias Goat Island, with all other the utensils belonging to the colony, unto Capt. John Brown, to, and for the colony's use; and the said Samuel Dyre is dismissed from his service.

The trustees of Ninegret have paid into the general treasury £50, out of the money borrowed by said Ninegret of the colony.

Voted, that all persons that have bonds outstanding for the Narragansett land, be summoned by the general treasurer to give new bond, or pay the money and take up the old ones; and for the non-compliance therewith, the treasurer shall sue said bonds; and that Col. Coddington and the attorney general assist the treasurer in settling with said persons, who have given bonds, as aforesaid.

Voted, that William Borden shall have £100 out of the general treasury, at £5 per cent, for one year, upon security, if it be there to spare.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1724.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. George Cornell,
Col. William Wanton,	Mr. William Anthony,
Capt. Edward Thurston,	Major Randall Holden,
Col. Nicholas Power,	Mr. John Wickes.

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Lieut. Col. John Cranston,	Mr. Israel Arnold,
Capt. John Brown,	Mr. George Wightman.
Mr. Wm. Barker,	<i>For Westerly.</i>
Mr. Henry Tew,	Capt. Joseph Stanton,
Mr. John Odlin.	Capt. John Hill.
<i>For Providence.</i>	<i>For North Kingstown,</i>
Capt. Richard Waterman,	Mr. William Hall,
Lieut. Elisha Knowlton,	Mr. Francis Willet.
Major Wm. Smith,	<i>For South Kingstown.</i>
Lieut. Wm. Edmonds.	Mr. Wm. Robinson,
<i>For Portsmouth.</i>	Mr. John Watson.
Mr. Giles Slocum,	<i>For East Greenwich.</i>
Mr. Thomas Hicks,	Mr. John Spencer,
Capt. William Hall,	Mr. Thomas Nichols.
Mr. Wm. Coggeshall.	<i>For Jamestown.</i>
	Mr. Samuel Clarke.

Lieut. Col. William Coddington, speaker.

Mr. Francis Willett, clerk.

In the appeal in covenant, Jahleel Brenton and Samuel Brown, it is voted, that the said case be referred to the next session of this Assembly; and that the town council of South Kingstown settle the highway that runs along Pettaquamscutt river, between the land of Esquire Brenton and Samuel Brown, by a jury, as it ought to be; and that if either Brenton or Brown, have got any of the highway in, that they heave it out; and the person that hath any of the said highway in, to bear the charges of the survey, and to make return of their proceedings therein, to the next session of this Assembly.

An Act prohibiting the tearing of bills of credit. [See public laws, p. 133.]

Voted, that Col. Wanton, Col. Cranston, and Capt. Richard Waterman, be a committee to draw up an answer to the Massachusetts letter, about a quota of men; and that the attorney general assist them in said affair.

Voted, that the letter drawn up by said committee, be sent to the Massachusetts.

Voted, that Lieut. Col. William Coddington and Major Thos. Frye, be, and they are hereby appointed a committee to treat with the Massachusetts government upon the application by them made to this Court of Assembly; and that they receive their instructions from His Honor, the Governor; and that the Governor join one other with them, if he think fit.

For the accommodating of the long depending difference between this colony, and the colony of Connecticut, and in compliance to a proposal made by the colony of Connecticut by one act passed at New Haven, October the 8th, Anno Domini 1724, wherein several commissioners are appointed in behalf of the colony of Connecticut:—

Be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the Honorable Joseph Jenckes, Esq., deputy governor of this colony, Col. Wm. Wanton, Major Randall Holden, Mr. John Wickes, Capt. Joseph Stanton, Esq., Richard Ward and Mr. Daniel Updike,

be, and they, or any four of them, are hereby fully authorized and empowered to treat with such commissioners as are empowered by the colony of Connecticut, to settle the line between that colony and this ; and final end of all controversies between the said colonies to make, by settling a line or boundary between the said two colonies, as they shall think and find most agreeable ; and such line so agreed on and settled, shall be the dividing line between the said colonies for ever ; and to make report of their doings to this Assembly, at their next session.

Voted, that His Honor, the Governor, give the above said gentlemen a commission, under the seal of the colony, empowering them to settle and state the boundaries between the two colonies, according to the above vote ; and that His Honor, the Governor, give them their instructions therein, by the advice of such of his council as he shall think fit to advise with.

Voted, that £15 be allowed out of the general treasury, for to repair one half of Pawtucket bridge, the government of the Massachusetts allowing £15 for repairing of the other half.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 29th day of December, 1724.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Col. William Wanton,
Capt. Edward Thurston,
Col. Nicholas Power,
Mr. George Cornell,

Mr. William Anthony,
Mr. John Wickes,
Mr. Jeremiah Gould,
Mr. Rouse Helme,

Lieut. Col. William Coddington, speaker.

Mr. Francis Willett, clerk.

Voted, that Capt. Jonathan Nichols, Mr. Rouse Helme, Lieut. Col. John Cranston, Capt. Richard Waterman, Mr. Wm. Coggeshall and Mr. Daniel Updike, be a committee, to draw up an answer to the government of the Massachusetts, to their demand of assistance in the eastern war, against the Indian rebels, and for sending an agent from this colony to Canada.

Voted, that the answer drawn up by the said committee, be sent to the Massachusetts government; and that the Governor send a copy thereof to our agent in London.

Voted, that the words (to our bounds given us by our charter) in the act empowering commissioners to settle a line or boundary between this colony and Connecticut, be erased out. And that the town clerk of each town erase out of the said act that is in each respective town the said words.

Whereas, the Honorable Joseph Jenckes, Esq., one of the commissioners for to treat with the Connecticut commissioners, for the settling of a line or boundary between the two colonies is indisposed, so that it is presumed he will not be able to attend the said service;—

Wherefore, it is voted and enacted, that Mr. Andrew Harris, of Providence, be, and he is hereby fully empowered and authorised as a commissioner, to treat with the Connecticut commissioners that are appointed for the settling of a line or boundary between the two colonies, in the room of the Honorable Joseph Jenckes (if the said Joseph Jenckes shall not attend said service), as fully to all intents, purposes and constructions whatsoever, as the said Joseph Jenckes was authorized and empowered to do.

Voted, that Major Thomas Frye be allowed £12 5s. 8d., out of the general treasury, for his time, trouble, charge and expense in going to Boston, in the colony's service.

Col. Wm. Wanton protests against the said vote, for that he

himself was improved by this government to represent the governments and government, at the congress in Boston, and was allowed nothing for the same.

Voted, that Lieut. Wm. Coddington be allowed £20 16s., out of the general treasury for his time, trouble, charge and expense in going to Boston in the colony's service.

Voted, that Mr. Isaac Thompson be allowed £8 6s. salary, out of the general treasury, for the charge he has been at in repairing the one-half of Pawcatuck bridge, between this colony and Connecticut.

Voted, that Mr. Daniel Updike be sent to Connecticut to exchange copies of the Assembly's acts, and of the commission for the settling of boundaries between the two colonies.

Voted, that the general treasurer get a balcony built at the colony's house ; the whole front of the house ten or twelve feet wide, supported with good pillars, at the colony's charge.

Whereas, we, the subscribers, being appointed by the General Assembly, sitting at Newport, the 23d day of June last past, to set off one or more companies of militia of the inhabitants of North Kingstown; and having met at the dwelling house of George Thomas in said town, the 21st day of October, 1724; and several of the inhabitants of said town being present, and taking the best advice we can in that affair, have divided the inhabitants of said North Kingstown into three companies of militia, in the following manner :

Beginning at the line between North and South Kingstown, at Chepuxet river, and so along said river, until it comes to the crook of said river, in the land of John Wightman, and thence a straight course to the Queen's Fort, so called; and thence a due north line to East Greenwich line; and then beginning at Slocum's Mill, and so along the stream to the pond; and so along the river, called Amoque Sucket, until it come to the country road; and thence, a due west line, to the aforementioned line, that runs from Chepuxet river, to the Queen's Fort. And the inhabitants to the northward and eastward of said lines, to be the first company; and the inhabitants

to the southward and eastward of said lines to be the second company ; and all the inhabitants to the westward of the line from Chepuxet river, to East Greenwich, to be the third company.

Witness our hands, the day above said.

CHRISTR ALLEN, Lieut. Col.,
JOHN ALBRO, Lieutenant,
JAMES ELDRED, Ensign.

The above return of three companies for North Kingstown, is voted and allowed of by this Assembly ; and they are three companies, accordingly.

Upon the prayer of James Arnold and William Rhodes, it is voted, that £20 be allowed out of the general treasury, for the repairing of Pawtuxet bridge, between the towns of Providence and Warwick ; to be paid to such persons as each town shall appoint (each one half), when the said bridge shall be well repaired, and not before.

An Act to enable the town council of each respective town in this colony, to convent before them all such persons as shall have the personal estate of any person as shall decease within this government, in their custody or possession ; and cause them to make oath, or give their engagement that they conceal none. [See public laws, 1730, p. 134.]

An Act in addition to two acts made and passed in this colony in the year 1715 ; the one, entitled “ An Act for emitting £30,000, in public bills of credit ;” and the other, entitled “ An Act for raising and emitting £10,000, in public bills of credit, on this colony.” [See public laws, for 1730, p. 135.]

An Act in addition to an act, entitled “ An Act for raising and emitting £40,000, in bills of credit by way of loan, in the year 1721.” [Expired 1728.]

Voted, that if the commissioners finish the line between this

colony and Connecticut, that they make their return to the next sitting of the Assembly, in February.

And be it further enacted by the authority aforesaid, that the general treasurer (by, and with the advice of His Honor, the Governor,) procure and buy two thousand bushels of Indian corn, at the lowest price he can, to be paid for out of the general treasury; and to sell the same to the inhabitants of this government for money, for the same price as he shall buy it at; and no person in Newport, to have above four bushels at one time; and to have no more until that may be reasonably expended in his family; and that no person in any other town have above eight bushels as aforesaid; and the loss, damages and charges, to be borne out of the general treasury. And as soon as the general treasurer buys any corn, he shall notify the several towns thereof.

God save the King.

Letter from Rhode Island to Massachusetts.

The General Assembly having inspected into and considered the nature of the unhappy war between the Massachusetts government and the Indian enemy, with its rise and progress; as also the various circumstances that attend the same;—

Do, upon the whole of what hath been laid before them, conclude, that although the said Indian rebels deserve nothing but a total extirpation from the face of the earth for their continual and repeated rebellions, hostilities and perfidiousness; yet, that it would be by no means justifiable in the colony of Rhode Island to join with the Province of the Massachusetts in the prosecution of said war, as things are at present circumstanced, and that for the following reasons:

1. The colony of Rhode Island, although small, is far extended upon the sea coast, and is thereby a frontier to defend and ward off the strokes of cruel and insulting enemies by sea, from the colonies of Massachusetts and Connecticut, which (considering the smallness of the colony compared with those two great governments) may be well thought a due proportion of

the general calamities of the country of this nature, were they forever exempted from contributing to defend against the enemy by land ; for it is certain that the colonists of Rhode Island are upon such occasions frequently alarmed and have been exposed to very considerable charge, by fitting out vessels in times of war and peace ; the good effects whereof, the neighboring governments were made partakers of: and therefore, it cannot be thought incumbent on this government, or for the good of the governments in general, that such a small colony, and so great a frontier should be weakened by uniting with the Massachusetts in carrying on said war in an offensive manner, so foreign from their borders ; and especially when this colony, at this juncture, is carrying at their own charge for defence of the colony, on said frontier a fortification, the accomplishment whereof, will exceed £10,000.

2. These Indian enemies were subjects to our Sovereign Lord, King George, and under his immediate protection, and in particular under his government, and dominion of the Massachusetts ; wherefore this government think it would be unadvised in them to join in the prosecution of said war, until His Majesty's pleasure was known, upon the application already made unto him. For this being an intestine jar, happening in the Massachusetts only, and a controversy of the King's subjects only, and that about property ; who knows but that His Majesty, in his great wisdom, may find out and prescribe ways to make these wild and inaccessible subjects of his, come in and tamely submit to his government, without the melancholy prospect we now have, of shedding much blood, distressing and impoverishing the whole land.

3. The colony of Rhode Island was never advised with by the Province of the Massachusetts, before they involved themselves in this inextricable difficulty ; nor did said Province ever concert measures with this colony, either in proclaiming war against said Indians, or in any of their treaties they formerly had with them ; where they generally took care to restrict the trade with them, to their own province, if not to particular men ; and shall this colony, without the conjunction,

and united force of the neighboring governments on this continent, buy for the Massachusetts this privilege, with the blood of their young and strong.

Notwithstanding the colony of Rhode Island has a more tender regard for His Majesty's subjects of the neighboring governments, and a more sincere affection for His Majesty's interest, than to see his subjects slaughtered and destroyed, his territories depopulated and laid waste, and be guilty of supine slothfulness, rejecting any reasonable application to them made for succor and relief. For in case said war had been carried on in a defensive manner, this colony would (if need had been), have lent all due assistance until His Majesty's pleasure had been known, but cannot think it justifiable in them to join in said war (since made offensive), until then.

And respecting the proposition of sending a man to Canada, from this government, it is the opinion of the General Assembly, that the same would create unnecessary charges; but they order and direct, that a letter be sent there, from this government, by the messenger sent from the Massachusetts, directed to Monsieur Vaudriel, governor thereof, to deter him, and all those under the French government, from affording succor or encouragement to the Indian enemy, or from sheltering them, after they have committed their depredations on the subjects of His British Majesty; and to excite him to exert himself for the procuring and settling an honorable peace with said Indians, for the ease and benefit of the English settlements; least, by His Majesty's favor and permission, all the English governments on this continent of America, unite their forces in ridding the whole land of this restless, lurking enemy, and all their abettors and encouragers.

Signed in the name and by order of the General Assembly,
&c. RICHARD WARD, Recorder.

Governor Cranston's commission to settle the boundary between Rhode Island and Connecticut.

Rhode Island ss. Samuel Cranston, Esq., Governor of His Majesty's colony of Rhode Island and Providence Plantations, sendeth greeting, to Col. Joseph Jenckes, Col. William Wanton, Major Randall Holden, John Wickes, Joseph Stanton, Richard Ward and Daniel Updike, Esqs.

You, being commissioners nominated and appointed by an act of the General Assembly, passed at the town of Providence, in the above said colony, the last Tuesday in October, 1724, to treat with such commissioners as are nominated and appointed by the colony of Connecticut, in order to settle and establish the boundary and partition line between the said colonies ; and it being further enacted by said Assembly, that I should give you a commission, under the seal of the colony, with such instructions as I shall judge most expedient, for the service and interest of the colony, with the advice of such of the council near me, as I should think fit, as by the said act, reference thereunto being had, will fully appear.

By virtue of the aforesaid act, I have, in conjunction with the Honorable Joseph Talcot, Esq., Governor of His Majesty's colony of Connecticut, appointed the time of your meeting with the commissioners of that colony, the third Wednesday of this instant February, it being the 17th day of the said month ; and the place at the house of Mr. Isaac Thompson, in the town of Westerly, in this colony, in order for your proceeding on your treaty and negotiation, concerning the premises.

These are, therefore, by virtue of the power and authority vested in me, as aforesaid, reposing special trust and confidence in your wisdom, conduct and fidelity, for the interest of this colony, in the faithful discharge of the trust reposed in you by the General Assembly, to require you to have due regard to the following instructions :

1. It is my instructions, that you, Joseph Jenckes, Wm.

Wanton, Randall Holden, John Wickes, Joseph Stanton, Richard Ward and Daniel Updike, do meet together at the time and place above said, viz. : at the house of Mr. Isaac Thompson, in the town of Westerly, the 17th instant, and you being there met, or any four of you, after civil and congratulatory treatment of the gentlemen commissioners for the colony of Connecticut (if there present), you are to proceed in a friendly manner upon your negotiation and treaty, about the settling and stating the partition line between the said two colonies.

2. My advice and instructions are, that you do, in a pressing manner, insist on a north line from Shaw's Ford, to the Massachusetts south line, which I presume is agreeable to the agent's agreement in England, and the words of our charter, and was so determined and stated by the King's commissioners, in the year 1665.

3. If you cannot, by any means, obtain the settlement of that line, from Shaw's Ford, rather than to dissolve the treaty, upon that head, I must refer it to your judgment and discretion to bring them as near it as you possibly can ; and for peace's sake, and for the perpetual settlement of the line between the two colonies, and particularly to avoid and prevent what may be promoted in Great Britain to the prejudice and disadvantage of both colonies through our long contention, it is my advice and instruction, that you condescend to admit of Ashaway river, where it empties itself into Pawcatuck river, so called, to be the head of the said Pawcatuck, from whence a north line to the Massachusetts south line, shall commence, agreeable to the words of our charter ; for your agreeing that Ashaway river be the head of Pawcatuck, from whence a north line shall commence to the Massachusetts south line, will in no wise vary from the express words of our charter ; nor, if so agreed on, will it give any advantage to the ministry in Great Britain to raise any arguments to our detriment.

4. I observe to you, that a north line from the aforesaid Ashaway river, where it emptieth itself into that called Pawcatuck, is what the Connecticut commissioners, upon the agreement in the year 1703, insisted upon ; but through the ignor-

ance of our commissioners, as to the situation of the country, fearing that a north line would cut off part of Warwick and Providence purchases, and at the same time persuading themselves that a line run from the said Ashaway river to the south-west angle of Warwick purchase, would be considerably more to the westward of a north line, a great part of what they feared (by running a north line), was by that agreement cut off from the town of Providence. It is therefore presumed, if it be insisted upon (if you agree that the said Ashaway river shall be the head of Pawcatuck, mentioned in our charter), that a north line be run from thence to the south line of the Massachusetts. If the Connecticut commissioners are inclinable to peace, and a perpetual settlement of the long and chargeable contention between the two colonies by a speedy conclusion, they will readily join in granting a north line to be run from Ashaway river, as aforesaid.

5. Upon due and weighty considerations, I cannot advise you to agree upon any terms nearer in, than a north line from Ashaway river, to the south line of the Province of the Massachusetts, if for peace's sake, you should come so far eastward as that is, from Shaw's Ford : for the former line agreed upon from the said Ashaway river, to the said angle of Warwick purchase, will not answer the words of the charter, or the agents' agreement in England, which I presume you ought to have reference unto in your agreement.

6. I presume it was not intended by the General Assembly that my instructions should be so far binding as to limit your power (if so it would have been inconsistent to the power given you), but to remind you of what might happen to slip your memories, and to give my own thoughts by way of instruction, the which I have done as briefly as the subject will admit of, submitting the whole with what I shall further propose to your wise and judicious considerations, not doubting of your prudent conduct ; and that your wisdom will direct you to do every thing that may be thought expedient for the honor and safety of the colony, without giving up that which our predecessors purchased with great cost, and with great fatigue, endeavored

to maintain against great and potent enemies ; and which hath been our interest and concern, with the expense of much treasure to have confirmed in Great Britain.

7. It is my advice, that in case you do agree upon, and establish a certain and fixed boundary line between the two colonies, that you do, in the preamble or preface of your agreement, set forth the reasons and motives that induced the colonies to come into the same ; which may be of use and benefit to both governments when the matter lies before His Majesty for determination.

What followeth, I recommend to be alluded to in the method and matter you follow and insert.

The colonies of Connecticut and Rhode Island, &c., upon a friendly conference, reflecting upon the prejudice they have labored under through their long continued contention, and the great charge and expense that hath been hereby occasioned ; more particularly in their last appeal to His Majesty, by its being referred from time to time, for several years past ; and by its remaining still without determination under continual and repeated charge ; and which determination may be suspended for many years longer, to the considerable augmentation of the incident charges of both colonies. Moreover, said colonies, by the good providence of God, being made sensible of the great detriment arising to His Majesty's empire in North America, for want of said country's being peopled and well cultivated ; and being weary with contending for the jurisdiction of a small tract of land, which lies waste and unimproved, for want of due and regular settlement, which hath been hitherto prevented by the unhappy contention that hath been and still is promoted between said two colonies ; and said colonies being brought under a sense of the evil consequence that did, and may attend them, if they still continue in obstinacy against each other ; and being desirous that a good harmony and friendly correspondency may be cultivated between them for the future, for the good of His Majesty's subjects, and the defence of the country against a common enemy, have nominated, appointed and fully empowered us, whose names are here-

under written, by virtue of an act of Assembly of each government, commissioners to agree, settle and fully determine the partition and dividing line between said colonies of Connecticut and Rhode Island, &c., as is hereafter expressed ; submitting this our unanimous and friendly agreement to His Majesty's gracious acceptance and confirmation, &c.

It is further advised, that in the drawing and stating at what parts of Pawcatuck river to commence a north line from, to the Massachusetts south line, that there you insert and say (from such a place, the head of Pawcatuck, with an alias Narragansett river, and to be ever hereafter so called and deemed agreeable to the King's determination in our royal charter).

That it would please God to give you a friendly meeting, and an agreeable conference and treaty with the commissioners of Connecticut, and that his infinite goodness may attend you, with his blessing, and crown your endeavors with an honorable and lasting agreement, to the perpetual concord and friendship of the two governments, is the sincere desire and prayer of

Your faithful friend, and the colony's servant,

SAMUEL CRANSTON.

Dated in Newport, the 12th day of February, 1724-5.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1725.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Col. Wm. Wanton,
Capt. Edward Thurston,
Mr. Nicholas Power,
Mr. George Cornell,

Mr. William Anthony,
Major Randall Holden,
Mr. John Wickes,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

DEPUTIES.

For Newport.

Lieut. Col. Wm. Coddington,
 Capt. John Brown,
 Capt. Job Almy,
 Col. Joseph Whipple,
 Mr. James Barker,
 Mr. Thomas Coggeshall.

For Providence.

Capt. Richard Waterman,
 Mr. Jonathan Sprague, Jr.,
 Mr. Thos. Olney.

For Portsmouth.

Capt. George Lawton,
 Mr. Giles Slocum,
 Mr. William Hall,
 Mr. Stephen Brownell.

For Warwick.

Capt. John Waterman,
 Mr. John Warner,
 Lieut. Stephen Arnold,
 Mr. Stukely Stafford.

For Westerly.

Capt. Joseph Stanton,
 Capt. John Hill,

For New Shoreham.

Capt. Simon Ray.

For North Kingstown.

Mr. William Hall,
 Mr. Elisha Cole.

For South Kingstown.

Mr. William Robinson,
 Mr. John Watson.

For East Greenwich.

Mr. Thomas Brayton,
 Major Thos. Fry.

For Jamestown.

Capt. Nicholas Carr,
 Mr. Teddeman Hull.

Lieut. Col. William Coddington, speaker.

Capt. Richard Waterman, clerk.

Samuel Pike, Jr., Jonathan Sabin, Jr., John Brier, Caleb Cranston, Edward Tew, John Clarke, grandson of Weston, John Rogers, Jr., Richard Phillips, Francis Alway, Henry Wright, Elisha Gibbs, Josiah Barney, John Vaughan, Jr., Sankey Newberry, William Gardner, Daniel White and Joseph Pendleton all of Newport, are admitted freemen of the colony.

Richard Arnold, Jr., John Smith, son of Thomas, Daniel Aldrich, Hosea Steere and Elisha Steere, all of Providence, are admitted freemen of this colony.

Gideon Durfey, George Hall and Thomas Fish, all of Portsmouth, are admitted freemen of this colony.

Thomas Dickins, of New Shoreham, is admitted a freeman of the colony.

Stephen Gardner, Jr., Robert Brownell, Jeoffrey Champlin, Nathaniel Havens, Ezekiel Whitford, John Reynolds, carpenter, and Henry Hill, Jr., all of North Kingstown, are admitted freemen of the colony.

James Carr, of Jamestown, is admitted a freeman of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1725.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,
Col. William Wanton,
Capt. Edward Thurston,
Col. Nicholas Power,
Mr. George Cornell,

Mr. Wm. Anthony,
Major Randall Holden,
Mr. John Wickes,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton, Jr.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Whereas, John Davis, of Newport, in the colony aforesaid, baker, by petition, informed this Assembly, that at the General Court of Trials, held at Newport, on the last Tuesday of March, last past, in an action of trespass, for assaulting, maiming and wounding the said Davis, by one Indian man, call. Dick, a slave to Peleg Smith, of Newport, aforesaid, Esq., he recovered £200, damages; and the common law not enabling him to sell the said slave, whereby to recover his damages, and have benefit of his judgment;—

Upon consideration whereof, to the end that justice may be done, and that the said John Davis may have the benefit of his said judgment,—

It is voted and enacted by the General Assembly of this colony, and by the authority of the same it is enacted and declared, that if the said Peleg Smith, satisfy the said judgment of court, at, or before the 15th day of this instant May, he may take the slave again; he selling him out of the colony. And if the said Peleg Smith shall refuse or neglect to do the same within the said time, that then the said John Davis paying prison fees and costs of said court; and also paying £4 5s., to negro James, for the damage he received by the said Indian Dick, shall, and he is hereby empowered to take the said Indian Dick, and dispose of him as his proper estate; provided, he sell him out of the colony, never to return again.

Whereas, William Nathaniel Brown, Small Lewis and Francis Mozley, by petition laid before this Assembly, informed that they were three of the persons belonging to the barque John and Mary, Tho. Glin, master, that was taken by the pirates in December last, and that they rescued the barque from the pirates, and were put to the charges of fifty shillings per man, for their trial, and that they lay a great while upon charge till their said trial; and they also prayed the Assembly for some consideration on the premises;—

Upon consideration whereof, it is voted by the Assembly, that the said Wm. Nathaniel Brown, Small Lewis and Francis Mozley, have £10 each, out of the general treasury allowed them,

as a gratuity for their service in assisting to re-take the said barque from the pirates.

Whereas, there has been repeated informations against the inhabitants of the town of Westerly, that they, or a great part of them, make a continual practice of doing servile labor on the first day of the week, and that they very publicly and other wise profane said day, which the law of the realm, as well as the colony, appoint to be kept as a Sabbath, which is a great offence to the rest of the inhabitants of said town and colony, and brings an odium upon the whole government, as well as themselves ;—

The General Assembly of this colony, therefore, advise and caution said inhabitants of Westerly in particular, and of the whole colony in general, that for the future they reform their aforesaid vicious practices, and conform to the law; considering that, although the ordinances of men may not square with their private principle, yet they must be subject to them, for the Lord's sake ; and that, lest they incur the further displeasure of this Assembly, and put them upon a more rigorous method of suppressing the aforesaid enormities.

And that a copy be sent to each town in the colony ; and that the town clerk of each town set up one or more copies of said order in the most public place or places of the town.

Jahleel Brenton, of Newport, in the colony above said, Esq., appellant in an action of covenant, from a judgment of a General Court of Trials, held at Newport, the first Tuesday of September last past ; Samuel Brown, of South Kingstown, in the colony above said, yeoman, otherwise called Samuel Brown, of Kingstown, in the colony above said, yeoman, appellee ; the appellant and appellee being duly heard, and their reasons and allegations maturely weighed and considered,—

The decree of this Assembly is, that the judgment of the General Courts of Trials given against the said Brenton, in March and September, A. D. 1724, be, and they are hereby revised ; and that the said Jahleel Brenton have ten shillings damage, and costs of suit. And that the return of the jury

who run the highway between the land of said Brenton and Brown, be, and it is hereby accepted; and the justices of South Kingstown are hereby ordered to open the said highway according to the said return, and that said Brenton pay the charge of the jury and the survey; and that it be allowed him in his bill of costs.

Brenton allowed till the next session of the Assembly, to tax his costs vs. Brown.

Voted, that the accounts of Col. William Wanton, the recorder and Mr. attorney general of their charges dispended in the treaty with the Connecticut commissioners, amounting to £15 12s. 8d., to wit: Col. Wanton's, £5 10s., recorder's, £4 11s., 6d., Mr. attorney general, £5 11s. 2d., is allowed, and to be paid out of the general treasury.

Upon the petition and prayer of William Borden, of Newport, for some assistance and encouragement to carry on the making of duck;—

It is voted and enacted by this Assembly, that the said William Borden have £500 out of the general treasury, at interest, upon good land security, for three years, if there be so much to spare in the general treasury, on auditing the general treasurer's account; the mortgage to be made to the colony's trustees, to, and for the use of the colony.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of June, 1725.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

Richard Ward, recorder.

Lieut. Col. William Coddington, speaker.

Capt. Richard Waterman, clerk.

An Act for enabling the town of Providence to lay out highways in said town. [See public laws, 1730, p. 136.]

Voted, that Nicholas Simonds and Jonathan Barlow, two men that had been forced by the pirates, and were instrumental in re-taking the ship John and Mary, from the pirates sometime in December last, have £10 each allowed them, out of the general treasury.

Ordered, that the general treasurer bring into this Assembly all the old bills of credit that are in the treasury, and all the new bills that are so worn and torn that they are not fit to pass.

Voted, that His Honor, the Governor, have, as a gratuity, out of the general treasury, £70, for his extraordinary service done for the colony, the last year.

An Act for the regulating of the taxing of bills of costs at the General Court of Trials. [See public laws, for 1730, p. 137.]

Ordered, that Lieut. Col. William Coddington, Mr. Joseph Borden and Mr. Daniel Updike be a committee to overhaul the Narragansett bonds, and what is due thereon, and from whom the same is due, and make their return thereon to the next sitting of the Assembly; and also that they examine the treasurer's book, and take an account of what has been paid out of the treasury for the changing of the counterfeit bills made on the Greenmans' plates, and what the charges of their prosecution, &c., amounts to, and make their report to the next Assembly.

Voted, that all the old bills in the treasurer's hands, and the new bills, that are torn and not fit to pass, amounting to £869 18s. 7d., be burnt; and the same were burnt in the presence of the Assembly, accordingly.

Voted, that there be £10 out of the general treasury, allowed to Jamestown, towards the building of a bridge on their island.

Upon the prayer and petition of North and South Kingstown,—

It is voted and enacted, that the towns on the main land, or so many of them as shall agree together, shall, and may have liberty to build and erect a house of correction, for to keep their own idle persons, and vagrant and mad persons in; and also to build a small jail, to put offenders in; and that all offenders that are, or shall be tried at the General Court of Trials, shall be kept there no longer than till they can be conveniently transported to Newport jail.

Ordered, that His Honor, the Governor, answer Mr. Law's letter, concerning our difference with Connecticut.

An Act for preventing of vexatious suits in actions not exceeding forty shillings. [See public laws, 1730, p. 13.8]

Voted, that the building of a balcony to the colony's house, be stopped; and that the timber provided for that use, be sold by the general treasurer; and that the general treasurer, with the advice of the Governor, build and make such tables, seats and other necessities, as shall be convenient for the deputies.

An Act for docking and cutting off estates tail, pursuant to the laws of Great Britain. [See public laws for 1730, p. 138.]

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1725.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. George Cornell,
Col. William Wanton,	Mr. John Wickes,
Capt. Edw. Thurston,	Mr. Jeremiah Gould,
Col. Nicholas Power,	Mr. Rouse Helme.

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Col. Joseph Whipple,	Capt. John Waterman,
Mr. James Barker,	Major Anthony Low,
Mr. Thomas Coggeshall.	Capt. Thomas Stafford,
<i>For Providence.</i>	Mr. William Greene.
Capt. Richard Waterman,	<i>For North Kingstown.</i>
Mr. Jonathan Sprague, Jr.,	Mr. William Hall,
Mr. Thomas Olney,	Capt. Benjamin Nichols.
Capt. Job Whipple.	<i>For South Kingstown.</i>
<i>For Portsmouth.</i>	Mr. William Robinson,
Mr. Thomas Hickes,	Mr. John Watson.
Mr. Joseph Brownell,	<i>For East Greenwich.</i>
Mr. Robert Lawton.	Major Thomas Frye,
	Mr. Pardon Tillinghast,
	<i>For Jamestown.</i>
	Capt. Nicholas Carr,

Major Thomas Frye, speaker.
Mr. William Hall, clerk.

An Act in addition to an act, entitled "An act for preventing of cross actions." Repealed.

An Act in addition to an act, entitled "An act for the better preventing of drunkenness." [See public laws, 1730, p 139.]

Voted, that His Honor, the Governor, inform Governor Talcot that he is in a mistake, in charging the Assembly of this colony with utterly refusing to treat with Connecticut colony, in order to settle the line between the two colonies; for that the only cause why the Assembly did not appoint commissioners to treat upon the offer made by Mr. Law, was because Mr. Law limited the controversy pending between the line agreed upon in the year 1703, and a certain pond in the Narragansett country, deemed by the government of Connecticut to [be] the head of Pawcatuck river; and that if their government will appoint and empower commissioners to agree with such commissioners as may be appointed by this government, to settle the said line in the best way and manner as may be agreed upon between them, that then this government will readily fall into the same.

Voted and enacted, that there be a ferry stated and settled at the place called Easton's Point, for the transportation of passengers and their wares to Jamestown; and that the same be under the same regulation, and take like ferriage as the other ferry before stated from Newport to Jamestown; and that Col. John Wanton, Capt. Jonathan Nichols, Lieut. Col. William Coddington, Mr. Joseph Whipple and Mr. John Watson, or any three of them, be, and are hereby appointed a committee for the leasing out of the ferries stated from Rhode Island to Jamestown, and from Jamestown to the main land; and from the main land to Jamestown, and from Jamestown to Rhode Island, and the ferries from Rhode Island to the main land; and that they proceed in leasing out said ferries as the former committee did; but that they do not lease the ferry stated from the point to James town, until the person offering to hire the same, be provided with a suitable conveniency for keeping of it.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 10th day of January, 1725-6.

The Hon. Samuel Cranston, Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. William Anthony,
Col. William Wanton,	Mr. John Wickes,
Capt. Edward Thurston,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Rouse Helme.

DEPUTIES.

For Newport.

Major Thomas Frye,
Lieut. Col. Wm. Coddington,
Capt. Job Almy,
Col. Joseph Whipple,
Mr. James Barker,
Mr. Thomas Coggeshall.

For Providence.

Capt. Richard Waterman,
Mr. Jonathan Sprague, Jr.,
Mr. Thomas Olney.
Capt. Job Whipple.

For Portsmouth.

Mr. William Coggeshall,
Mr. Thomas Hickes,
Mr. Joseph Brownell.
Mr. Robert Lawton.

For Warwick.

Capt. John Waterman,
Major Anthony Low,
Capt. Thomas Stafford,
Mr. William Greene.

For North Kingstown.

Mr. Thomas Hiscox,
Mr. Christ. Champlin, Jr.
Mr. William Hall.

For South Kingstown.

Capt. Benjamin Nichols,
Mr. William Robinson,
Mr. John Watson,

For Jamestown.

Capt. Nicholas Carr,
Mr. Teddeman Hull.

Major Thomas Frye, speaker.
Mr. William Hall, clerk.

Voted, that Col. Nicholas Power be a committee man for the town of Providence, in the room of Mr. Andrew Harris, deceased, to let out the colony's bills of credit for said town; and to do and act all other things, as the laws of this colony require.

An Act appointing commissioners to settle the partition line between this colony and the colony of Connecticut.

The General Assembly of the colony of Connecticut, having made a second essay for the accommodating of the difference between the two governments, and settling the partition line between them, by authorizing and appointing commissioners on their part, for that end and purpose; and this government being always desirous of peace and unanimity, and that a speedy end may be put to the present trouble and controversy, which hath been too long kept up, to the disadvantage of both governments, and that they may not be backward, but show their forwardness to take all proper measures to bring the aforesaid difference to a happy conclusion;—

Be it enacted by the General Assembly of this colony, and by the authority of the same it is hereby enacted, that the Hon. Joseph Jenckes, Esq., William Wanton and Thomas Frye, Esqs., and Mr. Richard Ward, or any three of them, be, and they, or any three of them, are hereby authorized and empowered as commissioners on the behalf of this government, to meet with the commissioners for the colony of Connecticut (by an act of Assembly, chosen on their part), and with them to treat, settle, agree, run, fix and ascertain the said line of partition, in such manner and form as in justice and equity they, in their consciences, shall judge most just and right; and the said line of partition, so agreed, concluded, run and ascertained, by suitable meets and monuments, shall be and remain the dividing and partition line between the aforesaid two colonies forever; and said commissioners shall meet at such times and places as shall be stipulated and agreed on by, and between their Honors, the Governors of the two colonies.

And moreover, the commissioners in behalf of ~~this colony,~~

in their running or ascertaining any line agreed on, are hereby empowered to take one surveyor or more, out of this government, for the better effecting the same.

Voted, that the commissioners (if they agree), with the Connecticut commissioners, take with them such help and assistance as they shall think needful for the settling and running the line; and the charge to be paid out of the general treasury.

And this Assembly, taking into their consideration that the deputies of the several towns, that came to attend the Assembly last week, were, by the Governor's warrant (although the Assembly dropped) ordered to attend till the Assembly was called again;—

Do therefore vote, that the said deputies, according to the list hereunder following, be paid six shillings per diem, for every day by them spent in the service of the country, out of the general treasury.

* * *

This Assembly is dissolved.

Order of Council, settling the boundary line between Rhode Island and Connecticut.

At the court at St. James, the 8th day of February, 1726. Present, the King's Most Excellent Majesty in Council:

Upon reading this day, at the board, a report from the Right Honorable, the Lords of the Committee of Council, dated the 20th of last month, in the words following, viz.:

Your Majesty having been pleased to refer unto the consideration of this committee, the humble petition of Joseph Jenckes and Richard Partridge, agents for the colony of Rhode Island and Providence Plantations, in New England, relating to the boundaries between them and the colony of Connecticut, and praying that the same might be settled and confirmed to them, according to their charter.

The lords of the committee, in pursuance of Your Majesty's said order, have taken the said petition into consideration, together with an answer thereto, from Mr. Dummer, agent for the colony of Connecticut, and having received the opinion of the lords commissioners for trade and plantations, upon this affair, their lordships did several times summons the agents concerned, to appear before them, in order to be heard thereupon. But the agent for Connecticut not appearing, till the 2d day of August last, and he then not offering any thing to induce their lordships to differ in opinion with the said lords commissioners for trade and plantations; the lords of the committee did then order a report of the whole matter to be drawn up, and laid before Your Majesty.

Yet the said Mr. Dummer, desiring a further opportunity to be heard, their lordships have hitherto deferred making their said report to Your Majesty. And the said agent not having appeared since that time, though twice summoned to attend, nor desired to be heard hereupon, by his counsel, their lordships do now agree humbly to report to Your Majesty the state of the case as it appears to them, from the said reports of the lords commissioners for trade and plantations, viz.:

That on the 17th of March, 1643, a grant was made by the Earl of Warwick and others, at that time appointed commissioners by the Parliament, for the government and regulation of the plantations, to the people of Rhode Island and Providence Plantations, of a tract of land, bounded as follows, viz.:

North and north-east, on the patent of Massachusetts; east and south-east, on Plymouth patent; south, on the ocean; and on the west and north-west, by Indians, called Narragansetts, alias Narragansetts. The whole tract extending about twenty-five English miles, unto the Pequet river and country; which instrument, though it cannot be reputed valid in law, yet in some measure is an evidence of what was then reputed to be the boundary of the Province.

That after the restoration, application was made to His Majesty, King Charles the 2d, by the agents of Connecticut and Rhode Island, for charters, to fix the respective governments and boundaries of the said provinces; and charters were accordingly granted for that purpose.

But the charter for Connecticut being obtained previous to that of Rhode Island and Providence Plantation, the boundaries of Connecticut were endeavored to be fixed to their advantage.

That the said charter for Connecticut bears date the 23d of April, 1662, and their bounds are described in the following manner, viz.:

“All that part of our dominions in New England, in America, bounded on the east, by the Narragansett river, commonly called Narragansett bay, where the said river falleth into the sea; and on the north, by the line of the Massachusetts Plantation; and on the south, by the sea; and in longitude as the line of the Massachusetts colony, running from east to west (that is to say), from the said Narragansett bay on the east, to the south sea on the west part, with the islands thereunto adjoining, together with all firm lands, soils, grounds, &c.”

That the people of Rhode Island and Providence Plantations, apprehending that the said Connecticut charter, so bounded, might unjustly swallow up great part of their territories, and cast off all their pretensions to any thing upon the continent. This grievance they complained of soon after the said charter was obtained, and it doth appear,—

That John Winthrop and John Clarke, then agents for the respective colonies of Connecticut and Rhode Island and Providence Plantations (notwithstanding the said charter to Connecticut,) did, in April, 1663, submit to arbitration what should be the boundaries between the said colonies. And it appears,—

That the charter which was afterwards granted to Rhode Island, in the fifteenth year of King Charles the 2d, takes notice of the aforesaid arbitration, and hath fixed their boundaries in the following manner, viz.:

“All that part of our dominions in New England, in America, containing the Nanhantick, Nanhigansit (alias Narragansett) bay and country, and parts adjacent, bounded on the west or westerly, by the middle or channel of a river there, commonly known by the name of Pacatuck river, alias Pawcaytuck; and so along the said river, as the greater or middle stream thereof, reacheth or lies up into the country northward,

unto the head thereof; and from thence, by a straight line, drawn due north, until it meet with the south line of the Massachusetts colony; and on the north or northerly, by the aforesaid south or southerly line of the Massachusetts colony or plantation, and extending towards the east or easterly, three English miles to the east or north-east of the most eastern or north-eastern parts of the aforesaid Narragansett bay, as the said bay lieth or extended itself from the ocean on the south or southerly unto the mouth of the river, which runneth towards the town of Providence; and from thence, along the easterly side or bank of the said river, higher called by the name of Seacunck river, unto the falls called the Patucket Falls; being the most northerly line of Plymouth colony; and so from the said falls, into a straight line due north, until it meet with the aforesaid line of the Massachusetts colony; and bounded on the south, by the ocean; and in particular, the lands belonging unto the towns of Providence, Patuxet, Warwick, Misquammacock, alias Pawcatuck; and the rest, upon the main land, in the tract, aforesaid, together with Rhode Island, Block Island, and all the rest of the islands and banks in the Narragansett bay, and bordering upon the coast of the tract, aforesaid, Fisher's Island only excepted; together with all firm lands, soils, &c. And further, the said charter directs, that the river Pawcatuck shall at all times thereafter, be called, and deemed to be the Narragansett river, mentioned for a boundary in the charter to Connecticut."

From which pretended grant of the Earl of Warwick and others to Rhode Island and Providence Plantations, as also from the submission of the boundaries to arbitration by the agents of both colonies, so soon after the charter for Connecticut had been obtained, and by the charter to Rhode Island and Providence Plantations, it appears,—

That King Charles the Second, was surprised in his grant to Connecticut, as to the boundaries, and that such arbitration and subsequent charter, was intended to redress the grievance complained of by Rhode Island and Providence Plantations. It also appears,—

That so lately as in 1703, by agreement between commissioners appointed in October, 1702, in behalf of the said colonies respectively, for settling their boundaries, it was agreed, that the western boundary between Rhode Island and Providence Plantation and Connecticut, should for the future be formed by a line to be drawn from the mouth of Ashaway river, where it falls into the Pawcatuck river; and thence extending north, to the south line of the Massachusetts Bay. And it also appears,—

That the commissioners of Connecticut did actually meet and concur with those of Rhode Island, in drawing the said line as a boundary between the two colonies, and which line is particularly described in green, on the said map hereunto annexed.

And by the said appointment of the General Assembly of Connecticut, in October, 1702, it plainly appears the General Assembly of Connecticut approved of the said arbitration of their agent Winthrop, in 1663; they expressly providing in the said instrument, "that nothing to be done by these commissioners, shall alter or change the property of any persons' lands, but that property shall be saved according to the agreement of their late agent, John Winthrop, made in the year 1663, with Mr. Clarke, agent for Rhode Island;" which is a strong proof that the government of Connecticut apprehended the pretensions of Rhode Island were just and equitable.

It also is very full in proof, that the people of Rhode Island have been in posses-

sion of several tracts of land, extending west from the Narragansett bay, to the red and green lines marked in the said map hereto annexed, as the boundaries between the two colonies; and that the taxes had been constantly paid for the same, to Rhode Island government only.

It also further appears, that the government of Connecticut have sent two letters on this occasion; one, to the lords commissioners for trade and plantations, of the 28th day of October, 1723, and the other, to Mr. Dummer, their agent here; in which letter to their agent they express themselves thus, viz.:

"The government of Rhode Island is in the actual possession, as they themselves own, of the land which they claim, and we think belongs to us; we dont think fit to disturb them in that possession. It is not we, but they, that have made this complaint; if they would have sat still with all they desired, their lordships had not been troubled as they now are, with this story."

And in both their said letters, the government of Connecticut leave the bounds to be settled by His Majesty. Their letter to the lords commissioners of trade, running in these words, viz.:

"And we assure your lordships that notwithstanding the priority of our charter, to that of Rhode Island, His Majesty's determination will, on our part, put a perpetual end to the controversy, and confirm that peace between us and them, which your lordships have been pleased to express such a regard for."

And their letter to the agent, runs in these words, viz.: "They doubt not but this matter [of the boundaries] will have a good issue one time or other, and even now, if their lordships would let them (the Rhode Island people) understand that they must be contented with these bounds set them in their own charter, and tell them how those bounds must be understood and taken. That would end the controversy, and they would have no reason to complain; nor should we give them the least trouble in the law, though our charter be prior to theirs."

All which being considered by their lordships, though the line in the annexed map is what the Rhode Island people insist on as the true boundary between them and Connecticut, according to their charter; yet, as the green line in the said annexed map, was determined in 1703 to be the division line between the two colonies, by the commissioners of each government, respectively appointed for that purpose, their lordships are humbly of opinion to advise Your Majesty that you would be graciously pleased to signify your pleasure that the boundary line between the said two colonies as described by the aforesaid green line drawn from the mouth of Ashaway river where it falls into the Pawcatuck river, and thence extending north to the south line of the Massachusetts Bay, may forever hereafter be the settled boundary between the said two colonies of Connecticut and Rhode Island and Providence Plantations.

His Majesty in council, taking the said report into consideration, is pleased to approve and confirm the same, and to order, as it is hereby ordered, that the aforementioned green line, as described in the map hereunto annexed, drawn from the mouth of Ashaway river, where it falls into the Pawcatuck river, and thence extending north of the south line of the Massachusetts Bay, be for ever hereafter the settled boundary between the said two colonies of Connecticut and of Rhode Island and Providence Plantations. Whereof, the Governors and companies of the said colonies, and all others whom it may concern, are to take notice, and yield due obedience to His Majesty's pleasure hereby signified.*

* J. Carter Brown's Manuscripts Vol. VIII. No. 559.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1726.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. Wm. Anthony,
Col. Wm. Wanton,	Major Randall Holden,
Capt. Edward Thurston,	Mr. John Wickes,
Mr. Geo. Cornell,	Mr. Rouse Helme.

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Capt. John Brown,	Major Anthony Low,
Col. John Coddington,	Capt. William Arnold,
Col. Joseph Whipple,	Mr. Stukely Stafford,
Capt. William Peckham,	<i>For Westerly,</i>
Mr. Thomas Coggeshall.	Mr. Christ. Champlin, Jr.,
<i>For Providence.</i>	Mr. Thomas Hiscox.
Capt. Richard Waterman,	<i>For North Kingstown.</i>
Mr. Jonathan Sprague, Jr.,	Mr. Francis Willett,
Mr. Elisha Knowlton,	Mr. William Spencer.
Capt. James Arnold.	<i>For South Kingstown.</i>
<i>For Portsmouth.</i>	Mr. Wm. Robinson,
Mr. Giles Slocum,	Mr. Job Babcock.
Mr. Thos. Hicks,	<i>For East Greenwich.</i>
Mr. Joseph Brownell,	Major Thomas Frye,
Mr. Thomas Cornell.	Mr. John Spencer.
	<i>For Jamestown.</i>
	Capt. Nicholas Carr,
	Mr. Teddeman Hull.

Lieut. Col. William Coddington, speaker.

Mr. Francis Willett, clerk.

John Gibbs, Job Tripp, William Clagget, Henry Negus, John Simpson, Richard Morris, Martin Howard, Edward Richmond, Samuel Sanford, Barnabas Hargil, Isaac Bowen, Benjamin Stanton, Jr., Peter Thurston, John Stevens, Jr., and Jonathan Bennett, all of Newport, are admitted free of the colony.

Daniel Amezy, Oliver Earle, Abraham Shearman and Joseph Lawton, all of Portsmouth, are admitted free of the colony.

Thankful Collins, Benjamin Barton, Benony Waterman, Resolved Waterman and Stephen Low, all of Warwick, are admitted freemen of this colony.

John Cole and Thomas Place, Jr., both of North Kingstown, are admitted freemen of this colony.

Ezekiel Long, Thomas Mathewson, Jr., Nathaniel Niles, Jr., Richard Briggs, Jr., Robert Nichols, Joseph Nichols, Jonathan Nichols, John Jenkins and James Sweet, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1726.

Col. William Coddington, speaker.

Mr. Francis Willett, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. Wm. Anthony,
Col. William Wanton,	Major Randall Holden,
Capt. Edward Thurston,	Mr. John Wickes,
Col. Nicholas Power,	Mr. Francis Willett,
Mr. George Cornell,	Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

An Act for the regulating of millers, in their taking of toll.
[See public laws, 1730, p. 141.]

An Act for the raising of jurors' fines. [See public laws,
1730, p. 143.]

Voted, that the committee for the leasing out the ferries, lease them out to those who are best provided with a boat wharf and pier, for the country's conveniency; and that such bonds as they have, or shall take for the performance of the conditions of the leases, they have, or shall make for the leasing out of the ferries, shall be good to oblige the obligors to perform the same; and they are hereby empowered and authorized to sue and recover the bonds, upon any breach of the same, made by any obligor or obligors.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 14th day of June, 1726.

The Hon. Samuel Cranston, Governor.

The Hon. Joseph Jenckes, Deputy Governor.

Richard Ward, recorder.

Lieut. Col. William Coddington, speaker.

Mr. Francis Willett, clerk.

Voted, that His Honor, the Governor, be pleased to accept of £70, out of the general treasury, as a small gratuity of this Assembly, for his extraordinary service last year.

This Assembly, having under their consideration the safety and security of this, His Majesty's colony, and being in a daily expectation of a proclamation of war against Spain, and other potentates, and having experienced that under the protection of a merciful God, the strength and defence of this, His Majesty's colony, depends upon the courage, conduct and discipline of the militia, the good effects whereof, with the blessing of God, was very conspicuous in the late wars ;—

But this Assembly being advised that through the dissatisfaction and discontent of His Majesty's good subjects in the choice and election of commissioned officers, to lead and conduct them, and the smallness of the fine on delinquents, the militia is of late visibly declining, not only to the scandal and reproach of the government, but also to the imminent danger thereof, and of His Majesty's interest, should it be invaded or assaulted by a common enemy ;—

Be it therefore enacted by the authority of this Assembly, and it is hereby enacted, that the several or respective companies or trained bands of, and within this colony, shall, on the second Monday in April next, which will be in the year 1727, meet

together under military arms, at their usual place of meeting, or rendezvous, with the freemen within the limits of each band, and being then and there met, shall nominate and elect a captain, lieutenant and ensign of their respective bands, with the inferior or under officers (as shall be well qualified) to be their commanders; and that such as shall be then nominated and elected by a majority of voices or votes, their names (of those for to be commissioned officers) shall be taken by the clerk of the band (who shall be under engagement), and the names by him so taken, shall be sealed up and delivered to the general recorder or clerk of the council, at the general election, the first Wednesday of May following, in the same year, 1727, by the Governor and council to be approbated and confirmed; without the Governor and council shall see just cause to reject or disapprove of any one or more of them; in which case, the council shall elect another or others in the place of him or them, which shall be so rejected, or disproved.

And it is further enacted by the authority aforesaid, that for the better encouragement of the commissioned and other officers of each band, to accouter and inform themselves of the military art and discipline, that such as shall be elected and approved of, as above said, shall continue in their respective offices for the term of three years; the captains, lieutenants and ensigns to be commissioned accordingly.

But in case of the death or removal of any one or more of said officers, who are by the general council removable for any misdemeanor or mal-administration in their said offices, in which case, upon the death or removal of any commissioned officer, as aforesaid, the general council shall elect and commission one or more in his or their place, so dead or removed; and in case of the death or removal of any of the inferior officers within said term, it shall be in the power of the commissioned officers to nominate and appoint one or more in his or their places, so dead or removed, to continue till the next general election, at the expiration of the said three years.

And this Assembly, for the further encouragement of such of His Majesty's good subjects in this colony, as have a regard

to the honor and interest of the same, and constantly do observe and attend upon their duty, and for bringing of such as condemn the same, and have little regard, if any, to good order and discipline to conformity (with due regard to all tender consciences) ;—

Do enact, and it is hereby enacted, that the penalty upon such person who is within the lists of any company or train band in this colony, for his neglect of duty on training days, as the laws prescribe, that he shall hereafter pay a fine of five shillings bills of credit, or pay equivalent for each neglect; and the penalty on each person that is obliged to appear on alarms or other special occasions when the militia are in arms, or upon duty, shall be a fine of ten shillings for each neglect of duty, in bills of credit, or pay equivalent, as aforesaid; the which fines, shall be paid or taken as the law prescribes in the act made in the year 1718, for regulating the militia; with this further addition and proviso, viz. :

That when any person is justly deemed finable for any neglect, as aforesaid, and will not pay his fine or fines to the proper officer upon demand, and will not show any personal estate, or hath none to make distraint on, that in such case, the officer shall apply himself to an assistant justice, or conservator of the peace, in the town wherein the delinquent person resides; and the said minister of justice so applied unto, shall grant forth his warrant (if in conscience he makes no scruple so to do) to apprehend such delinquent person, and bring said person before him, who shall hear and give judgment as in actional cases under forty shillings; and any one of said ministers of justice are hereby empowered to hear and determine the same, accordingly, which shall be a final issue thereof.

Always provided, that if the said delinquent person or persons shall plead that it is against his or their consciences to fight or bear any sort of arms or weapons to defend himself, his interest, and the interest of the colony against a common enemy, and for the confirmation of what he asserts, produce and deliver to his commander, or to the justice, a certificate from the congregation and meeting to which he or they do be-

long, or frequent, that they, the said meeting, do own him or them to be in unity with them, and that they are persuaded and do believe him or them to be truly consciencious in what he or they do declare against fighting, &c., that then the commander or justice, that shall receive such certificate, shall acquit and discharge such person or persons from paying any fine or fines, with the following proviso, viz. :

That the person or persons so acquitted and discharged, do upon alarms or other special occasions, when the militia are in arms, and upon duty, appear and attend with horse, or horse kind, if any he hath, to serve the King, or otherwise in person, if he hath none, and observe and perform all such orders and directions as he shall receive from the commanding officer or officers, in riding or going upon any discovery, carrying or bringing intelligence, and the like service ; but in default or neglect thereof, such person or persons so defaulting or neglecting, shall not be acquitted and discharged of his and their fine or fines, but shall be taken and adjudged as in actional cases under forty shillings, as aforesaid ; any act, or usage, or custom to the contrary, notwithstanding.

Whereas, complaint hath been made to this Assembly, that the highway of the north-west corner of Pettaquamscutt Purchase, in North Kingstown, is very much straightened by those whose lands join thereon ;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the town council of North Kingstown order and appoint a surveyor to find the north-west corner of Pettaquamscutt Purchase, and to run up the northerly line of said Purchase ; and that the said town council, open the highway that is run up upon said Purchase line, as it was formerly laid out by a jury.

Whereas, there are sundry bonds due to the colony, which have been outstanding for many years ; the same being in the first place, taken after an intricate and irregular manner, which most likely is the reason why the people who formerly gave them, and their representatives, neglect and refuse to

comply with the former proposals of the General Assembly, for renewing them, or in paying what is justly due to the same; and this Assembly have considered the injustice of those people who keep back from the colony its just due, as well as the great necessity the colony lies under for the same, to answer sundry undertakings in hand; and also, that if timely care be not taken, said money will be totally lost;—

Wherefore, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the aforesaid bonds, commonly called the Narragansett bonds, be forthwith put into the hands of the general attorney, who is hereby ordered and directed to use his best endeavors by notifications and fair means, for the recovery of said money, so long kept back from the colony; and to sue all such to the next General Court of Trials, to whom the aforesaid treatment proves ineffectual; and that the attorney general make return of his proceedings, and account for the money by him recovered, to the General Assembly, after the General Court of Trials next, always lodging the money by him recovered forthwith into the general treasury, for the use of the colony.

And inasmuch as there is no stated salary upon the attorney general, it is voted, that he do all the colony's business, and that whenever the treasurer sees cause to sue any of the colony's bonds, &c., that the attorney general be the proper attorney to manage the same, as much as if he had a particular power therefor; but that he never take any fees of those delinquents or persons sued by the treasurer, who answer their debts before a declaration be drawn against them.

An Act for the limitation of personal actions as are limited to be brought within a certain term of years, in the statute of the 21st year of King James the First, and chapter the 16th, and for putting the said statute in full force, in limiting said actions in this colony. [See public laws, 1730, p. 144.]

Voted by this Assembly, that as soon as the bills shall be

printed for exchanging the £5, and 40s. bills, called in by the act of this Assembly, that £1000 of said bills be applied to, and for the use of the fort; to be re-paid again out of the money applied and ordered for the use of the fort.

Whereas, Stephen Northup, of North Kingstown, in this colony, at a General Court of Assembly, held at Warwick, on the last Wednesday of October last, had a decree of said Assembly given in his favor, against Elisha Cole, of said North Kingstown, to turn the stream or brook between them to his ancient course;—

Whereupon, the said Stephen Northup, by one execution, had the grist mill dam across the said river pulled down, whereby the mill that stood on said river is rendered useless, and the inhabitants of North and South Kingstown are thereby put to very great difficulties to get their bread corn ground, and at a very great distance from them, there being but one grist mill any thing near, nor any river commodious for the erecting of a grist mill within many miles, which obliges many persons to eat pounded corn, instead of ground; and the said Stephen Northup and Elisha Cole not agreeing to erect and build up the dam again;—

All which, being duly considered by this Assembly, and that the public benefit of whole towns is to be preferred to the benefit of two private persons, this Assembly do therefore enact and declare, and it is hereby enacted and declared, that if the said Stephen Northup and Elisha Cole shall not within three months after the publication hereof, agree, so that the mill dam be erected and built up again, so that the said mill be caused to grind, that then the town council of North Kingstown be, and they are hereby fully empowered and authorized to cause a jury of twelve men, under oath, to value the yearly income of the land and mill, and the right that belongs to the said Elisha Cole in the said mill, dam, land, river, &c., and the yearly damage the said Stephen Northup shall sustain by having his land drowned, by erecting the aforesaid dam; and that the said town council, in behalf of the said town, take the said mill, land, dam, &c., into their custody, and erect and amend the

dam, and cause the mill to grind ; the said town yearly paying to the said Elisha Cole and Stephen Northup the yearly value of the mill, land, dam, and river, as each of them shall be ordered to have, by the valuation of the jury aforesaid, until such time as the said Elisha Cole and Stephen Northup shall agree between themselves to keep the mill going.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1726.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Mr. William Anthony,
Col. William Wanton,	Mr. John Wickes,
Capt. Edward Thurston,	Mr. Francis Willet,
Col. Nicholas Power,	Mr. Rouse Helme,
Mr. George Cornell,	Capt. John Waterman.

DEPUTIES.

<i>For Newport.</i>	<i>For Portsmouth.</i>
Lieut. Col. Wm. Coddington,	Mr. Thomas Hicks,
Capt. John Brown,	Mr. Joseph Brownell,
Col. Joseph Whipple,	Capt. William Hall,
Major John Coddington,	<i>For Warwick.</i>
Capt. Wm. Peckham,	Capt. John Waterman,
Mr. Thos. Coggeshall.	Mr. John Warner,
<i>For Providence.</i>	Mr. Israel Arnold,
Capt. Richard Waterman,	Capt. Othniel Gorton.
Major Wm. Smith,	
Mr. Philip Tillinghast,	
Mr. Daniel Cooke,	

DEPUTIES.

For Westerly.

Major Joseph Stanton,
Capt. John Hill.

For North Kingstown,

Mr. Jeremiah Gould,
Mr. Benjamin Northup.

For South Kingstown.

Mr. Wm. Robinson.

For East Greenwich.

Mr. John Spencer,
Mr. Thomas Frye, Jr.

For Jamestown.

Capt. Nicholas Carr,
Mr. John Underwood.

Mr. Jeremiah Gould, speaker.

Capt. Richard Waterman, clerk.

Forasmuch, as information has been given to this Assembly, that several persons from Connecticut have several times come into this colony, and run lines in several towns in this colony, without the assent or knowledge of the authority of this government, which is contrary to the laws established in Great Britain and this colony, and may prove very prejudicial and hurtful to the government in general;—

For remedying whereof, for the future, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that if any person or persons from out of the neighboring governments, shall come into this colony, and run any line, or measure any tract or tracts of land within this government, without the assent and approbation of the Governor and council of this colony, for the time being, that such person and persons be taken into custody, by a warrant from an assistant or justice of the peace, of such town where such person or persons shall be found running of any line or lines, and be committed to jail in Newport, until the next General Court of Trials, as shall next happen after such commitment; where such person or persons, if convicted of so doing, shall be fined, at the discretion of the judges of such court, not exceeding above £50 each, for such offence.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2a day of May, 1727.

The Hon. Joseph Jenckes, Deputy Governor.

ASSISTANTS.

Capt. Jonathan Nichols,	Capt. John Waterman,
Col. William Wanton,	Mr. John Wickes,
Col. Nicholas Power,	Mr. Francis Willett,
Mr. George Cornell,	Mr. Rouse Helme.
Mr. Wm. Anthony,	

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Lieut. Col. Wm. Coddington,	Mr. Moses Lippit,
Capt. Benj. Ellery,	Lieut. Stephen Arnold,
Col. Joseph Whipple,	Mr. John Warner,
Major John Coddington,	Mr. William Greene.
Capt. William Peckham,	<i>For Westerly.</i>
Mr. Thomas Coggeshall.	Major Joseph Stanton,
<i>For Providence.</i>	Mr. Thomas Hiscox.
Capt. Richard Waterman,	<i>For North Kingstown.</i>
Mr. Wm. Smith,	Mr. Jeremiah Gould,
Mr. William Jencks,	Mr. William Spencer.
Mr. Philip Tillinghast.	<i>For South Kingstown.</i>
<i>For Portsmouth.</i>	Mr. William Robinson,
Mr. Thomas Cornell,	Mr. Job Babcock.
Mr. Gideon Freeborne,	<i>For East Greenwich.</i>
Capt. William Hall,	Major Thos. Frye,
Mr. Joseph Brownell.	Mr. Thomas Spencer.
	<i>For Jamestown.</i>
	Capt. Nicholas Carr,
	Mr. Richard Tew.

Mr. Jeremiah Gould, speaker.

Capt. Richard Waterman, clerk.

Henry Barzee, Thomas Gardner, Job Caswell, Edward Scott, Ebenezer Richardson, John Chadwick, Jr., Benjamin Norton, Jr., Benjamin Jefferson, Thomas Hicks, Joseph Slocum (in the woods), Peter Ayrault, Augustus Lucas, Jr., Jonathan Tillinghast, John Chipman, Jonathan Chace, Thomas Staples, Joseph Peckham, Peter Philips, George Gardner, Daniel Vaughan, son of John, James Blackstock and George Tew, all of Newport, are admitted freemen of this colony.

Benjamin Tillinghast, William Coman, Thomas Williams, James Williams, Jr., Edward Smith, John Owen, Zachariah Eddy, Jr., Daniel Whipple, Thomas Olney, currier, Benjamin Waterman, Jr. and Epenetus Olney, Jr., all of Providence, are admitted freemen of this colony.

Benjamin Shearman, William Cornell, William Burrington, son of William Burrington, Jr., Thomas Hicks, Jr., John Slocum, Jr. and Caleb Arnold, all of Portsmouth, are admitted freemen of the colony.

John Stafford, Philip Greene, William Cory, Samuel Gorton, son of Samuel Gorton, James Colvin, John Roberts, Josiah Colvin and John Briggs, all of Warwick, are admitted freemen of this colony.

Peter Boss, Jonathan Morey, John Cole, Thos. Place, Jr., Nathaniel Havens, Whitford, John Reynolds, carpenter, Sam'l Fones, Jr., David Vaughn, Geo. Tibbetts, Jr. and Benj. Wright, all of North Kingstown, are admitted freemen of this colony.

William Case, Jr., Solomon Carpenter, Jr., and Moses Barber, the third, all of South Kingstown, are admitted freemen of this colony.

Caleb Carr, Jr. and John Cory, both of Jamestown, are admitted freemen of this colony.

Christopher Carpenter, Jeremiah Ellis, Benjamin Bentley, Hezekiah Matison, John Langford, Jonathan Weaver, Ebenezer Cook, John Case, son of Joseph, Pasco Whitford, Robert Fish, James Reynolds, Jr. and Amos Stafford, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1727.

Mr. Jeremiah Gould, speaker.
Capt. Richard Waterman, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Joseph Jenckes, Governor.
The Hon. Jonathan Nichols, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,	Mr. William Anthony,
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Col. Nicholas Power,	Mr. John Wickes,
Capt. Richard Waterman,	Mr. Francis Willett,
Mr. George Cornell,	Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton, Jr.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Mr. Thomas Spencer, chosen clerk, instead of Capt. Richard Waterman, chosen assistant.

It is voted and ordered by the General Assembly, that the charter be delivered into the hands of His Honor, the Governor, and the duplicate be delivered to the deputy governor's care and custody; and that the Governor amend the seal thereof, if it be needed.

Voted, that the recorder, Mr. attorney general and the gen-

eral treasurer, join with the executors of the late deceased Governor, to overhaul and examine his papers; and what papers they shall find amongst them to relate to the affairs of the colony, to be delivered to the Governor.

It is voted by this Assembly, that the general treasurer of the colony pay out of the general treasury, to the executors of the late deceased worthy Governor, and for the use of his estate, £70, as a gratuity for the extraordinary service done by the late deceased Governor.

Forasmuch, as it is highly necessary for the Governor of this colony, to live at Newport, the metropolis of the government, and this Assembly considering that it will be very chargeable for the present Governor to remove his family to Newport and settle there;—

Therefore, it is ordered by this Assembly, that His Honor, the present Governor, have, forthwith, out of the general treasury, £100, for to defray the charges of removing his family to Newport; and the general treasurer of this colony is hereby ordered to pay him the same, accordingly.

Voted, that £300 be paid out of the general treasury, to procure silver or bills of exchange, to be remitted by the Governor to our agent in Great Britain, for the colony's service; and Mr. Joseph Whipple draw it out of the general treasury, and procure the said silver or bills of exchange, and lodge it with the Governor, to be sent home, as aforesaid.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 13th day of June, 1727.

The Hon. Joseph Jenckes, Governor.

The Hon. Jonathan Nichols, Deputy Governor.

Richard Ward, recorder.

Mr. Jeremiah Gould, speaker.

Capt. Richard Waterman, clerk.

Whereas, it has been made to appear to this Assembly, that a certain Indian lad, named Peter, belonging to Jacob Mott, Jr., of Portsmouth, did, sometime past, maliciously endeavor to murder his said master, by discharging at him a gun, loaded with a bullet and sundry shot, shooting him through the hat, so that it was an extraordinary act of Providence, said Mott was not killed; which thing, inasmuch as there was only an intent or mischief, and none really done and acted, falls not under the law, so that the said Indian may have afflicted on him the punishment equalizing the malignity of his crime; and this Assembly having cause to think said Indian may have some accomplices, and that it may be of bad consequence, ever to set him at large in this government again;—

For the preventing of future danger, and for the terror of evil doers hereafter, do order, enact, and it is hereby ordered and enacted by this Assembly, and by the authority thereof, that the said Indian lad, named Peter, shall, on the 17th day of this instant June, be branded on the forehead with the letter **R**, with a hot iron, and be publicly whipped at a cart's tail, throughout all the most public corners and places of the town of Newport, as the justices of said town shall think fit to direct, not exceeding ten lashes in one place; and that the said Jacob Mott shall, and hereby hath full power to sell and dispose of said Indian, named Peter, so that he be banished into some foreign part, never to have liberty of returning into this government again; which sale shall run for the time he hath in said Indian; and for so much longer time, as will pay the charges incident to the aforesaid fact, which the said Jacob Mott shall be answerable for; any law, usage or custom, to the contrary hereof, notwithstanding.

Upon the petition and representation of the town of Portsmouth, setting forth that the ferry and privilege of transporting passengers from Portsmouth to Bristol, being confined to Thos. Borden, or to any one particular person, is not so convenient, and cannot accommodate the public, as if continued in two distinct places, as the same has been accustomed to have been kept of old; which this General Assembly having considered,

together with the prayer of Abiel Tripp, setting forth the hardship and ill convenience attending him, by the ferry's being moved from his house, or the place where he lives, where there is a public landing place, and from whence there hath been a ferry kept for upwards of forty years;—

Be it therefore enacted by this General Assembly, and by the authority thereof it is hereby enacted, that upon said Abiel Tripp's providing a good and sufficient boat and wharf for the service of the public, and applying himself to the committee for leasing of ferries, said committee are hereby empowered and directed to grant him a lease, so that he may keep a ferry to transport passengers from said place to Bristol, and be upon equal footing with Thomas Borden, as though said ferry had not been leased to one person solely; any law, custom or usage to the contrary hereof, notwithstanding.

Be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the several sums of old money, and the several sums of torn money ordered to be exchanged, and the £5 and the 40s. bills called in, and by act of Assembly, ordered to be exchanged, as by the several sorts hereafter mentioned, be forthwith burnt; and the same were burnt in the presence of the Assembly, accordingly.

It is ordered by this General Assembly, that the general treasurer take the advice and direction of His Honor, the Governor, deputy governor, and provide such ammunition for the defence and safety of the government as they shall think fit.

For the docking of estates tail, according to the law and usage of this colony, are chosen the following officers:

Daniel Abbott, cursitor.

Job Babcock, prothonotary; refused. Major John Coddington, chosen in his room.

Joseph Borden, Esq., receiver.

William Coddington, Esq., master of the alienation office.

Jahleel Brenton, Jr., custos brevium.

There was paid into the general treasury of this colony, the

sum of £60, by Ninegret's trustees, the late sachem, in full of what was due from said sachem to this colony.

It is ordered by this Assembly, that a letter be writ, and signed by the secretary or general recorder of the colony, and sent to the Governor of Connecticut, informing him of the settlement of the line between this colony and Connecticut; and that he follow the directions therein, of His Honor, the Governor.

Ordered, that the thanks of the Assembly be given to the deputy governor, for his service in the affair of Mr. Chickley.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 22d day of August, 1727.

The Hon. Joseph Jenckes, Governor.

The Hon. Jonathan Nichols, Deputy Governor.

Richard Ward, recorder.

In the absence of the speaker and clerk, the house chose Major Thomas Frye, speaker, and Major John Coddington, clerk.

Both houses resolved into a grand committee for to choose a deputy governor, in the room and place of Jonathan Nichols, Esq., deceased.

Major Thomas Frye, chosen deputy governor of this colony, in the room of Jonathan Nichols, Esq., deceased, and engaged.

Jahleel Brenton, Jr., chosen one of the colony's trustees or committee, for the signing and emitting of bills, &c.; and a committee man for the town of Newport, in the room of Jonathan Nichols, Esq., deceased.

William Anthony, Esq., is chosen one of the committee for

leasing out of the ferries, in the room of Jonathan Nichols, Esq., deceased.

Capt. Benjamin Ellery, chosen speaker of the house of deputies, in the room of Major Thomas Frye.

Ordered, that His Royal Highness, the Prince of Wales, be proclaimed on the 24th instant, the only rightful and lawful King of Great Britain, France, and Ireland, and the territories thereto belonging, with the companies of the town of Newport, under arms.

Ten pounds are allowed out of the general treasury to the town of Providence, to be dispended at the proclamation of His present Royal Majesty, King George the Second.

Whereas, since the demise of our late sovereign lord, King George the First, and before the knowledge thereof, amongst us, one General Assembly of this colony has sat, and enacted divers laws, both public and private, in His said late Majesty's name, and many writs of mesne process, executions, entries, &c., declarations, pleas, &c., have been issued forth in His said late Majesty's name ;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that all acts and orders of the aforesaid General Assembly, and all writs of mesne process, executions, entries, declarations, pleas, &c., shall be as good, valid, binding, and effectual to all intents and purposes whatsoever, as though the aforesaid acts and orders of Assembly, and writs of mesne process, executions, entries, declarations, pleas, &c., had issued out and gone forth, been signed and dated in the first year of the reign of His present Majesty, King George the Second ; any thing, matter, or usage, to the contrary hereof, notwithstanding.

Voted, that an address be sent to His Majesty, King George the Second, and be drawn by the sheriff, attorney general, and recorder, and signed by His Honor, the Governor, in the name and behalf of the General Assembly.

Voted, that all business that lies before this Assembly, referred from the last session to this Assembly, be referred to the October Assembly next.

It is declared by this Assembly, that the books set forth by Edward Hardman, contains vile and mutinous expressions ;—

Therefore, it is ordered by this Assembly, that the books of the said Edw. Hardman, be burnt before the colony house, by the town sergeant ; and that said Edward Hardman make acknowledgement under his hand, of his fault of publishing them, to the Governor and assistants of Newport, at such time as they shall order ; and to pay the charges that hath, or shall accrue thereon ; and to stand committed till this sentence be performed.

God save King George the Second.

Letter from Governor Jenckes to King George the Second.

To the King's Most Excellent Majesty : We, Your Majesty's dutiful and loyal subjects, the Governor and Company of Your Majesty's English colony of Rhode Island and Providence Plantations, in New England, in America, with thankful hearts acknowledge Your Majesty's favor, in continuing unto us the quiet enjoyment of our ancient charter privileges, great in their nature, but far greater by being suited to the circumstances of this, Your Majesty's colony ; or rather, in that we, Your Majesty's subjects, have had our birth, growth, and improvements under the same.

In the enjoyment of these, our privileges, we conceive it but a just acknowledgment of our duty, and a due tribute to our gracious sovereign, to expend some part of our small acquisitions of fortune in these remote parts of Your Majesty's dominions, in fortifying the frontier parts thereof, and putting the same in such a state and condition, as not to fear any attack from the enemies of Your Majesty's peace.

These, we were moved to undertake and carry on, not purely for our own safety and preservation, but rather by the principles of gratitude, raised by the privileges we enjoy ; and above all, by a fixed and steady resolution of doing every thing that Providence had put in our power to do, for the maintaining and preserving that part of the territories and dominions of our most good and beneficent sovereign, committed to our care.

What we, Your Majesty's subjects apprehended to be most for the safety and preservation of Your Majesty's said colony, and dominions adjacent, was the fortifying of Newport, the chief town in said colony, and the most frontier upon all the coast of New England, where we, Your Majesty's subjects have built a regular and beautiful fortification of stone, with a battery subjoined, where may be conveniently mounted sixty cannon. And we being well assured of Your Majesty's good disposition towards all your subjects, are therefore emboldened to entreat Your Majesty graciously to consider these parts of Your Majesty's dominions by us inhabited, detached from the rest, and thereby laboring under many difficulties ; and that our aforesaid work may be rendered useful to Your Majesty, and thereby have its designed effect, bestowed upon said fortification for the use of Your Majesty therein, a number of cannon, as may be consistent with Your Majesty's royal pleasure.

May this instance of our duty and loyalty find acceptance, and may we take leave to assure Your Majesty that the prospect of happiness displayed by the hand of Providence, in Your Majesty's glorious reign, is matter of unutterable joy ; and that there is nothing on earth that we pray for, with more constancy and sincerity, than that Your Majesty, who has been the means (by the favor of God) of preserving and distributing the blessings of peace to all your subjects (notwithstanding the mighty efforts of your enemies to disturb the same), may, after a long continuance in the full fruition of all earthly blessings, be translated into heaven, and made a happy sharer of the inestimable blessings of the Prince of Peace, the sure reward of virtue ; and that the happiness of Great Britain may be made lasting, and continue to future generations, by the succession of Your Majesty's royal heirs, till time shall cease.*

Signed in the name and behalf of the General Assembly of said colony.

J. JENCKES, Gover.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1727.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. William Wanton,	Mr. William Anthony,
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Col. Nicholas Power,	Mr. John Wickes,
Capt. Richard Waterman,	Mr. Francis Willett,
Mr. George Cornell,	Mr. Rouse Helme.

DEPUTIES.

<i>For Newport.</i>	Major John Coddington,
Mr. George Goulding,	Capt. William Peckham,
Capt. Benjamin Ellery,	Mr. Thomas Coggeshall.
Mr. Joseph Whipple,	

* J. Carter Brown's Manuscripts, Vol. II., No. 95.

DEPUTIES.

For Providence.

Col. Joseph Whipple,
Mr. Philip Tillinghast,
Capt. William Potter,
Capt. Stephen Dexter.

For Portsmouth.

Mr. Gideon Freeborne,
Capt. William Hall,
Mr. Joseph Brownell.

For Warwick.

Major Job Greene,
Capt. Benj. Greene,
Capt. John Rice,
Capt. John Greene.

For Westerly.

Major Joseph Stanton,
Capt. John Hill.

For North Kingstown.

Mr. Thomas Phillips,
Mr. Jeremiah Gould.

For South Kingstown.

Mr. Robert Hannah,
Mr. William Mumford.

For East Greenwich.

Mr. John Spencer, Jr.,
Mr. Thomas Brayton.

For Jamestown.

Capt. Nicholas Carr,
Mr. Samuel Clarke.

Major Job Greene, speaker.
Major John Coddington, clerk.

Whereas, there is an act of the General Assembly, of this colony, made in the year 1701, requiring all marriages, births and burials to be recorded in manner as is therein expressed, and upon the pain and penalties therein contained, which has proved ineffectual hitherto, to compel persons to register their marriages, and the births and deaths of their children or near relations, by reason the town treasurer, who is not the recorder of such marriages, births and burials, was empowered to sue for the same ;—

For remedying whereof, for the future, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the town clerk of each respective town in this colony, be, and is hereby authorised and empowered to sue and recover of all and every person or persons that shall refuse or neglect to register his or their marriage or marriages, or the birth, or death of his or their children, as by the afore-

said act is enjoined (and on the same penalties), the one moiety to be to, and for the town clerk, if he sue for the same ; and the other moiety to and for the use of the town, to be recovered before any justice of the peace, warden, &c.

An Act for increasing a trooper's fine from five shillings for a day's non-appearance, to ten shillings. [See public laws, 1730, p. 147.]

An Act in addition to an act made in the sixteenth year of the reign of King Charles the Second, entitled " An act for the preventing illegal and clandestine purchases of the native Indians, in this colony." [See public laws, 1730, p. 148.]

This Assembly receiving orders from Great Britain, for to proclaim Prince George, Prince of Wales, the only and rightful sovereign and liege lord, and King of Great Britain, France and Ireland, and the dominions thereto belonging, and supreme lord of this His Majesty's colony of Rhode Island, and all other his dominions in America ;—

It is therefore ordered, that the said Prince of Wales be proclaimed King of Great Britain, &c., by the name of George the Second, by the grace of God, King of Great Britain, France, and Ireland, and the territories and dominions thereto belonging ; as also supreme lord of this colony, and all other His Majesty's territories and dominions in America ; and also a proclamation for continuing all officers in post for six months after the demise of His late Majesty ; and the same was accordingly done, in the presence of the General Assembly, with a great number of the principal planters in this colony, with the usual solemnity and loud acclamations of joy.

This Assembly being informed that some persons have spread a report, tending to the prejudice of the present constitution of this government, viz. : that the General Assembly of this government is against the settling of a church by any persons, whatsoever, in the township of Westerly, which is false and groundless ;—

It is enacted and declared by the General Assembly of this colony, that ten or twenty acres of land be laid out in the town of Westerly, out of the land of Ninegret (he desiring the same) for the erecting thereon a house for worship, according to the form of the church of England, or for erecting of a meeting house thereon (he desiring it), for the use of any other society or societies; and the trustees that are, or shall be appointed to manage Ninegret's affairs by the government, to lay it out where they shall think it most convenient for a church or meeting house, upon said Ninegret's request.

Ordered, that the book brought by Mr. John Fones to this Assembly, be lodged in His Honor, the Governor's hands, till the next session of this Assembly; and that the recorder give Mr. Fones a discharge for said book.

It is voted and enacted by this Assembly, that Thomas Frye and William Wanton, Esqs., and Major Joseph Stanton, be, and they are hereby still continued trustees to Charles Augustus Ninegret, as they formerly were, to his father, who accepted thereof.

Voted, that the charges of proclaiming of our sovereign lord, King George the Second, at Warwick, amounting to £9 8s. 4d., be paid out of the General Treasury.

Ordered, that the recorder, write to the Governor of Connecticut, to know if they have any account from Great Britain, of settling the boundaries between us; and to desire them to take care and prevent their people from coming over the line between us, to commit waste in this colony, till they receive an account from Great Britain, of the settlement between the two colonies.

Voted, that Ninegret's trustees render an account to the Assembly at their next session, of the disposition of the monies received by them.

It is ordered by this Assembly, that all the commissioned officers in this colony, civil and military, be commissioned anew by His Honor, in the name of His Majesty, King George the Second, pursuant to an act of Parliament made in the sixth year of the reign of the late Queen Ann; and that they take

the oaths as is therein directed ; and the recorder is hereby ordered to transmit a copy of the oath to each town in the colony, for the better effecting the same.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday of February, 1727-28.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. William Wanton,	Mr. Wm. Anthony,
Lieut. Col. Wm. Coddington,	Mr. John Wickes,
Col. Nicholas Power,	Mr. Francis Willett,
Capt. Richard Waterman,	Mr. Rouse Helme.
Mr. Geo. Cornell,	

Major Job Greene, speaker.

Major John Coddington, clerk.

Thomas Hicks, Josias Lyndon, Daniel Goddard, Job Caswell, Samuel Maxwell, Benjamin Belcher, Jos. Slocum, Peter Ay-ault, Augustus Lucas, Jr., Jonathan Tillinghast, John Chip-nan, Jonathan Chace, Thomas Staples, Joseph Peckham, Peter Phillips, George Gardner, Daniel Vaughan, son of Jno., James Blackstock, George Tue, Col. William Whiting, Joseph Cogges-hall, Samuel Rodman, Samuel Bowen, Joseph Rogers, Robert Shearman, William Read, James Burges, Isaac Anthony, Benjamin Borden and Robert Winpenny, all of Newport, are ad-mitted free of this colony.

Joseph Hoxsie, Peter Halls, Judah Worden, James Halls, commonly called Whitehalls, George Babcock, Jr., George Brown, Jr., George Reynolds, Joseph Lawton, John Hoxsie, Joseph Champlin, Syrus Richmond, John Wilcox, Robert Burdick, Jr., Roger Elderton, Peter Burdick, Peter Kinyon, Jeoffrey Champlin, John Barker, William Lewis and Joseph Enos, all of Westerly, are admitted freemen of this colony.

John Case, son of Robert, Thomas Potter, son of Ichabod, and James Wells, of South Kingstown, are admitted freemen of this colony.

Whereas, John Fones, of North Kingstown, by petition to this Assembly, has set forth that the northern bounds of Pettaquamscutt Purchase, is not rightly run and settled by a jury that was empowered by the town council of North Kingstown, for to lay out a highway along said line, whereby great contention is, and more is likely to happen, to the inhabitants on both sides of said line, if not by this court timely prevented, and pray that a committee and surveyor, at his charge, may be appointed to run the same ;—

Upon consideration thereof, it is ordered by the Assembly, that Capt. John Hill, of Westerly, Capt. Nicholas Carr, of Jamestown, and Mr. William Brown, of South Kingstown, be, and they are hereby ordered and empowered, at the charge of said John Fones, to take Mr. Samuel Easton, surveyor, with them, and to run the north line of Pettaquamscutt Purchase, and to make their report of their doings therein, to the next General Assembly.

An Act for the encouragement of the raising as well as manufacturing of hemp in this colony. [See public laws, 1730, p. 149.]

Forasmuch as this government have notified the Governor and government of Connecticut of the order and determination of His Majesty in council, in settling and ascertaining the bounds and limits of each government, as deciphered in a plat annexed, of His Majesty's decree and determination thereof; and the

government of Connecticut taking no care for the settlement of the same ;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that William Wanton, Francis Willett, John Waterman, Daniel Uppdike, William Jenckes, and Benjamin Ellery, Esq., or any four of them, be, and they hereby are appointed a committee, with full power and authority, to run the aforesaid line between the two colonies, with such commissioners as are, or shall be appointed on the behalf of Connecticut, to run the same with them ; and in said line to erect and make boundaries and monuments for the more plain and easy ascertaining and perpetuating thereof.

And it is also further enacted, that if no commissioners shall appear on the part of Connecticut, to join with them in the performing the same, or if the commissioners of Connecticut shall refuse to join with them, that then they proceed on and finish the said work without them ; and to begin said work on the 15th day of April next.

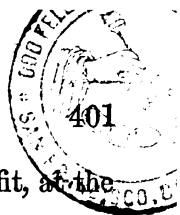
Ordered, that Mr. John Mumford and Mr. William Greene, be surveyors to run the aforesaid line between the two colonies.

Voted and declared by this Assembly, that Mr. Samuel Clarke, of Conanicut, provide and keep one other good ferry boat, and ferryman more than he now hath, to ply and tend the ferry from Jamestown to Newport, to answer the Point boat, during his lease ; and to be ready in four months' time.

And that the said ferryman and boat, be under the same regulation as the other ferrymen and boats are ; and if said boat comes into the old ferry place of the town, she shall be obliged to call at the Point, to take in passengers, if the Point boat is out of the way.

Ordered, that the attorney general make an amendment on the act for calling special courts, and present it to the next Assembly.

Ordered, that His Honor, the Governor, with such of the council as shall be present at Governor Burnet's arrival here,



entertain him in such manner as they shall think fit, at the colony's charge.

Voted, that £40,000 in bills of credit be impressed, and emitted by this government.

Voted, that the first £40,000 in bills of credit, emitted by this colony, in the year 1715, be called in and sunk in such method and manner as the General Assembly shall think proper.

And that Capt. Joseph Whipple, Capt. Benjamin Ellery, Major John Coddington, Mr. Daniel Updike and Capt. Henry Bull, be a committee to draw up a scheme for doing the same, and present it to the next Assembly.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last day of April, 1728.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,	Mr. William Anthony,
Lieut. Col. Wm. Coddington,	Capt. John Waterman,
Col. Nicholas Power,	Mr. John Wickes,
Mr. George Cornell,	Mr. Francis Willett.

DEPUTIES.

<i>For Newport.</i>	Mr. Gideon Wanton,
Mr. George Goulding,	Capt. James Clarke,
Capt. Henry Bull,	Mr. Thomas Coggeshall,
Mr. Joseph Whipple,	

DEPUTIES.

For Providence.

Mr. Thos. Olney.

For Portsmouth.

Mr. Thomas Cornell,
 Capt. George Lawton,
 Mr. Gideon Freeborne,
 Mr. Thos. Hicks.

For Warwick.

Major Anthony Low,
 Capt. Thomas Stafford,
 Capt. William Arnold,
 Mr. Stukely Stafford.

For North Kingstown.

Mr. Jeremiah Gould.

Mr. Thomas Phillips.

For South Kingstown.

Mr. Wm. Robinson,
 Mr. William Mumford.

For East Greenwich.

Mr. Peleg Spencer.
 Capt. Ishmael Spinke.

For Jamestown.

Capt. Nicholas Carr,
 Mr. Samuel Clarke.

Capt. Henry Bull, speaker.

Mr. Thomas Phillips, clerk.

John Cupit, Joram Place, Benjamin Wiatt, John Freebody, Thomas Brown, William Peckham, son of William Peckham, Jr., John Godfrey, Samuel Beebee, Peter Bourse, Jonathan Barney, Thomas Salter, Nathaniel Potter, Stephen Brayton, Eleazer Arnold, Timothy Peckham, Jr., Timothy Whiting, Joseph Wanton, James Clarke, son of Henry, George Thomas, John Hedges, Caleb Carr, Richard Jerson, John Forrister, Henry Hedley, George Hall and Samuel Deucesne, all of New port, are admitted freemen of this colony.

Nathaniel Sheldon, Amaziah Harris, Uriah Harris, Bradberry Snow, James Field, George Brown, Fisher Potter, Chad Brown, Stephen Angel, Joseph Coman, Henry Wightman and Jonathan Jenckes, all of Providence, are admitted freemen of this colony.

William Wall, Joseph Chace, Peter Lavilee, Josiah Arnold, son of William Arnold, Thomas Casey, son of Adam Casey, Benjamin Earle and Malachi Rhodes, all of Warwick, are admitted freemen of this colony.

David Dodge and Jonathan Mitchell, both of New Shoreham, are admitted freemen of this colony.

Daniel Coggeshall, William Sweet, Enoch Place and George Fowler, all of North Kingstown, are admitted freemen of this colony.

Samuel Haszard, Jonathan Haszard and Joseph Case, the third, of South Kingstown, are admitted freemen of this colony.

Henry Mattison, Jr., Philip Pearce, Abner Spencer, son of Michael, Joseph Bealey, Joseph Hopkins, Jr., Joseph Gardner, John Coggeshall, John Spencer, son of William, John Weaver, Jonathan Remington, Robert Whitford, Jedidiah Jenkins, John Drake, Nathan Rice and Manson Kettle, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1728.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

Capt. Henry Bull, speaker.

Mr. Josias Lyndon, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. William Wanton,

Capt. Richard Waterman,

Lieut. Col. Wm. Coddington,

Mr. George Cornell,

Col. Nicholas Power,

Mr. Wm. Anthony.

ASSISTANTS.

Capt. John Waterman,
Mr. John Wickes,

Mr. Francis Willett,
Mr. Rouse Helme.

RECORDER.

Richard Ward.

GENERAL TREASURER.

Mr. Joseph Borden.

SHERIFF.

Mr. Jahleel Brenton.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Ordered, that the sum of £40 be allowed out of the general treasury, to the town of Providence, towards the reparation lately by said town, made to Weybosset bridge; and the said sum to be paid by the general treasurer to said town, or their order.

It is ordered, that Col. Joseph Jenckes, Esq., our present Governor, be paid out of the general treasury of this colony, the sum of £200, for his last year's service; all salary or salaries allowed by any act of Assembly of this colony, to be included therein.

Ordered, that the copper plates (for the impressing the money), belonging to the colony, be, from time to time, lodged in the hands of the Governor of this colony, there to remain until the person appointed to make the money, shall call for the same; and when such money shall at any time be finished, then the plate to be returned to the Governor again.

Whereas, there was a committee appointed to inquire into the price of a piece of land added to the prison yard, who have reported said land to be fourteen feet wide east and west, and the length of the aforesaid yard, and of the value of £20;—

Therefore, it is ordered, that the general treasurer pay to the town of Newport the aforesaid sum of £20, the price of said land, made use of, as aforesaid.

Voted, that an act be made at the next session of this Assembly, for printing the laws of the colony, which are not yet in print.

Ordered, that the accepting or disallowing of the return of

the committee appointed for the settling the north-west line of the Pettaquamscutt Purchase, be referred to the next session of this Assembly; and that John Fones notify the adverse parties.

An Act for impressing and emitting £40,000, in bills of credit of this colony, by way of loan. [See public laws, 1730, p. 152.]

An Act appointing commissioners to run the line between this colony and Connecticut, pursuant to the order and determination of His Majesty, in council.

Forasmuch, as this government have notified the Governor and government of Connecticut of the order and determination of His Majesty, settling and ascertaining the bounds and limits of each government, as deciphered in a plat annexed to his decree and determination thereof, and the government of Connecticut taking no care for the settling of the same;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that Wm. Wanton, Francis Willett, John Waterman, William Jenckes and Benjamin Ellery, Esqs., or any three of them, be, and they are hereby appointed a committee, with full power and authority to run and settle the aforesaid line between the two colonies, with such commissioners as are, or shall be appointed on the behalf of Connecticut, to run the same with them; and in said line to erect and make boundaries and monuments for the more plain and easy ascertaining and perpetuating thereof.

And it is also further enacted by the authority aforesaid, that if no commissioners shall appear on the part of Connecticut, to join with them in performing the same, or if the commissioners of Connecticut shall refuse to join with them, that they proceed on and finish the said work without them; and to be at the south-west corner of Warwick, on the 21st day of this instant May, at 11 o'clock in the morning, to begin said work.

Ordered, that Mr. John Mumford and Mr. William Greene, be surveyors, to run the aforesaid line between the two

colonies; and the committee to take such assistance as is needful.

An Act for recording fines and common recoveries. [See public laws, 1731, p. 156.]

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of June, 1728.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. William Wanton,

Lieut. Col. Wm. Coddington,

Capt. Richard Waterman,

Mr. George Cornell,

Mr. William Anthony,

Capt. John Waterman,

Mr. John Wickes,

Mr. Francis Willett.

Capt. Henry Bull, speaker.

Mr. Josias Lyndon, clerk.

The acts of Assembly made in June, Anno Domini, 1725, and in October, A. D. 1725, directing that the plaintiff and defendant should annex their accounts in all actions of the case for money due by book, to their writs or declarations and their pleas, in order to an adjustment being found prejudicial;—

Be it therefore enacted by the General Assembly and by the authority of the same, that the said acts and every clause thereof, be, and they are hereby repealed and made null and void for the future.

An Act for the preservation of deer in the colony. [See public laws, 1730, p. 158.]

Upon the petition of John Fones, praying this Assembly, at their session in February last, to appoint a committee to run the north-west line of the Pettaquamscutt Purchase, the same was granted; and upon hearing the report of the committee, and examining the plat returned, and hearing the parties therein concerned,—

It is voted and declared by this Assembly, that the straight line from the rock to the horn-heap, be the established line; and it is accordingly affirmed by this Assembly.

It is further voted and declared by this Assembly, that the line being settled, as aforesaid, shall in no wise hinder or bar any person of the benefit of the law, or move their ancient possessions.

Voted and enacted by this Assembly, that the general treasurer order seats and conveniences to be made in the chamber of the colony house, for the accommodation of the deputies, where they commonly sit; and to be assisted by Capt. Henry Bull, in directing the manner thereof; and the same to be done as soon as convenient.

Whereas, William Borden, by petition, set forth to this Assembly, that the carrying on of the duck trade is very chargeable, and he very unable to carry on the same, unless he have some help from this colony, and praying that they would consider his circumstances, and grant him some assistance in the premises, that the trade may not be lost; all which, being duly considered;—

It is therefore enacted by the General Assembly of this colony, that the sum of £3,000, in bills of credit, be impressed and signed by the trustees of the colony, and of the same tenure of those already made; and that the trustees of said colony let the same out to the said William Borden; he giving good and sufficient security, such as the said trustees shall accept of without interest; and to refund and pay the same at the end and expiration of ten years after the time of his taking the same out; the said William Borden to be at the charge of impressing and making the same.

And it is further ordered, that the said Wm. Borden make, or

cause to be made, the quantity of one hundred and fifty bolts of good merchantable duck yearly, and every year, during the aforesaid term of ten years, to the satisfaction of such committee as shall be appointed to view the same ; and that in case he fails of carrying on the said trade, or the completing one hundred and fifty bolts annually, as aforesaid, that then he shall re-imburse and pay to the said colony the aforesaid sum of £3,000 ; any thing in the aforesaid act to the contrary notwithstanding.

Voted and ordered, that the laws of this colony, now in force, be put in print ; and that Mr. Richard Ward, Col. Daniel Uddike, Capt. Henry Bull and Mr. Nathaniel Newdigate be appointed a committee to revise the said laws, in order to be printed ; and also be empowered to agree with the printer upon the best terms they can, to perform and do the same.

Voted and ordered, that the committee of the town of Newport, appointed for signing and letting out the £40,000 last made, be allowed fifteen shillings in every £100, for signing, numbering and letting out said money ; and that the several trustees for the other towns of this colony, be allowed five shillings for every £100 by them let out.

An Act for restraining of excessive usury. [Repealed.]

Capt. Daniel Abbott, chosen cursitor.

Major John Coddington, chosen prothonotary.

Mr. Joseph Borden, receiver of the King's silver.

Col. William Coddington, master of the alienation office.

Jahleel Brenton, Jr., custos brevium.

Ordered, that a present of £20, be made to James Cranston, out of the general treasury.

An Act for preventing pedlars from selling of goods in this colony. [Public laws, 1730, p. 159.]

The account of charges of the committee appointed to run the line between this colony and Connecticut, amounting to

£66 13s. 8d., is accepted and allowed of by this Assembly, and ordered that they be paid the same out of the general treasury of this colony.

Whereas, several persons in this colony, have complied with the act of the General Assembly, made in December, 1724, for paying in one-fifth part of the bills of credit, by them taken of the bank, in the year 1715, in order to let out to others; and the Assembly, at their session in May last, repealed said act, and otherwise ordered the payment of said bills;—

It is therefore ordered by this Assembly, that the several persons that paid in one-fifth part of said bills, be paid the same back again, by the grand committee, with the interest thereon, at five per cent., to be paid and sunk, agreeably to the late act; and that then the said persons shall give in one bond to pay for the interest of the whole sum, when the year is expired, pursuant to the act of this Assembly, regulating the same.

Upon the petition of sundry of the inhabitants of the western part of the township of Warwick, setting forth the difficulty of their going some ten, and some twelve miles, to training, and praying that a third company may be set off in said township;—

It is ordered and enacted, that a third company or trained band, be set off in the westernmost part of the township of Warwick, by the field officers of the regiment of militia on the main land, and make return thereof, to the next session of the Assembly.

An Act for regulating the payment in of the £40,000, emitted in the year 1721; and also for regulating the payment in of the £40,000 emitted in May last. [See public laws, p. 160.]

Voted and enacted by this Assembly, that John Wickes, Esq., Capt. Joseph Whipple and Capt. Nicholas Carr be, and they are hereby appointed a committee to search and inspect into the records lately kept by John Fones, and to make re-

turn to the next session of the Assembly of such records, as shall be good and valid.

Voted and ordered, that Thomas Clemons have two pence per pound, out of the general treasury, for the bounty of one hundred and twenty and one pounds of hemp by him raised and manufactured in this colony, according to the former act.

Voted, that £100 be remitted to our agent in Great Britain, and that the general treasurer, with Mr. George Goulding and Capt. Joseph Whipple, be a committee appointed to procure the same, by bills of exchange, silver, or otherwise, as they shall think most advantageous to this government.

Voted and enacted by this Assembly, that the clerk of the house of deputies, for the time being, be allowed ten shillings per diem, for his attendance on the General Assembly.

Voted and ordered, that Samuel Clarke, of Jamestown, be allowed and paid out of the general treasury, two pence per pound for twelve hundred and seven pounds of hemp, by him raised and water-rotted; he giving in his engagement to the general treasurer that said hemp was raised in this colony, and water-rotted.

Whereas, it is found ill convenient for all those persons that raise hemp in this colony, to come to Newport, to give their engagement on the same;—

It is therefore enacted by this Assembly, that all persons raising hemp in this government (except in the town of Newport), giving their engagement before an assistant or justice of the peace of the town wherein they dwell, that the same was sown, raised and manufactured by them in this government, and allowed of by the hemp viewers of their respective towns, shall be accepted by the general treasurer, and shall entitle them to receive their premium out of the general treasury, as though they had given their engagement before the general treasurer.

Voted, that all persons petitioning this Assembly, shall pay ten shillings for each petition preferred, before the same be heard; the one half thereof to be applied to, and for the use

of the house of magistrates, and the other half to, and for the use of the house of deputies.

It is enacted by the General Assembly of this colony, and by the authority thereof, that the sum of £3,000 in bills of credit, be impressed, and by the trustees of the colony made and signed ; and when by them finished, to be delivered to the general treasurer of this colony ; £2,017 to supply those bills that he used for the exchanging of the old torn, ragged bills ; and the remainder to be applied for the exchanging of ragged bills of credit of this colony.

Voted and enacted by this Assembly, that for the carrying on of the fort, there be the sum of £2,000 in bills of credit impressed and signed by the trustees of this colony ; and the same be paid again out of the interest money, as it shall come in hereafter.

Voted, that His Honor, the Governor, William Wanton, Esq., and Capt. Henry Bull, be a committee to write to the government of Connecticut, upon what measures this government will appoint commissioners to run over again and settle the line between the two colonies.

Whereas, since the running the division line between this colony and the colony of Connecticut, said colony hath sent sundry reasons and inducements for the running said line again, which although not altogether sufficient, yet this colony having always acted upon the principles of honor and justice, and being willing to cultivate friendship, rather than create controversy ;—

Be it therefore enacted by the General Assembly, and by the authority of the same it is enacted, that if Connecticut colony shall come into such reasonable measures as the committee appointed to write to them shall propose, or concede to, in respect to the farther ascertaining said boundary line, then the third Tuesday of September next is the day appointed by this Assembly for the meeting the commissioners for Connecticut at Warwick, and the former committee for this colony, viz. :

William Wanton, Francis Willett, John Waterman, William

Jenckes and Benjamin Ellery, Esq., or any three of them, are hereby still continued, and ordered to meet them at said time and place, in order to do such further and other thing or things that the nature of the affair requires ; and such further act by them done, shall be good and valid, and be by this government abided by.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1728.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

With the assistants and deputies.

Major Job Greene chosen assistant in the room of Capt. John Waterman, deceased, and engaged.

Jahleel Brenton, of Newport, in the colony aforesaid, Esq., appellant from a judgment of a General Court of Trials, held at Newport, within and for said colony, on the first Tuesday of September last past, in an action of the case damage £600, John Stanton, of Newport, in the colony, aforesaid, yeoman, appellee ;—

The appellant and appellee being duly heard, and their reasons and allegations maturely weighed and considered, the judgment and decree of this Assembly is, that the aforesaid judgment of the aforesaid General Court of Trials, given in favor of the said John Stanton, against the said Jahleel Brenton, be, and it is hereby affirmed ; and that the appellee have his costs of suit, £4 1s. 2d.

The appellant prayed an appeal to the King, in council, in

Great Britain, which was refused by the General Assembly, because the matter in suit, was not of the value of £300.

Ichabod Potter, son of Robert, Benjamin Barber, Jeremiah Niles and Joseph Potter, all of South Kingstown, are admitted freemen of this colony.

It appearing to this Assembly, that the bridge over Pawtucket river, between this colony and the Province of the Massachusetts Bay, is so decayed and rotten, that it is dangerous to pass over it, and that it is impracticable to repair the same; and the said bridge being found by long experience to be of great service to both colonies; and that unless it be speedily rebuilt, the inhabitants of both governments will be great sufferers;—

It is therefore ordered by this Assembly, that half the charge of building said bridge be advanced and paid out of the general treasury, if the government of the Massachusetts will rebuild the other half.

And Mr. Wm. Jenckes is appointed on the behalf of this colony, to join with such committee as shall be appointed on the part of the Massachusetts, to rebuild the said bridge; and to provide materials and workmen for the rebuilding the one-half thereof.

Ordered, that the commission of the Connecticut commissioners, and the settling and establishing the line by the said commissioners between the two colonies, be recorded in the public records of the colony.

Forasmuch, as John Menzies, Esq., late judge of the court of admiralty, in this colony, is deceased, and by reason of the distance between this place and Great Britain, it may be a considerable time before His Majesty, King George, will fill up the said vacancy, which may be very prejudicial to many of His Majesty's subjects in this colony; for preventing whereof, and that justice may be done to His Majesty's subjects in this colony, till His Majesty shall appoint a judge of the court of admiralty herein,—

Be it enacted by the General Assembly of this colony, and by the authority hereof it is hereby enacted and ordered, that

William Whiting of Newport, Esq., be, and he hereby is constituted and appointed judge of the court of admiralty, in this colony, till His Majesty shall appoint a judge of the court of vice admiralty for this colony; or till this Assembly shall appoint another in his room and stead; and that His Honor, the Governor, commissionate him, accordingly.

The commissioners' charges that run the line with Connecticut, amounting to £116 2s. 2d., is allowed of, and ordered to be paid out of the general treasury, viz.:

Capt. Ellery's account,.....	£24	19s.	6d.
William Green's, do.,	16	06	6
William Jenckes's, do.,.....	11	00	0
Col. Wanton's, do.,.....	33	04	0
John Mumford's, do.,.....	22	11	2
Capt. Bull's, do.,.....	5	00	0
Mr. Wickes's, do.,.....	3	01	0
	<hr/>		
	£116	02	2

It is voted and ordered by the General Assembly of this colony, that all persons inhabiting and residing in the Provinces of New York, the Massachusetts Bay, New Hampshire and in the colony of Connecticut, are not within the benefit of the act, entitled "An act for calling of special courts;" and that the judges of such courts govern themselves accordingly; and that the attorney general draw up an act thereon, accordingly.

Voted and ordered that Lieut. Col. William Coddington, Capt. Henry Bull and Capt. Joseph Whipple, be a committee to examine the accounts of the charges of the late expedition from Newport; and what they find reasonable, to be allowed to pass to the general treasurer, who is hereby ordered to pay the same.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of February, 1728-9.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

With the assistants and deputies from the several towns.

Upon the petition of Capt. Henry Bull, setting forth that the town council of South Kingstown have lately ordered a record to be made of a highway through his land, in said South Kingstown, without giving notice to said petitioner, or his tenant, that they might contest the force and validity of the same, and praying that the said record may be null and void, &c.;—

Upon consideration whereof, this Assembly do declare, the proceedings of the said town council of South Kingstown, in said affair, to be illegal; and that the said record be null, void and of none effect.

An Act relating to freeing mulatto and negro slaves.

Forasmuch, as great charge, trouble and inconveniencies have arisen to the inhabitants of divers towns in this colony, by the manumitting and setting free mulatto and negro slaves; for remedying whereof, for the future,—

Be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that no mulatto or negro slave, shall be hereafter manumitted, discharged or set free, or at liberty, until sufficient security be given to the town treasurer of the town or place where such person dwells, in a valuable sum of not less than £100, to secure and indemnify the town or place from all charge for, or about such mulatto or

negro, to be manumitted and set at liberty, in case he or she by sickness, lameness or otherwise, be rendered incapable to support him or herself.

And no mulatto or negro hereafter manumitted, shall be deemed or accounted free, for whom security shall not be given as aforesaid, but shall be the proper charge of their respective masters or mistresses, in case they should stand in need of relief and support; notwithstanding any manumission or instrument of freedom to them made and given; and shall be liable at all times to be put forth to service by the justices of the peace, or wardens of the town.

William Dean, Nathaniel French and sundry others, by petition, set forth to this Assembly that they formerly supposed themselves to be inhabitants of Voluntown, but since the late settlement of the line between this colony and Connecticut, it appears that they are under the jurisdiction of this government, and therefore pray that the Assembly would take the concern of their lands into their own hands, and that they may not be concerned with particular persons.

Upon consideration whereof, this Assembly do appoint Francis Willett, Esq., Capt. Henry Bull and William Greene, Esq., a committee, and they are hereby fully empowered to inspect into the several claims of the original purchase of the several towns in this colony to the lands mentioned in the said petition; and that they also procure an exact plat thereof, which they shall return to the next session of the Assembly; as also to make a report upon the several purchases by them inspected into.

Voted, that there be £30 allowed out of the general treasury, towards re-building Pawtuxet bridge; and that Capt. Benj. Greene and Capt. John Rice draw the same out of the treasury when occasion calls for it.

Voted, that the sum of £6 be allowed and paid out of the general treasury to Jos. Borden, Jos. Whipple and Geo. Goulding, for their trouble in procuring silver and gold to send to our agent.

Voted, that the sum of £8 3s. 1d., be allowed and paid out of the general treasury to Joseph Whipple, for his trouble in

carrying down to Boston and shipping off £326 4s. 7*d.*, in silver and gold, to our agent, Richard Partridge, &c.

Voted, that the committee, Mr. Nathaniel Newdigate, Mr. Richard Ward, Capt. Henry Bull and Col. Daniel Updike, who were appointed to revise the laws, be allowed £15 each, to be paid out of the general treasury; they completing the work in order for the press, and attending on the printer as often as occasion requires; and that the scrivener, Josias Lyndon, who was by them employed, be allowed £10, to be paid out of the general treasury likewise.

Voted and enacted by this Assembly, that the several laws revised, repealed, explained, and acts presented to the Assembly by the committee appointed for that purpose, in order to be put in print, be allowed and approved of.

Whereas, by an act of Assembly, made and passed in May, 1728, each person that took of the colony bills of credit emitted in the year 1715, should give ten distinct bonds to the grand committee, each bond to contain a tenth part of the sum in their respective mortgages, to be paid, as in and by said act is expressed, with one year's interest of the same; and there being no provision made in said act that, upon any person's refusing to give bond, as aforesaid, how they should be compelled to comply with the same; and it appearing that several persons who had of said bills, neglect to comply with the said act;—

It is therefore enacted by this Assembly, that the grand committee be, and they are hereby fully authorized and empowered to sue all the mortgages at the next General Court of Trials, given by all such persons who neglect to comply with the aforesaid act, in giving bond, as aforesaid, by the 12th day of March next ensuing.

An Act made for repealing an act, made and passed in this colony in the fourth and fifth years of the reign of King George the First, A. D. 1718, entitled “An act for distribution and settling intestate estates.” [Public laws, 1730, p. 162.]

Ordered by this Assembly, that the boundary line between this colony and Connecticut, be renewed once in three or four years, with such commissioners as they shall appoint; and if they appoint none, to renew the bounds without them.

An Act for the amendment of, and in addition to several laws made and passed in this colony, as is hereinafter expressed. [Public laws, 1730, p. 164.]

An Act for punishing criminal offences. [Public laws, 1730, p. 169.]

An Act directing the proceedings against forceable entry and detainer. [Public laws, 1730, p. 176.]

An Act for establishing weights and measures throughout this colony. [Public laws, 1730, p. 177.]

An Act for the relief of poor prisoners that are not able to find bail upon mesne process. [Public laws, 1730, p. 178.]

An Act enabling the town council of each town to grant licenses for the retailing strong liquor, and to prevent the selling of such liquor by retail, without license first obtained. [Public laws, 1730, p. 179.]

An Act directing how water fences shall be made and maintained. [Public laws, 1730, p. 180.]

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th day of May, 1729.

The Hon. Joseph Jenckes, Governor.

The Hon. Thomas Frye, Deputy Governor.

ASSISTANTS.

Col. William Wanton,	Major Job Greene,
Lieut. Col. Wm. Coddington,	Mr. John Wickes,
Col. Nicholas Power,	Mr. Francis Willett,
Mr. George Cornell,	Mr. Rouse Helme,
Mr. Wm. Anthony,	

DEPUTIES.

<i>For Newport.</i>	<i>For Warwick.</i>
Mr. George Goulding,	Mr. John Warner,
Capt. Henry Bull,	Mr. Stukeley Stafford,
Mr. Joseph Whipple,	Capt. John Greene.
Major John Coddington,	<i>For Westerly.</i>
Mr. Gideon Wanton,	Mr. John Richmond.
Mr. Simon Pease.	<i>For New Shoreham.</i>
<i>For Providence.</i>	Capt. Simon Ray.
Major Wm. Smith,	<i>For North Kingstown.</i>
Mr. Elisha Knowlton,	Mr. William Spencer.
Mr. Ezekiel Warner,	<i>For South Kingstown.</i>
Capt. Daniel Abbot.	Mr. Robert Hannah,
<i>For Portsmouth.</i>	Mr. George Haszard, Jr.
Mr. Gideon Freeborne,	
Mr. Stephen Brownell,	
Mr. Thomas Hicks.	

DEPUTIES.

For East Greenwich.

Mr. Thomas Spencer,
Capt. Ishmael Spink.

For Jamestown.

Capt. Nicholas Carr,
Mr. Samuel Clarke.

Capt. Henry Bull, speaker.
Mr. Josias Lyndon, clerk.

Joseph Tillinghast, Benjamin Wanton, William Swann, Job Townsend, Christopher Townsend, Edward Hunt, John Clarke, Samuel Cranston, William Read, John Comer, Nicholas Briant, Benjamin Borden, John Warkman, Caleb Godfrey, James Allen, Jr., Nathan Townsend, Jr., William Drake, John Campbell, Joseph Attwood, Isaac Woodward, Jonathan Wilson, Morris Poor, John Ingraham, Jr., John Rogers, son of Samuel, Joseph Frye, John Partelow, Joseph Crandall, Ephraim Hicks, George Scott, John Freebody, Jr., Peleg Slocum, James Martin, Jonathan Clarke, Jonathan Marsh, Dr. George Berkeley, Richard Wilson, William Allen, Mordecai Dunbar, John James, John Lyon and Jeremiah Child, all of Newport, are admitted freemen of this colony.

Nathan Walker, Amos King, Isaac King, Ezra Bartlet, Benj. Fisk, Daniel Wilbore, John Smith, carpenter, William Russel, Nathan Brown, Thomas Pollock, Job Arnold and Jeremiah Brown, Jr., all of Providence, are admitted freemen of this colony.

Adam Hunt, Abraham Anthony, John Wing, Jonathan Fish, Thomas Durfie, Weston Hickes, Gideon Freeborne, Jr., Caleb Hill, George Cornell, son of Thomas, Ebenezer Hill and Gideon Anthony, all of Portsmouth, are admitted freemen of this colony.

William Vincent, John Carder, Samuel Pearce, Samuel Barton and Ephraim Arnold, all of Warwick, are admitted freemen of this colony.

Joseph Mathewson, Benoni Andrew, John Corps and John

Streight, all of East Greenwich, are admitted freemen of this colony.

Benjamin Gardner and Jeremiah Brown, both of South Kingstown, are admitted freemen of this colony.

Daniel Rose, of New Shoreham, is admitted a freeman of this colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st Wednesday of May, 1729.

The Hon. Joseph Jenckes, Deputy Governor.

The Hon. Thomas Frye, Deputy Governor.

With the assistants and deputies.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,

Mr. Samuel Vernon,

Major William Smith,

Capt. Richard Waterman,

Mr. George Cornell,

Mr. William Anthony,

Major Job Greene,

Mr. John Wickes,

Capt. William Hall,

Mr. Rouse Helme.

RECORDER.

Richard Ward.

SHERIFF.

Mr. Jahleel Brenton, Jr.

GENERAL TREASURER.

Mr. Joseph Borden.

GENERAL ATTORNEY.

Mr. Daniel Urdike.

His Honor, the Governor, took the oaths prescribed by the acts of Parliament, in the presence of the Assembly, Nathaniel Kay, Esq., collector, and the Hon. Nathaniel Byfield, judge of His Majesty's court of vice admiralty, in the colony.

The Hon. Nathaniel Byfield, Esq., judge, and the Hon. Nathaniel Hubbard, Esq., deputy judge of His Majesty's court of vice admiralty, in this colony, and Arthur Savage, Esq., marshal of said court, took the oath required by law; and also the oaths for the true and faithful execution of their offices.

Whereas, Edward Greenman, by petition set forth to this Assembly, that on or about the year 1718, or 1719, he was convicted of forging and counterfeiting of the bills of credit of this and the neighboring governments, for which he was sentenced to pay a fine of £600, and also to pay into the treasury of this colony £1500, to make good the false and counterfeit money which had by him been put off, which accordingly was paid into the treasury for that end, and that he was informed that there is a considerable sum of the aforesaid money in the treasury not yet expended, to make good the said counterfeit bills; and conceiving that, by the length of time it is probable all the counterfeit bills that were out, are brought to light, humbly supplicating that an adjustment might be made of the account respecting the aforesaid money, and to grant him the favor of drawing out of the treasury the remaining part of the aforesaid money that was paid therein for the aforesaid use, that so therewith he might have wherewith to support himself and family, now in old age;—

Be it therefore enacted by the General Assembly, and by the authority of the same it is enacted, that after the charges of the money mentioned in the account of the said counterfeit money and charges presented to this Assembly by the

treasurer, is paid, the remainder to be returned to the said Edward Greenman, he giving in bond to the general treasurer for so much as he receives, with conditions to refund for what counterfeit bills of his putting forth shall hereafter appear.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Monday in June, 1729.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

The assistants and deputies from the several towns.

Voted, that the Hon. Joseph Jenckes, Esq., Governor, be allowed out of the general treasury the sum of £200, for his last year's salary, and extraordinary service.

Voted, that £100 be remitted to our agent in Great Britain, and that Mr. George Goulding and Capt. Joseph Whipple, be a committee appointed to procure and remit the same, by bill of exchange or otherwise, as they shall think most advantageous to the government.

Upon the petition of Capt. Daniel Abbott, setting forth to this Assembly that he was serviceable and assisting to the committee in running and settling the line between this colony and Connecticut, and praying a reward for the same;—

It is voted and enacted by this Assembly, that the said Daniel Abbott have forty shillings allowed and paid him out of the general treasury for his above mentioned service.

An Act disposing of the money raised in this colony on importing negro slaves into this colony.

Forasmuch, as there is an act of Assembly made in this colony the 27th day of February, A. D. 1711, laying a duty of £3 per head on all slaves imported into this colony, as is in

said act is expressed ; and several things of a public nature requiring a fund to be set apart for carrying them on ;—

Be it therefore enacted by the General Assembly, and by the authority of the same it is enacted and declared, that henceforward all monies that shall be raised in this colony by the aforesaid account, on any slaves imported into this colony, shall be employed, the one moiety thereof for the use of the town of Newport, towards paving and amending the streets thereof ; and the other moiety, for, and towards the support, repairing and mending the great bridges on the main, in the country roads, and for no other use whatsoever ; any thing in the aforesaid act to the contrary, in any wise notwithstanding.

Whereas, Francis Willett, Esq., Capt. Henry Bull and Wm. Greene, Esq., were appointed a committee by the General Assembly, to inspect into several claims and drawing a plat of the lands in the westward part of this colony, which was done, and a return made ;—

Wherefore, it is voted and enacted, that the said committee's account of charges, time and expense in said affair, amounting to £10, be allowed and paid them out of the general treasury.

Upon the petition of sundry of the inhabitants of the western and north-western part of Providence township, setting forth the great trouble and difficulty of their going (the greater part of them) ten miles to training, and praying that another company may be set off ;—

It is voted and enacted, that another company or train band, be set off in the western and north-western part of Providence, according to the prayer in said petition.

Upon the petition of sundry of the inhabitants of the west and south-western part of East Greenwich, setting forth the difficulty of their going some three, four, five, six and seven miles to training, and praying that they may be taken off into another company ;—

It is ordered and enacted, that a third company, or trained band, be set off in the west and south-western part of the town of East Greenwich.

Voted, that Col. William Wanton and Capt. John Brown, be a committee, appointed to view two cannon, belonging to Christopher Almy, and agree with him for the same, if they shall judge them suitable for the fort.

Whereas, there has been great disturbance in town meetings within this colony, which has arisen from the moderators refusing to put such proposals to vote as has been offered or presented by a number of freemen there met; and forasmuch, as all controversies in town meetings relating to town affairs, ought to be decided by a majority of voices,—

Therefore, be it enacted by the General Assembly, and by the authority thereof it is enacted, that for the future, to prevent further trouble, every moderator in this colony, when legally chosen in town meetings, after having heard the freemen's allegations respecting the business of the towns, and being called upon by seven freemen, to put any particular vote of the town's business, to vote, the moderator shall forthwith grant the same, upon the penalty of being suspended from the office of the moderator (and pay a fine of forty shillings, to be recovered by the town clerk, for the use of the town where such meeting is held); and another moderator forthwith chosen in his room.

And further, that no vote be passed in any town meeting, concerning money in the treasury, disposing of land, or making a rate, unless it be mentioned in the warrant given out to warn in the freemen to said meeting; and that the town clerk of such respective town in this colony, be the person appointed to give out such warrants, unless where the law prescribes otherwise.

Whereas, it is very common in this colony, and especially in Westerly and South Kingstown, for Indians to make dances, which has been found by experience to be very prejudicial to the adjacent inhabitants, by their excessive drinking and fighting, and wounding each other; and many servants are enticed to out-stay their time at such dances, and run away from their masters;—

Be it therefore enacted by the General Assembly, and by the authority thereof it is enacted, that the town councils of each town in this colony, have full power to make such laws and orders for the better regulating of such Indian dances in their respective towns, as they shall think needful and necessary; and to fine all such persons, either English, Indians or others, that shall sell or give any strong liquors at any such dances, not exceeding forty shillings.

Whereas, there is considerable due to the colony upon those bonds, commonly called the Narragansett bonds, given by those persons who bought the vacant lands in the Narragansett country, and an act passed in June, 1726, enabling the attorney general to recover the same; but it yet remaining unpaid;—

Be it therefore enacted by the General Assembly, and by the authority thereof it is enacted, that the said act, made in June, 1726, be, and it is hereby revived, and that the attorney general forthwith put all the aforementioned bonds in suit (which are not paid) at the next succeeding General Court of Trials, in order to recover what is due thereon; and that the same, when collected, be applied to building of county court houses, and county jails, or so much thereof, as will do the same.

Whereas, the colony is destitute of arms sufficient for the equipping and fitting out a vessel, in case of an attack of an enemy by sea, and so rendered incapable of defence against privateers, pirates, &c., who often come upon this coast, and do great damage to His Majesty's good subjects in this colony;—

Be it therefore enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that there be procured at the colony's charge, one hundred pistols, one hundred cutlasses and so many muskets as will make up one hundred and fifty, with what the colony already has in Newport; forty half pikes and twelve good guns, with carriages fitting and suitable for a sloop or other vessel, for His Majesty's service; and that Mr. George Goulding and Capt.

Joseph Whipple, be a committee appointed to procure the same, and be paid out of the general treasury, as soon as can be, with conveniency.

An Act for the dividing the colony of Rhode Island and Providence Plantations into three counties, and ascertaining the bounds and limits of each of said counties.

Whereas, the number of inhabitants of the colony, aforesaid, are much increased, and the bounds thereof are so extensive that that part thereof, called the main land, especially the more remote inhabitants, are put to great trouble and difficulty, in prosecuting their affairs in the common course of justice, as the courts are now established ;—

Therefore be it enacted by the General Assembly of the colony aforesaid, and by the authority of the same, that the said colony shall be divided into three distinct and separate counties (whereof the whole colony shall consist) in the following manner :

The towns of Newport, Portsmouth, Jamestown, New Shoreham and the rest of the islands adjacent, heretofore within the jurisdiction of either of said towns, shall be constituted, and hereby made one county, and shall be known by the name of Newport county ; and Newport shall be the county town.

The towns of Providence, and Warwick and East Greenwich and all such places within the jurisdiction of said towns, shall be constituted, and is hereby made one other county, and shall be known by the name of the county of Providence ; and the town of Providence shall be the county town.

The towns of South Kingstown, and North Kingstown, and Westerly, and all places within the bounds of either of said towns, shall be constituted, and are hereby made one other county, and shall be known by the name of King's county and South Kingstown shall be the county town.

An Act for the establishing of courts of general sessions of the peace, and ascertaining the times and places for the holding of the same. [See public laws, 1730, p. 188.]

An Act for establishing of inferior courts of common pleas in the several counties of the said colony. [Public laws, 1730, p. 190.]

An Act for the regulation of sundry proceedings in the several courts within said colony. [Public laws, 1730, p. 192.]

An Act for the continuing the General Court of Trials, and enabling said court to proceed in all cases, and other matters depending in said court to judgment and execution, notwithstanding the dividing this colony into counties, and erecting other inferior and superior courts, &c. [Public laws, 1730, 204.]

Voted, that the sum of £2,600, which the general treasurer has disbursed for the use of the colony, be, and it is hereby allowed a debt from the colony.

Ordered, that His Majesty be addressed by petition, that he would be pleased, in his great clemency, to bestow upon this colony a suitable number of guns for the fort ; and that the attorney general, with the advice of the Governor, and such other person as His Honor shall appoint, draw a petition for that purpose ; and that His Honor, the Governor, send the same to our agent, as soon as may be, in order to be laid before His Majesty.

An Act for preventing of strangers coming into this colony from any parts whatsoever, by sea, excepting Great Britain, Ireland, Jersey and Gurnsey, from being chargeable to any town in this colony, whereunto they shall come.

Be it enacted by this General Assembly, and by the authority of the same it is enacted, that all masters of vessels that shall import and bring into this colony any persons or passengers, whatsoever, into any town in this colony (except from Great Britain, Ireland, Jersey and Garnsey), shall give an account of all such persons or passengers by him so imported, to the naval officer of this colony for the time being ; and give in

bond to the said naval officer, in the sum of £50, for each person by him imported, that such person shall not become chargeable to such town wherein they shall be landed ; and the said naval officer shall be paid by such master five shillings for such bond ; any law, custom, or usage to the contrary hereof, notwithstanding.

Voted and ordered, that the sum of £500 be allowed out of the money in the general treasury, for the carrying on the fort, viz. :

To lay the platform, make the gates, and work up what lime and stone and other materials there are now procured ; and that the said £500 be paid back when the same comes in the treasury ; and the work go no further on until farther order from the General Assembly.

Voted, that every member of this present General Assembly, both upper and lower house, have one law book gratis, when printed and bound ; and that the recorder, sheriff, attorney general, and general treasurer, have each one more ; and that the rest be disposed of as the colony shall think fit.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1729.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the person who shall be by the General Assembly chosen to the post of general treasurer, give in bond to the recorder of this colony and to his successors, in the sum of £20,000, for the faithful execution of his office, and the trust reposed in him ; and that all succeed-

ing general treasurers that shall from time to time be elected and chosen, give in such bond to the general recorder for the time being, for the use of the colony, as the General Assembly shall think necessary; and that the salary of the general treasurer be £100 per annum, and so in proportion for a lesser time; and that the former acts for the treasurer's allowance, be, and it is hereby repealed.

An Act restricting all lawyers from being chosen deputies of any town in this colony during their practicing the law.

Whereas, the setting of lawyers in the Assembly on hearing of appeals from the General Court of Trials, is found to be of ill consequence;—

Wherefore, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that no practitioner of the law, whatsoever, shall be chosen a deputy for any town in this colony, during his practicing as such.
[Repealed, the next session.]

Voted, that the return of the committee for appointing the place where the county house and jail for the county of Providence shall set, be accepted of by this Assembly.

Voted, that the return of the commissioned officers, setting off a third company in the town of East Greenwich, be accepted by this Assembly.

Voted, that the address to His Majesty, presented to this Assembly, be received, and that it be sent to His Majesty.

Upon the report of the committee appointed to examine and consider the petition of Capt. Joseph Brown and sundry others, inhabitants of Attleborough, praying that they might be annexed unto this government, supposing themselves to be part thereof,—

It is voted and enacted by this Assembly, that a committee be chosen and empowered on the part of this government (at the charge of the petitioners) to settle the line betwixt this colony and the said province, from Pawtucket Falls north, to the south line of the said province; and that a letter be

sent from this Assembly to the General Assembly of the said province, moving them to appoint a committee on their part to join with our committee, to settle said line; but in case they refuse or neglect so to do, then our commissioners to run it themselves, if they see cause; and that the case be sent home to Great Britain, in order to be decided.

Provided, that the said petitioners first pay into the hands of such person or persons as shall be appointed by this colony, the sum of £200, to be sent to England, with the case; and that two substantial men of the said petitioners, with two or three substantial men more, inhabitants of this colony, become bound to said colony in the sum of £2,000, conditioned for their true and faithful payment of such sums of money as shall from time to time be wanted and called for, to defray and satisfy the whole charge that shall arise, respecting the settlement of the said line.

And that His Honor, the Governor, write to the General Assembly of the Massachusetts about settling the east bounds of this colony and the Massachusetts Bay.

An Act appointing commissioners to run the east line of this colony with the Massachusetts from Pawtucket Falls north, to the extent of this colony's bounds, as they are settled in our charter, with such commissioners as shall be appointed on the behalf of that province. [Public laws, 1730, p. 207.]

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the last Tuesday of February, 1729-30.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Joseph James, Stephen Richmond, Robert Babcock, Israel Lewis, Nathaniel Lewis, Daniel Greenhill, Matthias Batten, John Hoxsie, Jr., Stephen Babcock, George Havens, Benjamin Brown, Christopher Champlin, the 3d, Stephen Wilcox, son of Stephen, David Kinyon, Samuel Cottril, John Pooler, Joseph Kinyon and Samuel Barber, all of Westerly, are admitted free-men of this colony.

It is ordered and enacted by this Assembly, that the county court house and jail for King's county, be set upon the hill, near Robert Cases's dwelling house, in South Kingstown.

And that the act passed at the last session of the Assembly, appointing the place for setting the county court house in Providence, be, and it is hereby repealed; and that it be left to the town of Providence, to be determined in a town meeting, to be called by the assistants of said town, whether the said house shall be set upon Capt. James Olney's land, or at the place proposed by the committee heretofore appointed for that purpose.

An Act in addition to an act made and passed by the General Assembly, sitting by adjournment, the third Monday in June, 1729, entitled "An act for the establishing inferior courts of common pleas in the several counties in this colony." [Public laws, 1730, p. 208.]

Be it enacted by this Assembly, and by the authority thereof it is enacted, that the controversy between this colony and the proprietors, relating to the gore of land in the western part of this government, to the southward of Warwick south-west corner, be decided by indifferent men chosen out of the Province of the Massachusetts Bay, between this time and the rising of the next May session.

But if in case the said controversy be not decided in said time, that then the King's attorney of this colony, be, and he is hereby appointed and fully empowered forthwith, after the rising of said session, to bring writs of ejectment on behalf of this colony against any person or persons that are, or shall be, in possession of said gore of land; and also any other person laying claim to said land, shall, and may have liberty of bringing their action, in order to try the title thereof.

Upon the prayer and petition of the people called Quakers,—

It is ordered, that Capt. Joseph Whipple and Col. Daniel Updike be, and they are hereby appointed to draw up something relating to said petition, in order to lay before this Assembly, at their next session.

An Act directing the admitting of freemen in the several towns in this colony. [Public laws, 1730, p. 209.]

Voted and ordered by this Assembly, that the recorder write to the General Assembly of the Massachusetts Bay, and acquaint them that this Assembly, at their session the last Wednesday of October, 1728, did pass an act for the re-building the one half of Pawtucket bridge; provided, that the said Province be at the charge of re-building the other half; and also, that he lay before them the great necessity thereof, or else that they take care that the said bridge be thrown down and demolished, that it may not remain as a trap to endanger men's lives, as now it doth.

An Act declaring who are exempt from serving as jurors in any court or courts of judicature, common pleas, &c., in this colony. [Public laws, 1730, p. 210.]

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Tuesday of May, 1730.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,
Mr. Samuel Vernon,
Major Wm. Smith,
Mr. George Cornell,

Mr. Wm. Anthony,
Major Job Greene,
Mr. John Wickes,
Capt. William Hall.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Henry Bull,
Capt. Benjamin Ellery,
Capt. Joseph Whipple,
Capt. James Clarke,
Capt. Peleg Smith.

For Providence.

Mr. Ezekiel Warner,
Capt. Daniel Abott,
Mr. Jonathan Sprague, Jr.,
Mr. James Brown, Jr.

For Portsmouth.

Mr. Preserved Fish,
Capt. Wm. Hall,
Mr. Stephen Brownell,
Mr. Wm. Brown.

For Warwick.

Mr. Moses Lippitt,
Capt. Othniel Gorton,
Mr. Israel Arnold,
Mr. Joseph Stafford.

DEPUTIES.

For Westerly.

Capt. Oliver Babcock,

Capt. Wm. Clarke.

For New Shoreham.

Capt. Simon Ray,

Capt. Thomas Rathbone.

For North Kingstown.

Mr. Jeremiah Gould,

Mr. Francis Willet.

For South Kingstown.

Capt. John Potter,

Mr. George Haszard, Jr.

For East Greenwich.

Major Thomas Frye,

Mr. Thomas Spencer.

For Jamestown.

Capt. Nicholas Carr,

Mr. Samuel Clarke.

Major Thomas Frye, speaker.

Mr. Josias Lyndon, clerk.

James Davis, William Potter, James Lillington, Daniel Ayrault, Jr., John Clarke, mason, Moses Chaplin, George Lawton, Henry Hoar, Benedict Arnold, Jr., John Treby, John Emory, John Freebody, Jr., John Houlton, Job Bissel, Thomas Huscham, Daniel Fortuneau, Jacob Barney, Hezekiah Carpenter, Pelleg Brown and Henry Sabin, all of Newport, are admitted freemen of this colony.

Nathan Waterman, Josiah Cotton, Hezekiah Smith, Thomas Barnes, Jr., Jonathan Arnold, Job Randall, John Clarke, Geo. Stone, Nicholas Wescote, Jeremiah Williams, Anthony Arnold, Joseph Fisk, Hezekiah Fisk, Gideon Crawford, John Williams, Joshua Burlingame, Thomas Arnold, David Wilkinson, Joseph Olney, James Tillinghast, John King, John Stuart, Samuel Wilkinson, Josiah Wilkinson, Jacob Hartshorn, David Comestock, William Westcote, Jr., William Comestock, Jeremiah Sheldon, Joseph Sheldon, Pardon Sheldon, Jonathan King, Malachi Brown and Joseph Hawkins, all of Providence, are admitted freemen of this colony.

Robert Lawton, son of Capt. George, Daniel Fish, John Lawton, son of Isaac Lawton, Jr., and Joseph Earle, all of Portsmouth, are admitted freemen of this colony.

Richard Berry, Caleb Church, Richard Baily, William Hixcox and Edward Mott, all of Westerly, are admitted freemen of this colony.

Thomas Haszard, Isaac Vaughan, Samuel Rathbone, Benjamin Potter, John Dawley, Jeremiah Austin, Jr., John Sweet, son of Richard, John West, John Vaugh, John Potter, David Northup, John Reynolds, son of Joseph, deceased, and Thomas Hill, al of North Kingstown, are admitted freemen of this colony.

Thomas Spencer, son of Michael, John Gay, William Sweet, Robert Estis, John Andrew, Robert Whitford, Edmond Johnson, John Spencer, son of Michael, Anthony Aylsworth, Joseph Hunt, James Cooper, Thomas Greene, Thomas Gardner, Thos. Casey and Richard Briggs, all of East Greenwich, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1730.

The following officers were declared elected, and duly engaged.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. William Wanton,	Mr. William Anthony,
Mr. Samuel Vernon,	Major Job Greene,
Capt. William Smith,	Mr. John Wickes,
Capt. Richard Waterman,	Capt. William Hall,
Mr. George Cornell,	Mr. Rouse Helme.

SECRETARY.

Richard Ward.

GENERAL TREASURER.

Mr. Abraham Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

An Act for settling and ascertaining the jurisdiction of the justices of the peace throughout this colony. [Public laws, 1730, p. 212.]

SHERIFFS FOR THE SEVERAL COUNTIES CHOSEN.

Newport county,—Jahleel Brenton, Esq., sheriff, engaged.

Providence county,—Capt. Daniel Abbot, “ “

Kings county,—Inmanuel Northup, Esq., “ “

An Act for repealing an act made and passed the 14th day of June, A. D., 1726, being an act for regulating the militia, and the election of the officers of each respective company in this colony. [Public laws, 1730, p. 212.]

An Act asserting the claim of this colony to the jurisdiction of the gore of land to the eastward and southward of Pawtucket river.

An Act for the relief of poor sailors, and their families. [Public laws, 1730, p. 213.]

Ordered, that those persons inhabiting a tract of land that lies between Pawtucket river and the north line from Pawtucket Falls, to the south line of the Massachusetts Bay, who petitioned this Assembly, give in bond before this Assembly proceed any farther on that affair.

James Martin, chosen cursitor.

John Coddington, prothonotary.

Jahleel Brenton, Jr., custos brevium.

William Mumford, master of the alienation office.

Abraham Borden, receiver of the King's silver.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Monday of June, 1730.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

It is ordered by this Assembly, that His Honor, the Governor, Major Thomas Frye, and the secretary, be a committee to answer the queries sent to this government by the board of trade; and that each town in this colony, at their town meetings appoint and order the numbering of the inhabitants of each town, whites and others, in such way and manner as they shall think best, and pay the charges of doing thereof; and a return thereof to be made to the Governor, by the town clerk, as soon as may be.

And it is also ordered, that the captain of each company make return of the number of enlisted soldiers in his company, to the town clerk of the town where he dwells, who shall transmit the same to the Governor, in order to send home an account thereof.

An Act enabling the secretary of the colony, for the time being, to surrogate and appoint a deputy under him. [Public laws, 1730, p. 216.]

An Act for the easing of tender consciences, and for preventing them from being burthened with military duty. [Public laws, 1730, p. 217.]

An Act to prevent Indians from being abused and wronged by designing and ill-minded persons in making of them servants. [Public laws, 1730, p. 219.]

An Act for enlarging the naval officers' fees for collecting monies upon the importation of negro slaves in this colony. [Public laws, 1730, p. 220.]

Voted and ordered, that what stuff and materials are already provided for the fort, both inside and out, and paid for, be forthwith worked up.

Voted and ordered, that the sum of £10 be added to the deputy governor's last year's salary for his extraordinary service, and that the same be paid out of the general treasury.

Upon the petition of the town of Providence, setting forth the ill-conveniency of the said town's being so large, and praying that a committee might be appointed to inspect into said affair;—

It is voted and enacted, that Mr. Samuel Clarke, Mr. Francis Willett, and Mr. Wm. Robinson, be a committee appointed to inspect into and consider of the situation and circumstances of said town of Providence, in order for a division of the same into three or four parts, and make report thereof to the next session of this Assembly.

Voted and ordered, that Mr. Sam'l Vernon, Capt. Henry Bull and Mr. Francis Willett, be a committee appointed to treat with the proprietors of the Great Purchase, and consider of some ways and means whereby the difference relating to the gore of land in controversy, may be settled, and make report thereof to the next session of this Assembly.

Whereas, George Ward, by petition set forth to this Assembly that he was an enlisted soldier in the late expedition to Port Royal, under the command of Col. John Cranston, in the service of this colony, and upon his return home was cast away upon the back of Cape Cod, and by that means was stopped from coming home to receive his wages, and is since reduced to poverty, and praying this Assembly to consider him in said affair;—

Upon consideration whereof, it is voted and ordered, that the said affair be referred to Col. William Coddington, who was commissary in said expedition; and that what shall appear to

said Col. Coddington to be due to the said George Ward, be paid out of the general treasury.

Voted and ordered, that the great guns and appurtenances now on board the brigantine Two Brothers, be delivered to Capt. John Brown, at the fort, as soon as convenient, and be tarred and stopped, and laid so that they take no damage ; and that Captain Brown give a receipt for the same ; and that the small arms and other stores be delivered to Mr. Jahleel Brenton, Jr., the present commissary, for the use of the government, he giving a receipt therefor.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1730.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Whereas, Benjamin Sheffield and Thomas Northup, by petition set forth to this Assembly, that they were empowered and appointed by His Honor, the Governor, and Mr. Vernon, one of the assistants, to have the care and oversight of the people or goods that should be suspected to have come from Boston during the time of the small pox prevailing there, and in which affair they spent a great deal of time, with trouble and difficulty, and prayed that they might be considered for the same ;—

Wherefore, it is voted and enacted, that the said Benjamin Sheffield be allowed £30, and the said Thomas Northup £15 for their aforementioned service ; and that the same be paid out of the general treasury.

Voted and ordered, that William Anthony, Esq., be allowed and paid out of the general treasury the sum of £20, for his extraordinary care, trouble and time spent in examining people who came from Boston, and giving certificates in the time of the small pox.

Whereas, Henry Sweeting, of Providence, by petition, set forth to this Assembly, that his son (a young man, under the age of twenty-one years) being master of a vessel, did come with the same into the colony of Rhode Island, contrary to the laws of said colony, respecting the small pox, and was accordingly amerced by the court of common pleas, held at Newport, the last Tuesday of May, 1730, the sum of £100, and praying that inasmuch as his said son was ignorant of the laws of the colony, and no damage accruing thereon, that the said fine be remitted, and he may be discharged from the said judgment of court;—

Upon which, it is voted and enacted, that the said fine of £100, be reduced to the sum of forty shillings; and that the said Sweeting pay the cost of suit.

Whereas, there has been sundry long differences and controversies between this colony, and the proprietors of the Great Purchase (granted out of the vacant lands in the Narragansett country) concerning a gore of land;—

It is therefore voted and enacted, that Samuel Vernon, Henry Bull and Francis Willett, Esqs., be a committee, and they, or any two of them, are hereby fully empowered and authorized to make a certain agreement with the said proprietors, or such committee as is, or shall be by them appointed, for a settlement of said controversy; and that the same be final, and that they make report to the next session of this Assembly.

Voted and ordered, that the committee, Samuel Vernon, Henry Bull and Francis Willett, Esqrs., who were appointed to treat with the proprietors of the Great Purchase, relating to the gore of land, be allowed and paid out of the general treasury the sum of £9, for their time and trouble in said affair; and that either of them be empowered to draw the same out of the general treasury, for the use of all three.

Whereas, the former committee appointed to inspect into the town of Providence, for a division of the same, have omitted doing thereof;—

Therefore, this Assembly do order and appoint William Jenckes, Phillip Tillinghast, Benjamin Greene and Thos. Spencer, Esqs., or the major part of them, a committee to inspect into the circumstances of the town of Providence, in order for a division of the same into two, three or more towns, and to make report to the next session of this Assembly.

An Act regulating appeals from judgments obtained upon bond, at any of the inferior courts in this colony. [Public laws, 1730, p. 225.]

Ordered, that His Honor, the Governor, with the assistance of Mr. Ward and Col. Updike, write a proper answer to the letter from the Massachusetts, according to the best of their judgments, and to be signed by the Governor, only.

Voted, that this Assembly be adjourned to Newport, the third Tuesday of February next; and that all business that lies before this Assembly, unfinished, be referred to the next session of this Assembly.

Proceedings. of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of February, 1730–31.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for erecting and incorporating the out-lands of the town of Providence, into three towns.

Forasmuch, as the out-lands of the town of Providence, are

large, and replenished with inhabitants sufficient to make and erect three townships, besides the town of Providence, and the land lies convenient for the same, which will be of great ease and benefit to the inhabitants of said lands, in transacting and negotiating the prudential affairs of their town, which for some time past, has been very heavy and burthensome,—

Be it therefore enacted by this General Assembly, and by the authority thereof it is enacted, that from Warwick township, eight miles and a half be measured on the seven mile line (so called), in said Providence, and a boundary there fixed; and from the said boundary, a line be drawn to Pawtucket river, to the place called the Ware, about half a mile northerly of Pawtucket Falls; and that for the time to come, the town of Providence extend no farther west and north than the aforesaid lines.

And it is also enacted by the authority aforesaid, that all the rest of the aforesaid out-lands, to the eastward of the aforesaid seven mile line, and to the northward of the bounds of the town of Providence, be, and they are hereby incorporated and erected into a town called and known by the name of Smithfield; and that the inhabitants thereof, from time to time, shall have and enjoy the like benefits and privileges with other towns in this colony, according to our charter.

And it is further enacted by the authority aforesaid, that all the rest of the aforesaid out-lands, to the westward of the aforesaid seven mile line, be erected and made into two towns; the dividing line between them to begin at the north-west bounds of the town of Providence, at the bounds and monument there made and erected on the aforesaid seven mile line; and from thence, to extend west six degrees and thirty minutes north, to Connecticut colony, and all the lands to the westward of the said town of Providence, and to the southward of the said dividing line, and to the northward of the town of Warwick, up to the colony line, be, and they are hereby erected and incorporated a town, to be called and known by the name of Scituate; and the inhabitants thereof, from time to time, shall have and enjoy the

like liberty and privileges as other towns incorporated in this colony, by our charter, do.

And it is further enacted by the authority aforesaid, that the rest and residue of the aforesaid out-lands that lie to the westward of the aforesaid seven mile line, and to the northward of the west line, drawn from the north-west corner of the town of Providence, and bounded north on the Province of the Massachusetts Bay, and west on the colony of Connecticut, be, and they are hereby erected and incorporated a town, and called by the name of Glocester; and the inhabitants thereof, for the time being, shall have and enjoy the like liberty with other towns in this colony, agreeably to our charter.

And it is further enacted, that the justices of the peace of each of the respective towns of Smithfield, Scituate and Glocester, grant forth a warrant in some convenient time, to call the inhabitants of each town together, to choose and elect their town officers, as they shall have occasion for, as the law directs, and to appoint the times of their town meetings, and the places; and each of the towns to send two deputies to the next General Assembly; and so on, as by the charter is ordered.

And that Major William Smith and Capt. Richard Waterman, take with them a surveyor, and from the north-west corner of Providence town, they run up a line to Connecticut colony, west, six degrees north, according as the Assembly has ordered and appointed the same.

And that Providence send one grand and one petit juryman to the superior courts; Smithfield the same, and Scituate and Glocester each one petit juryman; and Providence to send four grand jurors and three petit jurors to the inferior courts; Smithfield two grand, and two petit jurors; and Scituate one grand juror, and one petit juror; and Glocester the same.

And be it further enacted by the authority aforesaid, that the towns of Providence, Smithfield, Scituate and Glocester, have each their proportion of the interest of the bank money appropriated to the use of the towns of this colony, according to the sums that the lands lying in each town are mortgaged

for; and that what money the town treasurer of Providence has advanced for the town before the division thereof, be repaid him out of the whole interest money, before division thereof be made.

Ordered, that Col. Wm. Coddington and Mr. Jahleel Brenton, Jr., be, and they are hereby appointed a committee to exchange all the Province bills and good bills of this colony (now in the hands of the grand committee) for old money of this government, in order that the same may be-burnt before the rising of this Assembly.

Ordered, that Mr. John Wickes, Capt. Joseph Whipple, Mr. Stephen Brownell and Mr. Stukeley Stafford, be a committee to view William Borden's works and preparations for duck manufactory, and make report thereof to this Assembly.

An Act appointing commissioners on the part of this colony, to meet with the commissioners of the Province of the Massachusetts Bay, and to settle the eastern division line of this colony, between this colony and the said Province.

For the speedy and amicable settling whereof, it is enacted by the General Assembly of this colony, that William Wanton, Benj. Ellery, Henry Bull, Samuel Clarke, Jonathan Sprague, William Jenckes, Esqs., and Capt. Daniel Abbott, or the major part of them, be, and they are hereby fully authorized and empowered to meet with the commissioners of the Province of the Massachusetts Bay, and with them to make and finally settle and ascertain the east bounds of this colony, between this colony and that part of the Province of the Massachusetts Bay, formerly Plymouth colony; and such agreement, settlement and accord, so made by them, and under their hands and seals, completed, shall be final and conclusive, and be so read by this government.

And it is further enacted, that the inhabitants of those lands controverted between the said governments, be discharged from all rates and taxes on the part of this government, and all processes thereon, in the mean time.

Upon the petition of Capt. Oliver Babcock and Capt. Wm. Clarke, setting forth to this Assembly the necessity of re-build-

ing Pawcatuck bridge, which is now quite gone to decay, and rendered impassable, either for man or horse, and praying that a sufficiency of money may be drawn out of the general treasury for re-building this government's part thereof;—

It is voted and enacted, that there be allowed and drawn out of the general treasury, a sufficiency of money for building the one half of said bridge, in case the colony of Connecticut will build the other half; and that the colony of Connecticut be acquainted therewith.

Whereas, it has been allowed to appeal from the judgment of the justices upon a judgment given on persons guilty of profane swearing or cursing, and upon persons that labor on the first day of the week, or use any unlawful recreation thereon; and also, those that have been convicted of galloping, which is found to be very troublesome, and tends to the perversion of justice;—

For the preventing whereof for the future, be it enacted by the General Assembly and by the authority thereof, that henceforward no person whatsoever shall have the liberty of appealing from any judgment given against him by any justice or justices of the peace, on being convicted of any of the aforesaid crimes.

Ordered, that all the general laws of this colony, which have been made since the laws were printed, be forthwith put in print after the rising of this Assembly, and that the former committee have the oversight of the same.

Ordered, that Capt. Benjamin Ellery, Capt. Joseph Whipple, Mr. George Haszard and Mr. Teddeman Hull, be, and they are hereby appointed a committee to tell over the money in the grand committee's hands, in order to be burnt.

An Act enabling the general treasurer of the colony for the time being, to sue for the interest of the colony's money, and other business of the government, at any of the inferior courts or superior courts in this colony, &c., and for regulating fees in all cases where those are concerned, who have hired money of the colony, and shall be sued for the same.
[Public laws, 1730, p. 226.]

His Honor, the Governor, is desired to write an answer to our agent's letter, relating to the Barbadoes petition, and the remarks thereon; and also to inquire of him for what reason the queries were sent to this government respecting the numbering of the people, &c.

Ordered, that Ninegret, Indian sachem, be notified to appear at the next session of this Assembly, in order to take advice concerning his land.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1731.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,

Major Job Greene,

Mr. Samuel Vernon,

Mr. John Wickes,

Major William Smith,

Capt. William Hall,

Mr. George Cornell,

Mr. Rouse Helme.

Mr. Wm. Anthony,

James Weeden, Samuel Coggeshall, James Kirby, William Korey, Joseph Scott, Abraham Redwood, Thomas Cranston, Thomas Tew, George Fitch, Nehemiah Marks, Edward Smith, William Turner, John Rider, Jr., George Stephens, Reuben Peckham, John Proud, John Gavit, Philip Underwood, James Honeyman, Jr., Alexander Tayler, Wm. Rogers, Robert Sisson, Jonathan Crandall, Joseph Tillinghast, Jr., Jno. Brown, son of

James, and John Lawrence, all of Newport, are admitted freemen of this colony.

Capt. John Field, of Providence, admitted freeman of this colony.

David Lake and William Shrieve, both of Portsmouth, admitted freemen of this colony.

John Greene, son of Richard, Rowland Barton, Samuel Collins, William Arnold, son of Elisha, Robert Wicks, Samuel Warner and Sampson Batty, all of Warwick, are admitted freemen of this colony.

Henry Sumerall and Samuel Hopkins, both of East Greenwich, are admitted freemen of this colony.

William Hern, Thomas Babcock, Joseph Lewis, Jr., Jonathan Manon, Jr., William Pendleton, Bryant Pendleton, William Brand, Benony Smith, Joseph Crume, Robert Lillibridge, John Crandall, Jr., and Joseph Clarke, all of Westerly, are admitted freemen of this colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st Wednesday of May, 1731.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Mr. Nicholas Easton,

Capt. Joseph Whipple,
Capt. James Clarke,
Mr. Thomas Coggeshall.

DEPUTIES.

For Providence.

Mr. John Potter, Jr.,
 Capt. Jabez Bowen,
 Mr. John Thornton,
 Mr. William Rhodes.

For Portsmouth.

Mr. Gideon Freeborne,
 Mr. Joseph Dennis,
 Mr. Stepen Freeman,
 Mr. Daniel Pearce.

For Warwick.

Mr. John Warner,
 Capt. Othniel Gorton,
 Mr. John Rhodes,
 Capt. Joseph Stafford.

For Westerly.

Major Joseph Stanton,
 Mr. William Champlin.

For New Shoreham.

Capt. Simon Ray,
 Capt. Thomas Rathbone.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

The following officers were declared elected, and duly engaged.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. William Wanton,
 Mr. Samuel Vernon,
 Major Wm. Smith,

For North Kingstown.

Mr. Job Tripp.

For South Kingstown.

Mr. George Haszard, Jr.,
 Capt. Jno. Potter.

For East Greenwich.

Major Thomas Frye,
 Mr. Thomas Spencer.

For Jamestown.

Mr. Samuel Clarke,
 Capt. Teddeman Hull.

For Smithfield.

Mr. Jonathan Sprague, Jr.,
 Mr. William Arnold.

For Scituate.

Mr. Joseph Wilkinson.

For Gloucester.

Mr. Elisha Knowlton,
 Mr. Walter Phetteplace.

ASSISTANTS.

Major Job Greene,
Mr. John Wickes,

Major William Hall,
Mr. Rouse Helme.

SECRETARY.

Richard Ward.

GENERAL TREASURER.

Mr. Abraham Borden.

GENERAL ATTORNEY.

Mr. Daniel Updike.

Voted, that Col. William Wanton, Major Thomas Frye and Lieut. Col. Joseph Stanton, be a committee to survey several pieces of land in Westerly, which Ninegret, sachem, proposes to sell and dispose of, and make report to the next session of this Assembly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Monday in June, 1731.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for laying a duty on strong beer, ale, &c., imported into this colony from the neighboring governments.

Whereas, Col. Wanton, Major Thomas Frye and Col. Joseph Stanton, were appointed a committee to survey several pieces of land, in Westerly, which Ninegret, Indian sachem, proposes to sell, and in pursuance thereunto, said committee having made report to this Assembly with three plats thereof;—

It is therefore voted and ordered, that said report be accepted, and that said committee be still continued, a appointed

to assist said Ninegret in selling said land, or any part thereof; and that notifications be set up in every town in this colony forthwith, advertising of the sale of said land.

And it is further ordered, that Ninegret, with the advice and consent of said committee, have full power to sell two acres of land that Stephen Wilcox formerly bought of Ninegret, the late Indian sachem, deceased, where the iron works stood.

Whereas, Col. William Wanton, Major Thomas Frye and Col. Joseph Stanton (who were appointed to assist Ninegret, Indian sachem, in selling some lands), presented a plat of said Ninegret's lands, containing three thousand one hundred and fifty-eight and three-quarter acres, dated the 14th day of June, 1731, a piece of said land taken off of the east corner of said plat, containing three hundred acres, which Col. Joseph Stanton purchased of the late Ninegret, Indian sachem, deceased, is ordered by this Assembly to be confirmed to the said Jos. Stanton.

The committee appointed by this Assembly for running the lines and dividing the out-lands of the town of Providence into three towns, reported as followeth, viz.:

We, the subscribers, on or about the 1st of March, last past, took with us Lieut. Elisha Knowlton, surveyor, and two others, to help carry on the work, and went and begun at the place where the lines called the seven mile line, in Providence, meets with Warwick north line; and from thence measured eight miles and an half northward, as the said seven mile line was formerly run, which reached forty rods a little to the westward of north from John Mathewson's house, where we made a monument of stones raised in a great heap; and from said heap of stones, we run a line east one degree and an half north, to a small white oak tree, marked, standing by the side of Pawtucket river, with stones about it, a little southward of the wading place that goes over said river, at the place called the Ware; and also from said monument, or heap of stones, which is now the north-west corner of the town of Prov-

idence, we run a line west six degrees north, to the dividing lines that are betwixt Connecticut and this colony, and there raised a monument of stones one hundred rods south from the south end of a pond that is in the colony line near Killingly; and we finished the work on the 11th day of March, being seven days in completing the same, with five hands; that is, two besides the surveyor and ourselves, for which we charge £5 per day £35 00s.

Besides two days charged for a surveyor, that was spent before, in finding the course from said

heap of stones to Pawtucket river 1 04

£36 04

WM. JENCKES,
RICHARD WATERMAN.

Voted and ordered, that the afore-written report be accepted, and that the account of £36 4s. be reduced to £30; and that the same be paid out of the general treasury.

Voted and ordered, that Col. Nicholas Power, Mr. Wm. Anthony, Major Thomas Frye, Capt. Benjamin Ellery and Col. Joseph Stanton, be, and they are hereby appointed a committee to audit Major William Smith's account, relating to the county court house and jail, in Providence, and make report to this Assembly as soon as may be with conveniency.

Whereupon, the said committee reported to this Assembly that said Major Smith's whole account of charge for the building said county court house and jail, amounted to £664 9s.; whereof, there remained due to said Major Smith, upon balance, the sum of £264 9s.

Upon which, it is voted and ordered, that the said £364 9s. be paid.

Forasmuch, as the Province of the Massachusetts Bay, having by their commissioners refused to run and settle the line between this colony and that part of the Province, late Plymouth colony, and there being an act of each government that

these people that live on the land controverted, should be exempted from all processes for rates and taxes to either government, till the same be done ;—

It is therefore enacted by the General Assembly, and it is hereby ordered and declared, that Justice Jonathan Sprague, of Smithfield, do set up prohibitions in several public places on those lands in controversy, forbidding any persons whatsoever, from levying any rates or taxes in any of said land, or the persons of any living thereon, or exercise any jurisdiction therein, until the boundary between the said two governments be decided.

And be it further enacted by the authority aforesaid, that if the Province of the Massachusetts Bay shall appoint and authorize commissioners on their part for the settling of the same, then the following commissioners shall be appointed by this Assembly, viz :

Col. William Wanton, Benjamin Ellery, Henry Bull, Samuel Clarke, Jonathan Sprague, Jr. and William Jencks, Esqrs., and Lieut. Col. Daniel Abbott, be, and they are hereby fully authorized and empowered to meet with such commissioners as shall be appointed by the Province of the Massachusetts Bay, and with them finally to compromise, make, settle and ascertain the eastern bounds of this colony, between this colony and that Province ; and such settlement and agreement, under their hands and seals, shall be final and conclusive, and so received by this colony.

And this Assembly do appoint Mr. Richard Ward and Col. Daniel Updike, to prepare and make ready whatsoever is needful and necessary, to represent the same to His Majesty, in Great Britain, for his decision thereon ; and that the Governor write to our agent about it, if the Massachusetts and this colony do not agree about it here :—

Provided, the persons inhabiting the land in controversy, advance £200, to carry it on ; and that substantial men of this government give good security to the general treasurer, to the value of £4,000, current money of New England, to supply the

colony from time to time, with sums of money as shall be further needful and necessary to carry on said affair.

An Act regulating the assize of casks, and preventing deceit in packing beef, pork and fish for sale. [Public laws, 1731, p. 230.]

An Act for emitting £60,000, in public bills of credit. [Public laws, p. 231.]

Whereas, James Cranston, naval officer of the colony, has set forth to this Assembly, that near a twelve-month since, one Mr. Royall imported into this colony forty-five negroes, on which there was a duty of £3 per head, and not long after, sixteen of said negroes were transported into the Province of the Massachusetts Bay, where there is a duty payable also ; and prayed for directions how to proceed in said affair ;—

Upon consideration whereof, it is voted and ordered, that the duty to this colony of the said sixteen negroes transported into the Massachusetts Bay, as aforesaid, be taken off and remitted ; but that he collect the duty of the other twenty-nine.

An Act for the size of clapboards and shingles, and the better regulating the measuring of boards, plank, timber, &c. [Public laws, 1731, p. 235.]

An Act for the laying a duty upon sugar manufactured in the neighboring governments, and imported into this colony.

Ordered, that £200 be remitted to our agent in Great Britain, and the same be drawn out of the money now in the treasury, for the exchanging of £5 and 40s. bills, and be paid again when interest money comes in ; and that Mr. Goulding and Capt. Whipple, be, and they are hereby appointed to draw and send said money in silver, or by bills of exchange, as they shall think best.

An Act for raising the fines of enlisted soldiers of the trained bands in this colony. [Public laws, 1731, p. 237.]

An Act empowering the town councils of Smithfield, Scituate and Gloucester, to lay out their highways in the same manner as Providence. [Public laws, p. 237.]

An Act for the relief of debtors, by making composition with their creditors in case two-thirds in number and value do agree. [Public laws, 1731, p. 238.]

Upon the petition of William Borden, setting forth to this Assembly, that the carrying on of the duck manufactory is so chargeable, that without a further supply of money, it must inevitably fall, to his great loss and damage, and praying relief in the premises;—

It is voted and ordered, that the bills of public credit which was granted to the said William Borden, for carrying on the duck manufactory, be still continued to him, without interest, as was first granted, for ten years; and that the injunction for making one hundred and fifty bolts of duck, per year, cease; but that the bounty be still continued for what duck he shall make within said term; and at the end of the said ten years, to pay in the money, according to the former act by which said money was granted.

An Act for securing the interest of the second bank for the three years yet to come, before the payment of any part thereof. [Public laws, 1731, p. 239.]

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of August, 1731.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

This Assembly having considered an addition at the foot of the act of Assembly, made and passed on Monday, the 14th day of June, 1731, entitled "An act for the emitting £60,000, in public bills of credit," &c., entered in these words, "His Honor, the Governor, dissents from the said vote," do declare the same to be no part of said act of Assembly; and that the said act be no ways encumbered thereby, but that the said dissent be deemed null and void, for the following reasons:

1st. For that the said act of Assembly was made and passed at the session began as aforesaid, on the 14th day of June, 1731, and continued till the 24th day of said June, and no longer, as may appear by the records of said Assembly; and that during said time the General Assembly were not apprised, or knowing of any dissent, but caused said act to be published, and the same has taken effect, and proceedings have been made thereon, accordingly.

2d. For that it appears said dissent was given in to the secretary, and entered on the 25th day of said month of June, which was one day after the rising of the said General Assembly, which is conceived inconsistent with all rule and methods of proceedings; it not being in the power of the legislative authority to act except when duly convened, much less for any single member to encumber any act by dissenting or protesting after the rising of the court.

3d. For that it is not clear what vote said dissent referred to, there being many votes preceding the same.

4th. For that the aforesaid post entry of said dissent, de-

prived the General Assembly of the benefit of considering the consequence thereof.

[Great dissatisfaction seems to have been caused among many of the colonists on account of the emitting of bills of credit upon land security. It appears from a letter written September 2, 1731, by Mr. Kay, the collector of the customs in Newport, to the board of trade, that the amount of these bills then outstanding, exceeded £120,000; and although the King had commanded the governments of the American colonies not to issue any more of this paper, the Assembly of Rhode Island, at their session passed an act for emitting £60,000 more, upon land security; to which Gov. Jenckes would not give his sanction. The following memorial was then transmitted to the board of trade.—J. R. B.]

Memorial of Nathaniel Kay, and others, to the Board of Trade.

Rhode Island, in New England, August 30th, 1731.

Right Honorable: We, having presented a memorial at the last session of our General Assembly of this colony, to prevent the emitting of more bills of credit, to be let out at interest, upon land security; and having no redress from that honorable body, but on the contrary another public act made by them, for emitting £60,000, have presumed, by the hands of Mr. Thomas Sandford, merchant, in London, to lay before your Lordships our memorial presented to the General Assembly, after their reading of which, and hearing our counsel's arguments thereon, they made said act, and have emitted the money without the assent of the Governor; who hath now addressed himself to our gracious Sovereign Lord the King, in a letter enclosed with our papers, to Mr. Sanford.

We cannot but observe to your Lordships, that after we had taken out copies of our memorial, and the papers referred to, put in with it; as likewise a copy of the said act, with the Governor's dissent thereunto, which was given us by the secretary, with proper attestations.

The deputy governor, John Wanton, Esq., hearing of these proceedings, immediately summoned in the General Assembly, which the Governor would not do; and the said Assembly took away all our attested copies before mentioned, made an addition to their act, and ordered our memorial to be dismissed in this torn and tattered manner, which we humbly conceiving to be exceeding injurious to His Majesty's faithful and loyal subjects, and presuming upon your Lordships' patronage, have made our most humble and most dutiful petition to our gracious sovereign, and praying your Lordships' favor for Mr. Sandford's access, and having no other view but what is set forth in our humble memorial.

If any objection be made against it, we humbly pray for a favorable hearing, that we may approve ourselves,

Your Lordships' most obedient and humble servants,

Nathaniel Kay,
Peter Bours,
Edw. C. Searegreas,
Jona. Tillinghast,
Wm. Almy,
John Lawrence,
—— Chaloner,

Nath'l Newdigate,
John Brown, Jr.,
Abr'm Redwood,
Simon Pease,
Philip Tillinghast, Jr.,
John Tillinghas',
Wm. Ellery,

John Freebody,
Benjamin Norton,
Christopher Almy,
Job Almy,
Daniel Ayrault,

Letter from Governor Jenckes to King George the Second.

To the King's Most Excellent Majesty. The humble address and petition of Joseph Jenckes, the present Governor of Your Majesty's colony of Rhode Island and Providence Plantations, in New England, in America.

May it please Your Majesty: As I have at all times endeavored steadily to serve Your Majesty's royal instructions sent to me, as also the instructions of Your Majesty's royal predecessors, directed to the several Governors of this colony, so I shall ever account it my duty to have the like regard to such further instructions and directions as Your Majesty may judge proper to send me; fully persuading myself that Your Majesty's regard for the well managing the public affairs of this Your Majesty's colony is such, that the Governors hereof shall not miss of proper directions for the same, in any case wherein they meet with difficulty, in case they apply themselves to Your Majesty for the same.

And there having of late been an act passed by the General Assembly of this Your Majesty's colony, for the emitting a great number of paper bills of credit, notwithstanding the great endeavors used to prevent it, both by myself and many others of Your Majesty's good subjects, inhabitants of this colony.

For which reason, several of the said inhabitants applied themselves to the secretary of this colony for a copy of the aforesaid act, with several other copies, in order to send them to Your Majesty; and when the secretary had drawn the said copies, he sent to me for an order for the affixing the colony seal thereto, to certify that he is the secretary of this colony, and that good faith and credit ought to be given to his attestations, &c.; and accordingly I gave the order.

But it was no sooner known to two of the members of our general council, gentlemen desirous of popularity, and to be accounted the prime agents in preserving of our charter privileges, but they caused the news thereof to spread throughout the colony, declaring that the Governor had endangered the loss of our charter by ordering the colony seal to be set to a complaint against the government, in order to be sent to Your Majesty; the which action of theirs, has occasioned me much trouble, and hath caused many of the inhabitants to be highly displeased with me. Indeed, I am ashamed that I should be laid under a necessity to trouble Your Majesty with a matter of so inferior a nature, but for my own just vindication, I am obliged hereto. I do, therefore, with the greatest submission, humbly pray, that Your Majesty may graciously please to give your royal determination upon three particulars.

1st. Whether any act passed by the General Assembly of this colony, may be judged valid, the Governor having entered his dissent from it, at the time it was voted.

2d. Whether or no the Governor of this colony, may with safety disallow or refuse setting the colony seal to copies taken out of the secretary's office, and attested by him, in order to be sent to Your Majesty.

3d. Whether it be the Governor's duty to examine all such copies before he orders the colony seal to be set thereto; the secretary which attests them, being an officer under oath.

Your Majesty's royal determination hereon, will, with great thankfulness be ac-

cepted both by myself, and many others of Your Majesty's good subjects; and I humbly pray that it may be as soon as Your Majesty's more weighty affairs may admit; I having given the government, at our last election, public notice that I should serve them no longer than this year.

And that the Almighty God, by whom kings reign, may ever preserve and bless Your Majesty's royal person and government, and grant that Your Majesty's reign may be peaceable, long and prosperous over all your subjects, and that when it pleaseth him to call you from this earthly crown, you may enjoy an heavenly one, which will endure till time shall be no longer, is, and ever shall be the prayer of

May it please Your Majesty, &c.,

JOSEPH JENCKES.

Newport, Rhode Island, August 20, 1731.

Address and petition from the Governor and inhabitants of Rhode Island, to King George 2d.

Rhode Island, in New England, August 30th, 1731.

To the King's Most Excellent Majesty. The petition of several gentlemen, merchants, tradesmen and others, inhabitants of Rhode Island, within the colony of Rhode Island and Providence Plantations.

Most Gracious Sovereign: We, Your Majesty's most dutiful and loyal subjects humbly crave leave in behalf of ourselves and others, inhabitants within this colony, to lay before Your Majesty the great wrongs and grievances we have lain under, and the damages we have sustained within these twenty years last past, by the excessive emitting of bills of public credit on this colony, and enforcing the same by several acts of our General Assembly, to pass in payments in equal value with silver money since the beginning of the year 1710, to the beginning of May, 1731.

And we humbly crave leave to inform, that in and before the year 1710, the current money of this and the neighboring governments in New England, was silver money, at eight shillings per ounce; but since the said time, this colony having, by their several acts of General Assembly, caused to be made and emitted the sum of £195,300 in bills of public credit, of this colony, besides the £60,000 by the late act, ordered to be emitted, and by the said acts enforced them to be taken in payments in equal value to the silver money then current; by reasons thereof, the said silver money, which was formerly eight shillings per ounce, has been gradually raised to about twenty shillings per ounce, in exchange for said bills of credit.

To prevent therefore, the further emitting of more bills of credit, your petitioners did, at the last session of our honorable General Assembly, held at Newport, the 5th day of May, 1731, present a memorial from ourselves and several others, Your Majesty's subjects in this colony, to the said General Assembly, therein setting forth our grievances, and the great damages sustained, not only by ourselves, and others, inhabitants within this colony, but also by the merchants of Your Majesty's kingdom of Great Britain, trading to these parts, by the emitting of said bills, praying the said General Assembly would put a stop to the further emitting of such bills.

Notwithstanding which, and having heard our counsel thereupon, they proceeded to pass an act without the assent of the Honorable Joseph Jenckes, Esq., our Governor, for the emitting of another bank of £60,000, in bills of public credit, to be let out upon loan (as most of their former were), for ten years.

Whereupon your petitioners, making known their intentions to address Your

Royal Majesty, for relief, and having taken out copies of our said memorial, and the other papers laid before the said General Assembly, therewith, and also a copy of the said act of the General Assembly, attested, under the hand of Richard Ward, Esq., secretary, John Wanton, Esq., our deputy governor (on our honorable Governor's refusal), summoned a General Assembly, who met the 3d day of this present August, at Newport, and took away all our said attested copies, forbidding the seal of this colony to be affixed to them (which used to be affixed to all papers and records of any courts in this colony, when sent to England, to certify their being true copies), and then rejected our said memorial, ordering the clerk of their Assembly to re-deliver it to us, taking a receipt for the same.

All which proceedings, we humbly conceive, are highly derogatory to Your Majesty's royal prerogative, the laws of Great Britain, and the right of Your Majesty's subjects.

1st. In that by the said several acts of Assembly, the royal proclamation put forth by our late sovereign lady, Queen Anne, bearing date the 18th day of June, 1704, and confirmed by an act of Parliament, made in the sixth year of her reign, entitled "An act for ascertaining the rates of foreign coins, in Her Majesty's plantations in America," is eluded, and rendered of no force.

2d. For that the said acts of Assembly are directly contrary to an order in council, made the 19th day of May, 1720, by our late sovereign lord, King George, Your Majesty's royal father, against the passing any laws whereby bills of credit may be struck or issued by any of the governments in America, without a clause inserted therein, declaring such acts shall not be in force until approved and confirmed by the royal assent; and the order thereupon sent to our late honorable Governor, Samuel Cranston, Esq., deceased, and Company, in the year 1724.

3d. And also for that said acts are disagreeable with Your Majesty's late instructions to the Honorable Jonathan Belcher, Esq., Governor of Your Majesty's Province of the Massachusetts Bay, ordering that the said Province (which by computation is eight times as large as our colony) should not have out in bills of credit at one time more than the sum of £30,000. All which was laid before the said General Assembly by your petitioner's counsel in pleading for the said memorial.

And your petitioners, and others, having in our late memorial to the General Assembly of this colony, set forth our grievances and offered our reasons against emitting more bills of credit, we have transmitted the same as received from the said General Assembly, after their having rejected it, begging leave to lay the same at your royal feet, for your wise and gracious consideration of the justice of our complaint, and of the evils that must attend this colony if not timely prevented by putting a stop to the emitting of more bills.

And your petitioners humbly crave leave to add one reason of the little hopes we have, that an end should be put to emitting of bills of credit by our General Assembly, or that justice should be done us by them, is, that by an act of the General Assembly, made the first Wednesday in May, 1728, the £40,000 emitted in the year 1715, was continued at interest for three years longer, than by the first acts were limited; and by another act made the third Tuesday of June, 1728, the £40,000 emitted in the year 1721, is continued at interest for eight years longer than by the said act was at first limited; and that afterwards, both the said banks of £40,000 each, shall be sunk by payment of the principal in ten years, at ten per cent. every year, without any interest.

And the £40,000 emitted in May, 1728, should be under the same regulation, by

which means, the credit of said bills have been so sunk in value, and the price of every thing bought with them, so raised, as must destroy the trade and ruin this colony, if not timely prevented.

All which, most gracious sovereign, we humbly crave leave to lay before Your Majesty, praying that out of your great wisdom and tender regard to your subjects in these parts of America, you would be pleased to lay your royal commands on this government not to emit any more bills of public credit; and that the bills of credit already emitted, be paid in according to the several respective acts, whereby they were first emitted, that thereby an end may be put to our sorrows, and the tranquility of this, Your Majesty's colony, re-established as in former times; and we, and all Your Majesty's subjects lying under the present oppression, as in duty bound, shall ever most heartily pray, &c.*

Nathaniel Kay,
John Brown, Jr.,
Abraham Redwood,
Simon Pease,
Philip Tillinghast, Jr.,
John Tillinghast,
William Ellery,

John Freebody,
Benjamin Norton,
Christopher Almy,
Job Almy,
Daniel Ayrault,
Peter Bours,
Edw. C. Searegreas,

John Tillinghast,
William Almy,
John Lawrence,
—— Chaloner,
Nathaniel Newdigate.

[This memorial, with a letter from Governor Jenckes, and the colony's charter, were referred to the attorney and solicitor general, P. Yorke and C. Talbot, with directions to consider and report on the same. On the question "whether any act passed by the General Assembly of the colony may be considered valid, the Governor having entered his dissent from it at the time it was voted," the crown officers in giving their opinion, say, "In this charter, no negative voice is given to the Governor, nor any power reserved to the crown of approving or disapproving the laws to be made in this colony. We are therefore of opinion, that though by the charter, the presence of the Governor, or in his absence of the deputy governor, is necessary to the legal holding of a General Assembly; yet, when he is there, he is a part of the Assembly, and included by the majority; and consequently, that acts passed by the majority of such Assembly, are valid in law, notwithstanding the Governor's entering his dissent at the time of the passing thereof."

As to the question stated, "whether His Majesty hath any power to repeal or make void the above mentioned act of Assembly, we humbly conceive, that no provision being made for that purpose, the crown hath no discretionary power of repealing laws made in this province; but the validity thereof, depends upon their not being contrary, but as near as may be, agreeable to the laws of England, regard being had to the nature and constitution of the place, and the people. Where this condition is observed, the law is binding; and where it is not, the law is void as not warranted by the charter."

On the question, as to the necessity of the Governor's setting or refusing the colony's seal to all public acts, or of examining these acts himself, before he orders the seal set thereto, the opinion of these officers was, that it was "the duty of the Governor to set the colony's seal to such copies of acts as were attested by the secretary, in order to be sent to His Majesty; and that the examination and attestation of the secretary are sufficient, without the personal examination of the Governor."—J. R. B.]

* J. Carter Brown's Manuscripts, No. 562, 566, 567, Vol. VIII.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the last Wednesday of October, 1731.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Whereas, there was an act of Assembly passed in June, in the year 1729, for the stopping of a drift way, which was laid out in North Kingstown, by the town council of said town, with a ferry, which is found prejudicial;—

Be it therefore enacted by the General Assembly, that the aforesaid act be, and it is hereby repealed.

Ordered and voted, that Mr. William Jenckes, be allowed £100, out of the general treasury, for to build one half of a bridge at Pawtucket Falls; and also so much more as shall be needed for the carrying on the said one half; and to render an account of the charges when the work is completed.

Ordered, that His Honor, the Governor, and Col. Updike, draw an answer to the letter sent to the Governor, from the General Assembly of the Massachusetts Bay; and that the secretary sign the same, to be viewed before sent, by the deputy governor, Col. Wm. Wanton, Mr. Vernon and such other, as the Governor shall think fit.

Ordered, that the secretary grant forth copies relating to the gore of land between this colony and the Massachusetts Bay, to any person that demands the same.

Ordered, that Mr. George Goulding and Mr. Joseph Whipple, be a committee to remit £200 to our agent, in silver or bills, as they shall think best, and draw money out of the

treasury sufficient for the accomplishing of the same, out of the bills made for exchanging £5 and 40s. bills, to be re-paid out of the interest money belonging to the colony.

An Act for preventing of mischief being done in the town of Newport, or in any other town, in the government, by firing of guns and pistols, and throwing of squibs, fire-works, &c. [Public laws, 1731, p. 240.]

Ordered, that one of the colony law books be sent to our agent in Great Britain, to be laid before the lords commissioners; and as soon as the remainder of the laws are printed, they shall be sent home also.

An Act in addition to an act, entitled "An act for emitting of £60,000 in public bills of credit," made and passed in this colony, in June, A. D. 1731. [Public laws, p. 242.]

Ordered, that all the general laws of this colony, be prepared for the press by Richard Ward and Col. Updike, and be by them printed; and that they agree with the printer as reasonably as may be; to be first viewed by the Governor.

Philip Smith, Simon Smith, William Smith, John Waterman, Rowland Sprague, John Waterman, James Briggs, Jr., and William Burlingame, all of Providence, are admitted freemen of this colony.

David Fish, Gideon Cornell, William Hall, Jr., David Anthony, Job Durfie and Benjamin Hicks, all of Portsmouth, are admitted freemen of this colony.

Upon the reading of a letter from the General Assembly of the Province of the Massachusetts Bay, desiring and proposing that we release and set at liberty Henry Joslin and Joseph Neivel, who are imprisoned at Providence, for their illegal proceeding (as we judge) on the gore of land, now in controversy betwixt us and the said Province, and considering the ill consequence that may ensue and attend the haling persons to

prison on both sides, and that such proceedings will not end the said controversy,—

It is therefore ordered, that the said prisoners be released and set at liberty ; and we expect that the General Assembly of said Province will do likewise, and remit the fines of those they imprisoned, and that they will not exempt themselves from the same rules and measures which they prescribe to us.

And it is conceived necessary, for the preventing of such mischievous consequences as may probably attend this difference, without further care, to take such methods as may be effectual for that end, and for the settling said controversy, so that peace and neighborhood may ensue ;—

Wherefore, it is considered and voted on the part of this colony, that a proposition be made to the great and General Assembly of the Province of the Massachusetts Bay, for the accommodating and ending the said unhappy difference, by indifferent men, chosen out of the neighboring governments, to adjust and determine the same ; and that such government obligate themselves by their own act, to abide by such determination ; and this Assembly being unwilling to be backward in this affair, whereon depends the peace and quietude of several of His Majesty's subjects, put to great difficulties by being called on by both governments, and being averse to all manner of contention,—

Do nominate and appoint Col. — Willett, of West Chester, and Col. Isaac Hix and Mr. James Jackson, of Flushing, all in the Province of New York, to be a committee on the part and behalf of this colony, to join with the like number of such other persons as shall be nominated and appointed on the part and behalf of the said Province of the Massachusetts Bay, out of the neighboring governments, to order, agree, settle and determine the aforesaid controversy concerning the jurisdiction of said gore of land, and the boundary line between the said two governments, beginning at Pawtucket Falls ; and the agreement and determination of such commissioners, or the major part of them, shall be binding and conclusive on this colony, forever.

And in the mean time, all processes against the inhabitants of said gore, shall cease on the part of this colony, in case the said Province come into the same measures.

And it is further voted and ordered by the authority aforesaid, that in case the Province of the Massachusetts Bay shall refuse to enter into the aforesaid reasonable measures, which, without all doubt, would prove effectual for the ending of the aforesaid difference, then, that a state of the aforesaid case, upon the part of this government, be drawn up by Col. Updike and Mr. James Martin, and presented to the General Assembly, to be transmitted to the agent of this colony, with directions for laying the same before His Majesty, for a speedy determination; and the said committee are empowered to procure all necessary copies for the effecting the same, from our own record, and those of the Province of the Massachusetts Bay.

Whereas, there was an act of the General Assembly of this colony, passed in their session in June, in the year 1731, relating to the gore of land in controversy between this colony, and the Province of the Massachusetts Bay, wherein it was ordered that a state of the case should be drawn up, to send to His Majesty, the inhabitants of said land advancing £200, and give £4,000 bond, for defraying the charge, and carrying it on;—

Which aforesaid clause of the aforesaid act, and every part thereof, is hereby repealed, and declared null and void.

This Assembly is adjourned to the town of Warwick, on the third Tuesday of February next.

God save the King.

[There is no record of a session of the General Assembly in February.]

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1732.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Col. Wm. Wanton,

Major Job Greene,

Mr. Samuel Vernon,

Mr. John Wickes,

Col. Nicholas Power,

Capt. William Hall,

Mr. George Cornell,

Mr. Rouse Helme.

Mr. Wm. Anthony,

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

Pelcg Peckham, Daniel Spooner, John Helme, Daniel Russel, Caleb Gardner, John Carr, Samuel Carr, Francis Bassal, Latham Thurston, Caleb Coggeshall, Thomas Jeffers, John Sheffield, William Coddington, Jr., Jacob Gould, James Tew, John Jeffers, John Whitehorn, Benjamin Hagggar, John Brown, son of Nathaniel, Joseph Weeden, Jr., Edward Barker, Joseph Bond and Christopher Dickinson, all of Newport, are admitted freemen of this colony.

Capt. William Burroughs, Fearnot Packard, Charles Dyre, Ebenezer Sprague, Daniel Fisk, Peter Joy, Daniel Mathewson, son of John, Anthony Field, Stephen Colvin, Obadiah Olney, Elisha Thornton, Joseph Williams, son of James, Peter Tift, Stephen Dexter, Jr., John Waterman, Jabez Westcote, Joshua Turner, James Olney, Jr. and Thomas Westcote, all of Providence, are admitted freemen of this colony.

David Greene, William Rice, Nathaniel Greene, son of Ja-

bez, Samuel Wightman, John Greene, son of Peter, Josiah Haynes and Elisha Johnson, all of Warwick, are admitted freemen of this colony.

Stephen Austin, Joseph Whitford, Edmond Sheffield, George Codner, James Card, John Whitford, Stephen Northup, Jr., Benony Hall, William Haven, son of Joseph, Samuel Place, James Greene, Robert Morey, Samuel Ellis, Thomas Sweet, Jeremiah Smith, Francis Briggs, John Gould, John Mumford, John Rathbun of Nesquaheague, Eleazer Colegrove, George Thomas, Jr., Nicholas Gardner, Jr., Samuel Shearman and John Eldred, Jr., all of North Kingstown, are admitted freemen of this colony.

Joseph Slocum, Seth Jones, son of Jeremiah, George Gardner, Hezekiah Mattison, Thomas Wait, Benjamin Carr, John Spencer, son of Peleg, — Edmonds, Christopher Vaughan, Jr., Stephen Sheppey and Peter Spencer, all of East Greenwich, admitted are freemen of the colony.

John Wilson, Job Howland, Josiah Arnold, John Martin and Richard Tew, Jr., all of Jamestown, are admitted freemen of this colony.

James King, Jr., John Hogg, Wait Smith, Andrew Brown, Daniel Walling, David Thornton, Cornelius Walling, Preserved Herndeen, William Comon, Amaziah Harris, Jonathan Olney, Michael Inman, Job Petteplace, Richard Steer, William Walling and David Burlingame, all of Glocester, are admitted freemen of this colony.

John Watson, Jr., James Helme, Daniel Worden, Ebenezer Smith, Ebenezer Niles, James Worden, Edmond Worden, Thos. Stedman, Stephen Champlin, Nathan Tanner and Geo. Shearman, all of South Kingstown, are admitted freemen of the colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday in May, 1732.

The Hon. Joseph Jenckes, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Mr. Nicholas Easton,
Mr. Joseph Whipple,
Capt. James Clarke,
Capt. Thomas Coggeshall.

For Providence.

Capt. Richard Waterman,
Mr. John Potter, Jr.,
Mr. John Thornton,
Capt. Jabez Bowen.

For Portsmouth.

Mr. Gideon Freeborne,
Mr. Thomas Hix,
Mr. Daniel Pearce, Jr.,
Mr. Gideon Cornel.

For Warwick.

Mr. William Greene,
Capt. Othniel Gorton,
Capt. Joseph Stafford,
Major Anthony Low.

For Westerly.

Lieut. Col. Jos. Stanton,
Mr. Wm. Champlin.

For North Kingstown.

Mr. Jeremiah Gould,
Mr. Francis Willet.

For South Kingstown.

Major George Haszard,
Capt. John Potter.

For East Greenwich.

Major Thomas Frye,
Capt. Thomas Nickols.

For Jamestown.

Capt. Nicholas Carr,
Mr. Samuel Clarke.

Smithfield.

Mr. Jonathan Sprague, Jr.,
Mr. James Aldrich.

Scituate.

Mr. Stephen Hopkins,
Mr. Zachariah Rhodes.

Glocester.

Capt. John Smith,
Mr. Job Comstock.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

Ordered, that the proxies from New Shoreham be dismissed, for not being returned by a deputy, or person appointed by the meeting.

The following officers were declared elected, and duly engaged.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,

Mr. John Gardner,

Mr. John Potter, Jr.,

Col. Nicholas Power,

Mr. George Cornell,

Mr. William Anthony,

Major Job Greene,

Mr. John Wickes,

Capt. William Hall,

Mr. Rouse Helme.

SECRETARY.

Richard Ward.

GENERAL TREASURER.

Mr. Abraham Borden.

GENERAL ATTORNEY.

James Honeyman, Jr.

SHERIFFS FOR THE SEVERAL COUNTIES CHOSEN.

Newport county,—Jahleel Brenton, Jr., Esq., sheriff.

Providence county,—Capt. Daniel Abbot.

Kings county,—Immanuel Northup, Esq.

His Honor, the Governor, took the oath of trade and navigation, in the presence of the general council.

Voted and ordered, that Samuel Vernon, Benjamin Ellery, and Richard Waterman, Esqs., be, and they are hereby appointed to receive of the late Governor, Joseph Jenckes, Esq., the charter, Fones records, and other papers, that belong to this colony, and deliver them to His Honor, our present Governor, William Wanton, Esq., which was done, accordingly.

Voted and ordered, that His Honor, our late Governor, Joseph Jenckes, Esq., be allowed and paid out of the general treasury, the sum of £300, for his last year's service.

Voted and enacted, that His Honor, the Governor, draw up an answer to our agent's letter; as also an answer to all those papers sent home against the government.

And that His Honor, the deputy governor, Samuel Vernon and John Gardner, Esqs., Mr. Speaker, Capt. Benjamin Ellery, Mr. Francis Willett, Mr. Gideon Freeborne, Capt. Joseph Whipple, and Capt. Nicholas Carr, or the major part of them, are hereby appointed a committee to view and correct those draughts to be drawn by the Governor, as aforesaid, in order to be sent to our agent; and that they keep copies of the same, and present them to this Assembly, at their next session.

An Act for the compliance with an act lately made by the General Court or Assembly of the Province of the Massachusetts Bay, held at Boston, the first Wednesday of December, A. D. 1731.

Whereas, there was an act made and passed by the said General Court or Assembly, of the Province of the Massachusetts Bay, for the authorizing and empowering commissioners to determine the western boundary of the said Province, formerly the colony of Plymouth, and this colony adjoining;—

For compliance wherewith, be it enacted by the General Assembly and by the authority of the same it is enacted, that the commissioners, Roger Wolcot, of Windsor, Osias Pitkin, of Hartford, Esq., and Mr. Joseph Fowler, of Lebanon, all of the colony of Connecticut. as appointed by the General Assembly of said Province, are hereby complied with, to meet with Col. William Willett, of Westchester, Col. Isaac Hicks and Mr. James Jackson, of Flushing, all in the Province of New York, at such time and place as the said Roger Wolcot and Col. Willett shall appoint, to order, agree, settle and determine un-

der whose jurisdiction and government the tract of land lying to the eastward of Pawtucket river, and now in controversy, shall be, and remain after such determination.

And be it further enacted, that all other parts of said act be complied with, saving that proviso made in said act, relating to the inhabitants or persons in possession of said tract or gore of land, pay all taxes that have been, or shall be laid on them, which by this act is also to be determined by the aforesaid commissioners.

Provided, also, that the General Court or Assembly of the Province of the Massachusetts Bay, come into an act like to this, in substance.

Voted and ordered, that the secretary, with the assistance of Mr. Speaker, write a letter to the General Assembly of the Province of the Massachusetts Bay, relating to the gore of land in controversy.

Whereas, there was an act made and passed by the General Assembly, at their session, held at Newport, the 27th day of February, 1711, entitled "An act for laying a duty on negro slaves that shall be imported into this colony," and this Assembly being directed by His Majesty's instructions to repeal the same ;—

Therefore, be it enacted by the General Assembly, and by the authority of the same it is enacted, that the said act, and every clause and article therein contained, be, and it is hereby repealed, made null and void, and of none effect for the future.

Voted, that this Assembly be adjourned to the second Monday in June next, being the 12th day of said month, to Newport.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Monday of June, 1732.

The Hon.^y William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for drawing up the acts of Assembly.

Be it enacted by the General Assembly, that the attorney general shall draw up all the acts of Assembly in form, in order to be engrossed, with Major George Haszard and William Greene, Esq., as a committee, appointed to assist him for the purpose aforesaid.

Whereas, it appears that the sum of £1,066 remains to be due to this colony, from divers persons, who took and received money of the first bank, and have neglected to pay the second payment of the tenth part of said money ; as also, that no part of the third payment is accounted for, although the same hath been for sometime due ;—

For the recovery whereof, be it enacted by the General Assembly, and by the authority of the same it is enacted, that the grand committee for the time being, shall forthwith use all lawful ways and means for the getting in and recovery of the money, as aforesaid, from all the persons from whom the same shall be due.

Be it enacted by the General Assembly, that the account of the auditors appointed for the inspecting of the accounts of Fort George, is hereby accepted and received.

Whereas, there is a petition preferred to this Assembly, by James Franklin, of said Newport, printer, setting forth therein the great charge he hath been put to, in providing himself materials for carrying on printing in this colony, and that he has been always ready to serve the said colony in the service of printing, and is still ready to do the same ;—

For encouragement of the said petitioner, be it enacted by the General Assembly, and by the authority of the same it is enacted, that the sum of £20, at the year's end, be paid out of the general treasury, to the said James Franklin; provided, he print therefor, twenty copies of what general acts shall be passed by the General Assembly within said term.

Whereas, there was a motion made by Mr. George Goulding, informing the Assembly that he had a negro woman imported, but was obliged to transport her to North Carolina, she being lame, and not fit for service, requesting that the duties on said negro may be remitted;—

Be it enacted by the General Assembly, that the said motion is granted, and that the duty on the said negro is remitted.

An Act for keeping in order, and preserving the works of Fort George, and disposing of the plank, lime, bricks, &c., that shall remain after said fort is finished.

Be it enacted by the General Assembly, that the platform be caulked and payed with turpentine; and at the end of the sleepers to be filled with stone or brick; also, that there be a shed built, to keep the guns from the weather; and that the horses, with one cart, be sold, and what plank now remains, to be carted together; and if any lime or bricks be left after said work be done, the same be sold and put into the general treasury; and Messrs. George Goulding and William Wanton, Jr., be, and they are hereby appointed a committee to procure the within mentioned work to be done, and the charges to be paid out of the general treasury.

An Act for accepting the account of Mr. Rouse Helme, for the building of the county house, in King's county.

Be it enacted by the General Assembly, that the account delivered in by the said Rouse Helme, amounting to the sum of £791 2s. 3d., be hereby allowed of; and that the sum of £270 19s. 3d., be paid out of the public treasury, the same being the full balance of his account.

Whereas, there was a petition preferred by several of the

inn-holders or vintners, in this colony, setting forth the many inconveniences that many persons in this government have labored under by their extravagant expenses at taverns and other ale-houses;—

For preventing whereof, for the future, be it enacted by the General Assembly, and by the authority of the same it is enacted, that if any inn-holder, retailer or ale-house keeper in this colony, trust any inhabitants of this colony for liquors above the sum of twenty shillings, all actions brought for the same, shall be barred.

An Act for payment of the bounty upon flax and hemp raised
A. D. 1731. [Public laws, 1744, p. 167.]

An Act for review in real actions relating to titles of land.
[Public laws, 1744, p. 168.]

Be it enacted by the General Assembly of this colony, and by the authority thereof it is enacted, that in case the great and General Court of the Assembly of the Province of the Massachusetts Bay, comply with the act of this Assembly, made and passed at their session in May last past, relating to the gore of land in controversy between this colony and that Province, that then His Honor, the deputy governor, Mr. Samuel Clarke, Mr. Richard Ward and Mr. John Walton, or the major part of them, be, and they are hereby appointed a committee to wait upon the commissioners appointed by both governments to settle said controversy, in order to lay a true state of the case before them; and that His Honor, the Governor, write to the commissioners on the part of this colony to appoint the time of meeting as soon as conveniently may be, and commissionate the committee for negotiating of said affair.

Ordered, that in case any letters should come from the agent, that require a speedy answer, the Governor, with such of the council and representatives as may be had near, be, and they are hereby empowered to answer the same, keeping copies thereof, to present to the next Assembly.

Voted and ordered, that this Assembly be adjourned to this place, to the second Tuesday of September next.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1732.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Upon the petition of Jahleel Brenton, Jr., setting forth that he being one of the grand committee of the colony of Rhode Island, hath almost solely and alone borne the burthen of procuring the tenth part of the principal for sinking the first bank, with the trouble of endorsing the mortgages, looking out the bonds, &c., and praying some further allowance than is already stated ;—

It is therefore voted and ordered, that the said Jahleel Brenton be allowed and paid out of the general treasury, for his past service, as abovesaid, the sum of £15.

An Act stating the Governor's fees for signing commissions and taxing costs. [Public laws, 1744, p. 169.]

Whereas, the colony has been at great charge to build and erect a fort on Goat island, for the security of the navigation ; and also hath been at great expense in supplying said fort with powder ;—

For the better keeping in repair and supplying said fort, be it enacted by the General Assembly, and by the authority of the same, that there shall be paid by the master of every ship

or vessel coming into any port or ports in this colony to trade or traffic, every voyage such ship or vessel doth make, six pence per tun, according to the register, or one-sixth of a pound of good powder, in lieu thereof (all such vessels in the constant use of fishing, excepted).

And it is further enacted, that all masters of coasting vessels, such as coast between the Jerseys and Hampshire, to this place, shall pay according to their register, six pence per tun, once a year, to be employed to and for the use of said fort on Goat island.

And that William Wanton, Jr., is appointed to collect and receive the same.

And it is further enacted by the authority aforesaid, that all masters liable to pay as above, shall obtain from the powder office a certificate that he hath paid powder money, according to this act; and that it shall not be lawful for the collector to clear any vessel or vessels liable by this act, before this certificate first had and obtained.

I, the subscriber, do protest against the above vote.

JOSEPH WHIPPLE.

Report being made to this Assembly, that two of the constables of Attleborough have this week been exercising jurisdiction within this colony, (viz.: in that gore of land unjustly claimed by the Province of the Massachusetts Bay,) which is contrary to the laws of this colony;—

'Tis therefore resolved by this Assembly, that the said constables be examined by some of the justices in the county of Providence, and if they have exercised jurisdiction as aforesaid, that then they, or either of them, be dealt with according to law.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 23^d day of January, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and ordered, that John Gardner and William Wanton, Jr., Esqs., Col. William Coddington, Capt. Benjamin Ellery and Mr. George Goulding, be, and they are hereby appointed a committee to inquire into the state of the fort, and consider what number of cannon, and of what length and bigness, is necessary to be procured for the same, and the charge thereof, and make report to the next session of this Assembly.

Voted and ordered, that William Jenckes, Esq., be allowed and paid out of the general treasury the sum of £42 9s. 5d., in full of what remains unpaid of this colony's part of building Pawtucket bridge; and that the other account of £57 14s. 3d., and £12 for time and charge in lawsuits at Bristol court, be not allowed.

Voted and ordered, that a new jail and jail-house be built in some suitable and convenient place in Providence, of the same bigness of that in King's county; and that the jail-house and jail already built, and land thereunto belonging, be disposed of to the best advantage, and the produce thereof to be improved so far as it will go, in building the new jail-house, jail, &c.;—

Provided, any person or persons procure a convenient lot of land for that purpose, near the county house, without any charge to the colony; and that Col. Nicholas Power, John Angel, Jr., and Daniel Abbott, Esq., be, and they are hereby appointed to carry on and finish said work.

Be it enacted by the General Assembly and by the authori-

ty of the same it is enacted, that a state of the case relating to the gore of land (adjoining to Attleborough) in controversy between this colony and the Province of the Massachusetts Bay, be drawn up and presented to the next session of this Assembly, in order to be sent home to His Majesty for a decision, unless the said Province, in the mean time, comply with the former proposition of this colony for deciding the same by commissioners; and that William Jenckes and John Angel, Esqrs., and Mr. John Walton, be, and they are hereby appointed a committee to draw up a state of the case, as aforesaid.

An Act for suppressing of lotteries. [Public laws, 1741, p. 170.]

Voted, that this Assembly be adjourned to the third Tuesday in April next.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st day of May, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,

Mr. John Gardner,

Mr. John Potter,

Col. Nicholas Power,

Mr. George Cornell,

Mr. Wm. Anthony,

Major Job Greene,

Mr. John Wickes,

Capt. William Hall,

Mr. Rouse Helme.

Voted, that Peleg Wood, Jr., Caleb Jeffers, John Sims, Charles Morino, Jr., Samuel Vernon Jr., Major Fairchild Peter

Easton, Jr., Edmond Casey, Peleg Cary, Thomas Chadwick, Thomas Ward, Robert Carr, Mathew Borden, James Easton, Ebenezer Sheppard, William Hannah, Daniel Peckham, Benjamin Brenton, Jeremiah Weeden, 3d, and Samuel Fowler, all of Newport, are admitted freemen of this colony.

Voted, that Thomas Harris, son of Henry Harris, deceased, William Brown, Joseph Snow, Ebenezer Knight and Silas Carpenter, all of Providence, are admitted freemen of this colony.

Voted, that George Cornell, Jr. and Benjamin Shearman, Jr., both of Portsmouth, are admitted freemen of this colony.

Voted, that Jabez Greene, Jr., Theophilus Ellis, James Rhodes, Jeremiah Lippitt, Peleg Cook, Israel Gibbs, John Davis, William Gorton, Rufus Barker, Jr. and Alexander Frasier, all of Warwick, are admitted freemen of this colony.

Voted, that James Tillinghast, Thomas Spencer, son of Thomas, Jonathan Johnson, Samuel Strait, Thomas Grinnell, Jonathan Fish, Benjamin Spink, Caleb Carr, Caleb Carr, Jr., Manser Kettle and Thomas Wilcox, all of East Greenwich, are admitted freemen of this colony.

Voted, that Charles Waterman, Philip Phetteplace, Jonathan Vallet, Zerobabel Cooper, Elisha Eady, David Ross, Wm. Coman, Samuel Cary, Samuel Cary, Jr. and Benjamin Keach, all of Gloucester, are admitted freemen of this colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st Wednesday of May, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Col. Wm. Coddington,
Capt. Joseph Whipple,
Capt. James Clarke,
Mr. Daniel Gould.

For Providence.

Capt. Richard Waterman,
Capt. Jabez Bowen,
Capt. Joseph Fenner,
Mr. Richard Thornton.

For Portsmouth.

Mr. Gideon Freeborne,
Mr. Thomas Hix,
Mr. Daniel Pearce, Jr.,
Mr. Gideon Cornel.

For Warwick.

Capt. John Greene,
Capt. Othniel Gorton,
Capt. Joseph Stafford,
Mr. Thomas Rice.

For Westerly.

Col. Jos. Stanton,
Mr. John Richmond.

For New Shoreham.

Capt. Thomas Mitchell.

For North Kingstown.

Mr. Jeremiah Gould,
Capt. George Thomas.

For South Kingstown.

Major George Haszard,
Capt. John Potter.

For East Greenwich.

Doctor Thomas Spencer,
Mr. John Nichols.

For Jamestown.

Mr. Teddeman Hull,
Mr. Daniel Weeden.

Smithfield.

Lieut. Daniel Jenckes,
Mr. James Aldrich.

Scituate.

Capt. Thomas Angel,
Mr. Stephen Hopkins.

Glocester.

Mr. Elisha Knowlton,
Mr. Zachariah Eady.

Mr. Jeremiah Gould, speaker.

Mr. Josias Lyndon, clerk.

James Wightman, Wm. Allen, John Allen, Nathaniel Carpenter, Benjamin Haxton and Thomas Wilcox, all of North Kingstown, are admitted freemen of this colony.

John Edwards, Peter Parker, John Young, John Hopkins, William Young, Robert Potter, Jr., George Dorrance, Ishmael Wilkinson, Daniel Scott, Isaiah Angel, Jedediah Harris, Jeremiah Angel, Daniel Fisk, Benjamin Bennett, John Herenden, Jr., Oziel Hopkins, Stephen Herenden, Obadiah King, Josias Herenden, Joseph Aldrich, Amos Herenden, Philip Mathewson, Amos Thornton, Thomas Mathewson, Jr., Jeremiah Belleau, David Sprague, Jr., John Tyler, David Aldrich and Sylvanus Weight, all of Scituate, are admitted freemen of this colony.

The following officers were declared elected, and duly engaged.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,

Mr. William Anthony,

Mr. John Gardner,

Mr. John Wickes,

Mr. John Potter,

Mr. Philip Arnold,

Col. Nicholas Power,

Capt. William Hall,

Mr. George Cornell,

Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton,

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

SHERIFFS FOR THE SEVERAL COUNTIES CHOSEN FOR THE YEAR.

Newport county,—John Coddington, Esq.

Providence county,—Capt. Daniel Abbot.

Kings county,—Immanuel Northup, Esq.

An Act authorising commissioners to determine the line or boundary between the colony of Rhode Island, &c., and that part of the Province of the Massachusetts Bay, late the colony of Plymouth.

Voted and resolved, that His Honor, the Governor, write to the government of the Massachusetts Bay, and acquaint them with the proceedings of this Assembly, relating to the gore of land, and send a copy of the act.

And also to write and send a messenger to the commissioners appointed by this colony, with a copy of said act, desiring an answer from them, whether they will meet the commissioners of the Province of the Massachusetts Bay, &c., at the time and place appointed.

Voted, that His Honor, the deputy governor, Wm. Jenckes, Samuel Clarke and Daniel Updike, Esqs., or in case of failure of either one of them, the other three to nominate a fourth person to be a committee to wait upon our commissioners, to lay before them a state of the case, in order to treat with the commissioners appointed in behalf of the Province of the Massachusetts Bay, concerning the boundary line of the gore of land adjoining to Attleborough; and that such fourth person so appointed, shall have as full power to act as if nominated herein.

Voted, that the secretary draw up the acts and orders of this Assembly in form, and proclaim the same by beat of drum, in the town of Newport, under the colony's seal, within ten days, and send a copy thereof to each town in the government, under the colony's seal, in twenty days.

And that all business lying before this Assembly unfinished be referred to the next session; and this Assembly is adjourned to the second Monday in June next, at Newport aforesaid.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Monday of June, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Major George Hassard chosen speaker, in the absence of Mr. Jeremiah Gould, the former speaker.

Mr. Josias Lyndon, clerk.

Forasmuch, as Nathaniel Byfield, Esq., late judge of the court of admiralty, in this colony, is deceased, and by reason of the distance between this place and Great Britain, it may be a considerable time before His present Majesty, King George the Second, will fill up the said vacancy, which may be prejudicial to many of His Majesty's subjects in this colony ;—

For preventing whereof, and that justice may be done to His Majesty's subjects in this colony, till His Majesty shall appoint a judge of the court of admiralty herein,—

Be it enacted by the General Assembly in this colony, and by the authority of the same it is enacted and ordered, that George Dunbar, of Newport, Esq., (who was surrogated and deputed by the late Nathaniel Byfield, deceased,) be, and he is hereby constituted and appointed judge of the court of admiralty in this colony, till His Majesty shall appoint a judge of the court of vice admiralty for this colony ; or till this Assembly shall appoint another in his room and stead ; and that His Honor, the Governor, commissionate him, accordingly.

Whereas, it appears to this Assembly, by the certificates of Jonathan Chase and Jacob Barney, viewers of fish, oil and whalebone, for the town of Newport, that Benjamin Thurston

owner of the sloop Pelican, of said Newport, had brought in said sloop, to Newport, aforesaid, one hundred and fourteen barrels of oil, and two hundred weight of whalebone, which was presented to their view ;—

Therefore it is voted and ordered by this Assembly, that the said Benjamin Thurston is entitled to, and do receive the bounty on the proportionable part of the oil and whalebone, belonging to said sloop ; she being owned in this colony, and sailing out of Newport, aforesaid ; and also, such hands as sail out of said colony, according to the certificates presented by the said Jonathan Chase and Jacob Barney, viewers, as aforesaid.

Voted and resolved, that the sum of £100 be allowed out of the general treasury towards re-building Pawtuxet bridge, in case the town of Warwick, or other towns with them, will go on and build said bridge ; and that those persons that shall be appointed by the towns of Warwick and Providence, draw out the same for the purpose aforesaid.

An Act repealing that part of an act choosing the judges and clerks of the inferior courts of common pleas and general sessions of the peace, in the several counties within this colony, *Quamdiu se bene gesserint*; and for electing said judges and clerks annually by the General Assembly.
[Public laws, 1744, p. 171.]

An Act for choosing the deputies of the several towns in this colony annually.

Be it enacted by the General Assembly of this colony, and by the authority of the same it is hereby enacted, that the deputies of the several towns in this colony be for the future chosen but once in every year ; and at the quarter meetings of each respective town, next preceding the general election ; and that this act shall not be in force till after the choice of deputies to sit the next October sessions ; any law, custom or usage to the contrary hereof, notwithstanding.

Voted and ordered, that William Jenckes, Esq. (one of the committee appointed by the General Assembly to wait upon

our commissioners at New London, chosen to settle the boundary line of the gore of land adjoining to Attleborough, with the commissioners appointed by the Province of the Massachusetts Bay, &c.), be, and he is hereby desired and empowered to get all the evidences and strength concerning the said affairs he shall judge most requisite, at the charge of the government; and that the committee appointed by the General Assembly, to wait upon our said commissioners, draw out of the general treasury what money they shall think necessary, not exceeding £100, to defray the charges and expenses of our said commissioners and them, during the time of the congress at New London, aforesaid; and that the said committee have power to agree with the said commissioners on the part of this government, for a sufficient compensation for their trouble and expenses about this affair.

Voted, that the grand committee exchange the money in their hands, in order to be burnt, upon the adjournment of this Assembly.

Voted and ordered, that this Assembly be adjourned to the first Monday in July next, to Newport; and that all business lying before this Assembly unfinished, be referred till then.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Monday in July, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that every person in this government, who has heretofore been entitled to a colony law book, by an act of this Assembly, and has not had any, be first served with

each of them one, out of those that are now in the general treasurer's hands ; and that each justice of the peace that is now in commission in this colony, that has not heretofore had any, be also served, each of them, with one of said law books ; and that schedules of the last impression of the late laws now in the general treasurer's hands, be distributed to the several towns in this colony, in proportion ; and that therewith the town council of each town be first served ; then the eldest justice of the peace, and then the next, and so on successively, as far as the said schedules will go.

And that Capt. Richard Waterman, Capt. John Potter and Capt. James Clarke, be a committee to proportionate the same.

And that all those persons who have not received already, and are yet to receive the colony law books, by virtue of any act or acts of Assembly, be also supplied with each a schedule of the last impression of the late laws ; and after all those persons are supplied with said books and schedules, which were to be supplied by act or acts of Assembly, if a sufficiency remains, that then every member of this present Assembly, who has not been supplied, have each of them a colony law book, and schedule, to be annexed thereto.

Voted and resolved, that the sum of £3,982 11s., presented to this Assembly, by the grand committee, being part of payments of the first, second and third tenths of the first bank, be forthwith burnt.

Voted and resolved, that Col. Daniel Abbott and Mr. John Walton, be added to the former committee appointed to meet the commissioners (appointed by the Province of the Massachusetts Bay and this colony), to settle the controversy relating to the gore of land adjoining to Attleborough, in order to lay a state of the case before them.

Voted and resolved, that their Honors, the Governor and deputy governor, be, and they hereby are appointed to receive the Honorable James Oglethorp, Esq., in case he comes to Newport, and entertain him according to his quality ; and the charge thereof to be paid out of the general treasury.

Voted and resolved, that His Honor, the Governor, Capt. Benjamin Ellery, Col. William Coddington, Mr. Joseph Whipple, Col. Joseph Stanton, Capt. John Potter, Capt. Wm. Wanton, Jr. and Mr. George Goulding be, and they, or the major part of them, are hereby appointed a committee, to go over to Block Island to view the same, and consider of a convenient place to build a pier, or harbor, and of the charge, &c.; and make report thereof to the next General Assembly.

An Act for the emitting £104,000, in bills of public credit.
[Public laws, 1744, p. 172.]

Voted and resolved, that Col. William Coddington, Mr. Geo. Goulding and Capt. William Wanton, Jr., be, and they hereby are appointed a committee to procure £4,000 worth of cannon, carriages and other necessaries, for Fort George, and draw the money out of the general treasury, set apart for that use, by an act of this Assembly, and therewith purchase bills of exchange, silver or gold, to procure said cannon and shot with; and the carriages and other necessaries with bills of credit.

An Act for holding the General Assembly in October session in the several counties on the main land. [Public laws, 1744, p. 176.]

Voted and resolved, that this Assembly be adjourned till the last Tuesday of September next.

God save the King.

[It does not appear by the records, that there was any session of the General Assembly in September.]

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday of October, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that Benjamin Morey, Joshua Pendleton, John Larking, son of Roger, William Babcock, Benjamin Perry, Charles Dickinson, Nathaniel Potter, Samuel Mott, Joseph Morey, Ezekiel Gaveat, Jr., Joseph Babcock, Jr., Edmond Pendleton, Jr., Daniel Peckham, Ebenezer Rathbun, Elisha Hall, Wm. Saunders, Theodaty Vars, Stephen Wilcox, son of Daniel, William Mackoun, John Robinson, Thomas Kenion, John Kenion, Jr., John Stanton, Joseph Maxon, son of Jonathan, John Dodge, Thomas Brand, Jr., John Forster, Joseph Hall, Joseph Tift, son of John, Samuel Tift and Joseph Mackoun, all of Westerly, in Kings county, are admitted freemen of this colony.

Voted, that John Walton, James Mitchell, Joshua Turner, John Field, son of William, and Jeremiah Crawford, all of Providence, in the county of Providence, are admitted freemen of this colony.

Voted, that Thomas Freeborn, of Portsmouth, in the county of Newport, is admitted a freeman of this colony.

An Act for granting a compensation to the commissioners chosen on the part of this colony to determine the controversy relating to the gore of land.

Whereas, there was a committee appointed this present session of Assembly to consider of a suitable compensation to be made to Col. Isaac Hicks, of Hempstead, Mr. James Jackson, of Flushing, and Col. Lewis Morris, Jr., of Westchester, all in

the Province of New York, commissioners chosen on the part of this colony, to decide the controversy relating to the gore of land, with the commissioners chosen on the part of the Province of the Massachusetts Bay, &c. ; and the said committee accordingly submitted their report to this General Assembly, that they were of opinion it would be consistent with the honor of this government and the merit of the said commissioners that three silver tankards be forthwith made, each of £50 value, with the arms of the government to be engraven on them, and one to be sent to each of the said commissioners.

Which being duly considered, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that His Honor, the Governor, procure forthwith three silver tankards, of the value of £50 each, current money of said colony, with the arms of the government handsomely engraven on each of them ; and for defraying the charges thereof, to draw money out of the general treasury ; and as soon as the said tankards are made and finished, that His Honor, the Governor, send one of them to each of our said commissioners, with the acknowledgment of this General Assembly, for their assistance in endeavoring to reconcile and put an end to the dispute between the two governments.

Voted and resolved, that this Assembly be adjourned till the first Monday in December next, to Newport.

God save the King.

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Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Monday in December, 1733.

The Hon. William Wanton, Governor.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for enabling the settled and ordained ministers and elders of every society and denomination of Christians in this colony, to join persons together in marriage. [Public laws, 1744, p. 176.]

An Act for regulating the several town councils within this colony. [Public laws, 1744, page 176.]

An Act for the enabling that part of the town of Newport, commonly called the compact, or town part, to appoint a watch, make a rate and levy money for defraying the charge thereof, with the charge of mending their highways.

Whereas, Job Trip, of North Kingstown, in Kings county, yeoman and other inhabitants of this colony, complain to this Assembly, that notwithstanding the colony has been at considerable charges in new building Pawtucket bridge, yet those persons who own the land adjoining to the same, in this colony, have shut up the way leading thereto, and made it a toll bridge ;—

Wherefore, it is ordered by this General Assembly, that the authority of the county of Providence inquire into the above said affair, and if it appear to be a nuisance, then the said authority are hereby directed and advised to remove the same.

Voted and resolved, that the appeal to His Majesty (relating to the gore of land in controversy), presented to this Assembly, is approved of, and ordered forthwith to be sent home to His Majesty, in Great Britain, signed by His Honor, the Governor.

Voted and resolved, that Rouse Helme, Esq., Messrs. Thos. Fry, Jeremiah Gould and Joseph Whipple, be a committee to inspect into the affair about turning the stream at Pawcatuck river, and making a harbor in Westerly; and return their report thereon, to the next session of this Assembly.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the 4th day of February, 1733-4.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for the encouragement of killing the bears and wild cats that shall be found within this colony. [Public laws, 1744, p. 179.]

Voted, that the following persons, viz.: Daniel Willbore, William Bradway, Noah Smith, Abraham Smith, Richard Smith, John Smith, Nedebiah Angel, Richard Smith, Jr., Jeremiah Scott, Nathaniel Scott, Thomas Lapham, John Lapham, Joseph Lapham, Joseph Smith, Jr., Hezekiah Sprague, Hezekiah Steer, Samuel Windsor, Jonathan Arnold, Jr., Thomas Arnold, Jr. Daniel Smith, John Smith, Thomas Arnold, Anthony Arnold, Seth Arnold, Oliver Mowrey, Joseph Mowrey, Jr., Jabez Brown, Jr., Ebenezer Herendon, David Hefendon, Jonathan Mowrey, Jeremiah Mowrey, Aaron Herendon, Thomas Willing, Daniel

Phillips, Israel Phillips, Samuel Very, Joseph Inman, Benjamin Inman, David Harris, Edward Bishop, Abraham Loja, Gideon Culmstock, Nathaniel Tucker, John Smith, Jr., Jacob Mowrey, Woodward Arnold, Samuel Bellow, Peter Bellow, John Arnold, Jeremiah Arnold and Henry Whitman, all of Smithfield, in the county of Providence, are admitted freemen of this colony.

Voted, that the following persons, viz. : Christopher Knight, Francis Bates, Theophilus Ellis, Jr., Richard Rice, Benjamin Pearce, Samuel Cahoon, Jonathan Longford and Henry Tibbetts, all of Warwick, in the county of Providence, are admitted freemen of this colony.

Whereas, Thomas Angell, Stephen Hopkins and Daniel Abbott, have represented to this General Assembly, some inconveniences that attend the highway, formerly laid out by order of the General Assembly, running through the town of Scituate (formerly part of the town of Providence), towards Plainfield, in Connecticut; and they having laid a plan of a new highway before this present Assembly, more commodious for His Majesty's subjects, than the former highway was, and in their petition praying that the same might be granted;—

Upon consideration whereof, be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that the aforesaid town of Scituate, are hereby authorized and empowered to establish and confirm the said new highway, according to the aforesaid plan, in the lieu and room of the former highway, laid out by order of the General Assembly, as aforesaid; any law, custom or usage to the contrary hereof, in any wise, notwithstanding.

Voted and resolved, that this Assembly be adjourned till the second Tuesday of April next, at Warwick.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 30th day of April, 1734.

The Hon. John Wanton, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,	Mr. Wm. Anthony,
Mr. John Gardner,	Mr. Philip Arnold,
Mr. John Potter,	Capt. William Hall,
Mr. George Cornell,	Mr. Rouse Helme.

Capt. Henry Bull, speaker.
Mr. Josias Lyndon, clerk.

Voted, that Sueton Grant, Thomas Brooks, John Fry, John Bailey, son of John Bailey, Jr., Samuel Collins, Jr., Ebenezer Rumrey, Henry Hoar, James Lyon, Jonathan Nicholls, Robert Gibbs, Lawrence Bentley, Daniel Dunham, Jr., Jonathan Bowers, William Clark, son of Henry, Joshua Sawyer, Adam Lawton, Jr., Joseph Card, Jr., Daniel Underwood, John Morris, William King, Joseph Gladding, William Dyre, Samuel Rogers, son of Samuel, Charles Dyre, Benjamin Chanders, Samuel Dyre, Benjamin Church, Richard Long, James Coggeshall, son of Benjamin, Jos. Sabin, Caleb Earle, Samuel Buffum, Ephraim Davis, James Bull, John Peabody, Benjamin Hall, Caleb Arnold, son of Benedict, William Higgens, Samuel Wickham, Josiah Stanbrough and Walter Cranston, all of Newport, are admitted freemen of this colony.

Voted, that John Waterman, Henry Randall, Content Potter, Joseph Williams, son of James, Stephen Williams, Elisha Burlingame, John Burlingame, the 3d, Richard Mattason, Israel Mattason, Neria Waterman, Benjamin Wescote, Jr., William Stone, Thomas Venner, Jr., Samuel Tillinghast, Obadiah Brown, John Field, son of Zachariah, Joseph Crawford and Nicholas

Power, Jr., all of Providence, are admitted freemen of this colony.

Voted, that Barnet Sisson and Salsbury Shearman, both of Portsmouth, are admitted freemen of this colony.

Voted, that Samuel Champlin, Samuel Larking, John Milard, William Davis, Reuben Johnson, John Lewis, mason, Elias Thompson, Jonathan Clark, Jonathan Wells, John Dodge, Jr., Samuel Hill, John Fenner, John Enos, Jr., Samuel Crandell, John Maxson, son of Jonathan, and Joshua Babcock, all of Westerly, are admitted freemen of this colony.

Voted, that William Warner, Joseph Lock, John Rathbun, Edward Sands, Samuel Dodge, Daniel Dickins, William Dodge, Jr. and John Mitchell, all of New Shoreham, are admitted freemen of this colony.

Voted, that Robert Moone, Ebenezer Moone, Jr., Robert Aylsworth, Jr., Samuel Slocum, Jr., Benjamin Northup, Jr., John Cotterell, Robert Austin, Jeoffrey Davis, James Cooper, Thomas Eldred, son of Samuel, Samuel Phillips, Jr., William Tanner, Jr., Joseph Rathbun, Jr., George Vaughan, Job Rathbun, William Eldred, Jr., Peter Turgee, Aaron Davis, Samuel Sweet, Ezekiel Gardner, John Sweet, John Reynolds, son of Robert, Jeremiah Baker, John Letson, Eber Shearman, Jr., George Willcox, John Corey, Jr., Samuel Casey, Joseph Mowrey and Joseph Olden, all of North Kingstown, are admitted freemen of this colony.

Voted, that John Lillebridge, Thomas Brown, Jeoffry Watson, John Seagers, Jr., Oliver Hassard, Jeremiah Clark, Sands Helme, Isaac Fowler, George Cotterel, Benjamin Earle, Jonathan Oatley, Benjamin Potter, William Barber, Jr., John Smith, Jr., Ezekiel Barber and John Nicholls, all of South Kingstown, are admitted freemen of this colony.

Voted, that Joshua Coggeshall, John Briggs, Jonathan Mattason, James Mattason, John Mattason, Israel Underwood, Richard Mayhew, Peter Stevens, Joseph Mattason, Jr., Job Jenkins, Joseph Nicholls, son of Benjamin, William Reynolds, Benjamin Gardner, Thomas Straight, Philip Tillinghast, Sam'l Gardner, Jr., Samuel Reynolds, Henry Sweet, son of Joseph,

John Corey, Peter Lee, Benjamin Cahoone, John Straight, son of Henry, William Weaver, Jr., John Weight, John Phillips and Ebenezer Greene, all of East Greenwich, are admitted freemen of this colony.

Voted, that John Weeden, Jr., of Jamestown, is admitted a freeman of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of May, 1734.

The Hon. John Wanton, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Col. Wm. Coddington,
Capt. Joseph Whipple,
Capt. James Clarke,
Capt. Henry Bull.

For Providence.

Mr. Ezekiel Warner,
Mr. Thomas Olney,
Col. Daniel Abbott,
Capt. Richard Fenner.

For Portsmouth.

Capt. George Lawton,
Mr. Stephen Brownell,
Mr. Wm. Hall,
Capt. Wm. Brown.

For Warwick.

Mr. Wm. Greene,
Capt. James Arnold,
Capt. John Wightman,
Mr. Francis Mathewson.

For Westerly.

Capt. Oliver Babcock,
Mr. Thomas Hiscox.

For New Shoreham.

Capt. Simon Ray,
Capt. Peter Ball.

For North Kingstown.

Mr. Francis Willett,
Mr. Job Tripp.

For South Kingstown.

Mr. Wm. Robinson,
Mr. Robert Hassard.

DEPUTIES.

For East Greenwich.

Mr. John Jenkins,
Capt. Benjamin Sweet.

For Jamestown.

Capt. Nicholas Carr,
Mr. John Cranston.

Smithfield.

Mr. Daniel Jenckes,
Capt. Joseph Mowrey.

Scituate.

Mr. Edw. Sheldon,
Capt. Thomas Angel.

Glocester.

Capt. John Smith,
Mr. Richard Steere.

Mr. William Greene, speaker.

Mr. Josias Lyndon, clerk.

Voted, that Amos Stafford, Jr., William Tibbetts, Caleb Carr, Jeremiah Green, Bernard Hill, John Green, son of Jabez, Jos. Bucklin and Joseph Chace, all of Warwick, are admitted freemen of this colony.

Voted, that Daniel Carr, John Dorrance, Jr., Samuel Dorrance, Joseph Hopkins, Jr., Jabez Hopkins, Richard Aldrich, Joshua Angel, Abraham Sheldon, Samuel Wight, Jabez Wight, Job Fish, Samuel Robins, Chad Aylesworth, Alexander Lovel, Abraham Lockwood, Hezekiah Herendon, Obadiah Jenks and Robert Briggs, all of Scituate, are admitted freemen of this colony.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,
Mr. John Gardner,
Capt. John Potter,

Mr. Ezekiel Warner,
Mr. George Cornell,
Mr. Wm. Anthony,

ASSISTANTS.

Mr. John Wickes,
Mr. Philip Arnold,

Capt. William Hall,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

JUSTICES.

William Coddington, Benjamin Ellery, Joseph Whipple and Gideon Freeborne, Esqs., chosen justices of the inferior court of common pleas, for the county of Newport.

William Jenckes, John Angel, Benjamin Greene and Thomas Spencer, Esqs., chosen justices of the inferior court of common pleas, for the county of Providence.

Jeremiah Gould, Joseph Stanton, Stephen Hassard and Wm. Spencer, Esqs., chosen justices of the inferior court of common pleas, for the county of Kings county.

SHERIFFS FOR THE SEVERAL COUNTIES CHOSEN FOR THE YEAR.

Newport county,—John Coddington, Esq.

Providence county,—Daniel Abbott, Esq.

Kings county,—Immanuel Northup, Esq.

Voted and resolved, that this Assembly be adjourned to the third Monday in June next ; and that the secretary and attorney general, draw up the acts and orders of this Assembly, and proclaim them in three days after the rising of this Assembly, under the colony's seal ; and that all business before this Assembly unfinished, be referred to the next session.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Monday of June, 1734.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that the Rev. Mr. Jas. M. Sparran, of North Kingstown, in Kings county, is admitted a freemen of this colony.

An Act for regulating the taxing of bills of cost at the several courts within this colony. [Public laws, 1744, p. 179.]

Voted and resolved, that all officers, both civil and military, within this colony, desist and forbear exercising jurisdiction within the gore of land in controversy with us and the government of the Massachusetts Bay, (since the matter is sent home for a determination), until further orders from the General Assembly of this colony.

Voted and resolved, that Hezediah Culmstock, be forthwith taken up by the sheriff of the county of Providence, and safely conveyed to the authority of the Massachusetts Bay, and there to be delivered ; so that he have a trial, upon the complaint of Jonathan Draper, pursuant to the request of the great and General Court of said Province of the Massachusetts Bay, &c., by their letter, dated the 13th day of this instant June ; and that the said sheriff have full power to take what aid is, or shall be necessary, for performing his duty therein.

Voted and resolved, that Messrs. Simon Ray, Peter Ball, Henry Bull, Wm. Brown and Wm. Wanton, Jr., be, and they are hereby appointed a committee to procure materials for building a pier at Block Island, and making a harbor there, accord-

ing to act of Assembly ; and to go on with the work and perfect the same as soon as conveniently may be, according as the money shall arise in the general treasury for that purpose.

Voted, that His Honor, the Governor, Messrs. Henry Bull and Daniel Updike, be, and they are hereby appointed a committee to write an answer to the letter sent from the Province of the Massachusetts Bay, &c.

Voted, that Capt. Henry Bull, Mr. attorney general and the secretary be a committee to draw up the acts and orders of this Assembly ; and that the secretary proclaim the same within ten days from the rising of this Assembly, and send a copy thereof, with those that are not yet sent, to each town in the government, in thirty days, under the colony's seal.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1734.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that Giles Slocum, Jr. and Thomas Brayton, both of Portsmouth, in the county of Newport, are admitted freemen of this colony.

An Act empowering the clerks of the inferior courts of common pleas in each county of this colony, to appoint deputies.
[Public laws, 1744, p. 179.]

An Act in addition to an act, for the regulating mills within this colony. [See public laws, 1744, p. 180.]

An Act appointing and ordering one foot company or training band, to attend on the general election.

Be it enacted by the General Assembly of this colony, and by the authority of the same it is enacted, that for the future there be allowed but one company or training band, to attend on the general election ; and that not exceeding the sum of £10 be allowed and paid out of the general treasury for their expenses in attending thereon.

Voted and resolved, that William Jenckes and Stephen Hopkins, Esqrs., be, and they are hereby appointed a committee to procure all such evidences as they shall think necessary, to send to our agent, to set the controversy concerning the gore of land, in as clear a light as may be, as soon as conveniently they can ; and send them to the committee appointed to write to the agent.

Upon the prayer and petition of sundry of the inhabitants of the gore of land in Smithfield, humbly showing, that by reason of a late act of Assembly, passed at their session, held in June last, forbidding the exercising any jurisdiction on the said gore of land, the petitioners and sundry others have suffered great loss by the Province of the Massachusetts Bay, and therefore praying said act might be repealed ;—

Whereupon, it is voted, that the said act of Assembly be, and it is hereby repealed, made null and void, and of none effect.

Voted and ordered, that the sum of £50 be allowed and paid out of the general treasury, to Capt. Benjamin Ellery, towards the re-building of the bridge in Newport, commonly called the Point Bridge.

Voted and ordered, that the sum of £10 be allowed and paid out of the general treasury, to Mr. Daniel Jenckes, towards the building of a bridge over the southernmost branch of Pawtucket river, commonly called Comstock's Branch.

An Act requiring the town clerks of the several towns in this colony to make return of deputies and jurors after chosen.
[See public laws, 1744, p. 182.]



Voted, that all business that lies before this Assembly, unfinished be referred to the next session ; and that this Assembly be adjourned to East Greenwich, at the house of the widow Drake, the third Tuesday of February next, if fair weather ; if not, the next fair day.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the 18th day of February, 1734-5.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for the crying of horses, neat cattle and hogs, within this colony. [See public laws, 1744, p. 183.]

Whereas, Charles Augustus Ninegret, sachem of the Narragansett Indians, by memorial to this Assembly, did set forth that there was an act of Assembly made and passed at Warwick, in the year 1727, ordering that ten or twenty acres of the memorialist's land should be laid out by a committee therein named, whereon to build a house for public worship, if the memorialist should desire the same ; and in consequence thereof, the majority of the committee (the memorialist being present and desiring it) did mark out a convenient place for said purpose ; upon which spot the members of the Church of England, in Westerly, did at the memorialist's earnest desire, and at their proper charge, erect a house for public worship, in the way of the Church of England ; but the land granted by the aforesaid act, for the said use, never having been laid out, nor properly conveyed by deed, the memorialist requested that

twenty acres, at least, of his land be ordered forthwith, to be laid out, and duly conveyed for the use of the Church of England, and in that part of it where said house or church is built ;—

Which being duly considered, be it enacted by the General Assembly, and by the authority of the same it is enacted, that Col. Joseph Stanton, Capt. John Hill and Mr. William Babcock, or any two of them, be, and they are hereby appointed and empowered to lay out twenty acres of land, as in the above memorial is prayed for ; and that Ninegret be, and he is hereby empowered to pass a deed for the due conveyance of the said twenty acres of land to the present minister of the Church of England, in Westerly, aforesaid, and to his successors, to and for the use of said church, which deed so passed, shall be good and valid in the law, for the purpose aforesaid.

An Act empowering the town councils of each respective town in this colony to make such laws and orders, as by them shall be thought necessary for the preservation of the oysters in the jurisdiction of the several towns to which they respectively belong. [See public laws, 1744, p. 184.]

Whereas, this Assembly having further considered the affair of making a harbor at Block Island, and having appointed a committee to consider the same, who reported that the cutting a passage through the beach, as was proposed, cannot answer the end intended thereby, and therefore judged it necessary that a stop should be put to any further proceedings therein ; but that there be the sum of £1200 allowed towards the making an addition to the old pier, or building a new one ; taking part of said £1200 in the plank and timber, as is already provided, so much as will be wanting in that affair ; and the remainder of all other the materials be sold by some proper person, for the use of the colony.

And that Messrs. Henry Bull and William Brown draw out of the treasury the sum of £300, to answer the contracts they have made ; and that they lay their accounts before the next

General Assembly, in order to have reasonable satisfaction allowed ; which report is hereby accepted.

And it is ordered, that the committee heretofore appointed for carrying on said affair, proceed no further therein ; and that Capt. William Brown forthwith make a journey to Scituate, in the county of Plymouth, and Province of the Massachusetts Bay, to Mr. Samuel Oaksman there, with whom he hath contracted for one hundred tons of pine timber, and endeavor to be released from said contract.

But if the same cannot by him be obtained, then he is hereby empowered to receive said timber for the use of this colony, and draw so much money out of the general treasury, as shall be sufficient to pay for the same.

And that said Messrs. Bull and Brown forbid all persons employed in preparing materials for carrying on the making said harbor at Block Island, to desist for the future ; and that they be, and are hereby fully empowered to dispose of what provisions they have procured, to the best advantage, for the use of this colony.

Voted and ordered, that Col. Joseph Stanton and Capt. Oliver Babcock, of Westerly, be, and they are hereby directed and empowered to carry on and build one half of Pawcatuck bridge,—

Provided, Stonington join with them, and build the other half ; and the reasonable charge to be paid out of the general treasury.

Whereas, Peleg Spencer and John Jenkins, Esqs., did, by petition set forth to this Assembly that there is a small tract or parcel of land, lying in two pieces, to the northward of Potowomet river, and to the westward of the country road, between the towns of North Kingstown and East Greenwich, which doth not properly lie under the jurisdiction of either of said towns, on which are several persons now settled, who can't properly be called to do duty in any town, neither can they enjoy equal privileges with other His Majesty's subjects, in either of said towns, and praying for the future the same may be under the jurisdiction of the town of East Greenwich ;—

Which being considered, it is voted and ordered, that the said petition be referred to the next session of this Assembly ; and that the town of Warwick be served with a copy of the said petition, and cited to appear at the next session of this Assembly, at the charge of the petitioners ; and that in the mean time, said lands be under the jurisdiction of the town of East Greenwich.

Voted, that this Assembly be adjourned till the third Wednesday in April next, if called by the Governor or deputy governor ; but if not called before, nor at said time, then to be dissolved.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th day of May, 1735.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

ASSISTANTS.

Mr. Samuel Vernon,
Mr. John Gardner,
Mr. John Potter,
Mr. Ezekiel Warner,
Mr. George Cornell,

Mr. Wm. Anthony,
Mr. John Wickes,
Capt. Wm. Hall,
Mr. Rouse Helme.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

Voted, that Edward Smith, John Beard, Thomas Wickham, Thomas Baxter, James Gould, son of Thomas, Samuel Bur-

roughs, John Easton, son of Stephen, John Tillinghast, Philip Tillinghast, Pollipus Hammond, Isaac Brayton, Thomas Weaver, son of John, Edward Belcher, Benjamin Jefferson, James Rogers, Samuel Crandell, James Burgess, Jr. and Lawrence Langworthy, all of Newport, in the county of Newport, are admitted freemen of this colony.

Voted, that the Rev. Arthur Brown, Charles Field, Thomas Harris, son of Henry, deceased, Henry Harris, Benjamin Potter, Jr., Joseph Windsor, Stephen Arnold, John Stone, son of Peter, deceased, William Harris, Joseph Harris, Joseph Borden, William Smith, Daniel Fenner, Abiah Angel, Peter Sprague, John M. Donnalld, Philip Sheldon and Christopher Burlingame, all of Providence, in the county of Providence, are admitted freemen of this colony.

Voted, that William Arnold, Jr., James Greene, son of Wm., James Greene, son of Fones, John Arnold, Thomas Colvin, son of Samuel, Philip Sweet, Jr. and Stephen Capwell, all of Warwick, in the county of Providence, are admitted freemen of this colony.

Voted, that Robert Mowrey, James Cribbens, Hope Covey, William Pettys, James Lewis, 3d, George Stillman, Jr., George Lamphear and Samuel Larkin, all of Westerly, in the county of Kings county, are admitted freemen of this colony.

Voted, that Roger Mowrey, Benjamin Northup son of David Northup, Rouse Helme, Daniel Fones, Thomas Sheldon, Benjamin Mowrey, Benedict Eldred, John Thomas, James Fones, Robert Austin, son of Joseph, John Weight, Joseph Mattason, Benjamin Richardson, Jona. Crossman, Samuel Bissell, Samuel Reynolds, Joshua Greene, William Allen, James Cargile, Nathaniel Rathbone and John Herrington, all of North Kingstown, in the county of Kings county, are admitted freemen of this colony.

Voted, that Major Ebenezer Brenton, Pain Turner, Peter Wells, Benj. Perry, Jr., Ebenezer Smith, Jr., Nath'l Gardner, Sam. Whaley, Jeremiah Worden and Samuel Brown, Jr, all of South Kingstown, in the county of Kings county, are admitted freemen of this colony.

Voted, that Henry Davis, Thomas Cumstock, John Hammett, Samuel Sole, Jacob Mott, Benjamin Eady and Mathew Grinnell, all of East Greenwich, in the county of Providence, are admitted freemen of this colony.

Voted, that James Blackmore, Joshua Hall, Silas Tucker, John Page, Peregrene Matthewson, Thos. Cooper, Moses Cooper, Isaiah Inman, Jr., Stephen Shelton, Joseph Eady, Jonathan Richardson, Jr., Isaac Richardson, Jeremiah Sweet and Thomas Wool, all of Glocester, in the county of Providence, are admitted freemen of this colony.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the 1st Wednesday of May, 1735.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Col. Wm. Coddington,
Mr. Nicholas Easton,
Mr. Joseph Whipple,
Mr. James Sheffield.

For Providence.

Capt. Jabez Bowen,
Capt. Richard Fenner,
Capt. William Rhodes,
Mr. Jonathan Randall.

For Portsmouth.

Capt. George Lawton,
Mr. Giles Slocum,
Col. William Hall,
Capt. William Brown.

For Warwick.

Mr. Wm. Holdon,
Capt. Thomas Rice,
Capt. Joseph Stafford,
Mr. John Rhodes.

DEPUTIES.

For Westerly.

Capt. Oliver Babcock,
Col. Joseph Stanton.

For New Shoreham.

Capt. Simon Ray,
Capt. Thomas Mitchell.

For North Kingstown.

Mr. Geoffrey Hassard.

For South Kingstown.

Major John Potter,
Mr. Robert Hassard.

For East Greenwich.

Doctor Thomas Spencer,
Mr. John Jenkins.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

For Jamestown.

Mr. Nicholas Carr,
Mr. Samuel Clarke.

For Smithfield.

Major Wm. Smith,
Mr. James Aldrich.

For Scituate.

Mr. Stephen Hopkins,
Mr. Benjamin Fish.

For Gloucester.

Mr. Elisha Knowlton,
Capt. John Smith.

Voted, that the proxies put in at the meeting in Smithfield, in the county of Providence, called by warrant of Valentine Whitman and Thomas Sayles, Esqs., dated the 18th day of April last, passed and held the 26th day said month, be not received, because not a legal meeting for that purpose.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,
Mr. John Gardner,
Mr. John Potter,
Mr. Ezekiel Warner,
Mr. George Cornell,

Mr. William Anthony,
Mr. John Wickes,
Mr. Philip Arnold,
Capt. William Hall,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

JUSTICES.

William Coddington, Benjamin Ellery, Joseph Whipple and Gideon Freeborne, Esqrs., chosen justices of the inferior court of common pleas, for the county of Newport.

William Jenckes, John Angel, Benjamin Greene and Thomas Spencer, Esqrs., chosen justices of the inferior court of common pleas, for the county of Providence.

Jeremiah Gould, Joseph Stanton, Stephen Hassard and Wm. Spenser, Esqs., chosen justices of the inferior court of common pleas for the county of Kings county.

SHERIFFS FOR THE SEVERAL COUNTIES CHOSEN FOR THE YEAR.

Newport county,—John Coddington, Esq.

Providence county,—Thomas Rice, Esq.

Kings county,—Immanuel Northup, Esq.

Whereas, William Coddington, Thomas Spenser and Joseph Stanton, Esqs., were appointed a committee to consider and make a report to this Assembly what methods would be proper for discharging the contracts and debts made by the committee appointed (to procure material for building a pier and making a harbor at Block Island), by the General Assembly, at their session, held on the third Monday in June last past, and afterwards a stop was put thereto, by the General Assembly, at their session, held on the third Tuesday in February last past, and only the sum of £1200 allowed for repairing the old one, or building a new one there, did report as followeth :

“ We have considered the same, and report that whereas Mr. Joseph Knowlton, who was employed by the said committee to agree for timber and plank, for said work, is sued to May court, that said Knowlton and Mr. James Sheffield, as soon as possibly may be, go to the place, at Dighton and Swanzev, where said timber, &c.,

is brought, according to the agreement; and if the same be the proportion as agreed for, that they take an account of the quantity there brought; and that upon the said Sheffield and Knowlton giving the account of the quantity of plank and timber being in the place agreed on, to the committee, who were appointed by the said act for carrying on the said work, that then the said committee, or the major part of them, shall draw so much money out of the general treasury, as will pay for the same, according to the agreement made by the said Knowlton.

And that what other timber and plank, &c., have been got by the said committee, for carrying on the said work, that the said committee, or the major part of them, draw money out of the general treasury, and pay for it as they shall receive the same, and render an account thereof to the next sitting of the Assembly.

And that the timber, plank, &c., at Dighton, be, by the committee aforesaid, put under the care of some proper person, there to lay till the General Assembly shall order how the same shall be disposed of."

Whereupon, it is voted, that the said report be accepted.

Voted and resolved, that this Assembly be adjourned to the third Monday in June next, being the 16th day of said month, to Newport.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Monday of June, 1735.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and ordered, that James Sheffield, William Brown and Nicholas Carr, Esqs., be a committee appointed to take care of the timber up the river, procured for Block Island pier, and get it boated down to Newport, all but what is necessary to be sent to Block Island, which they are to send there, advising with Mr. Knowlton about the same.

And that said committee dispose of all the said timber, to-

gether with what is already brought down to Goat Island (excepting what they send to Block Island), to the best advantage ; and the charge of boating, &c., to be paid out of the general treasury.

Voted, this Assembly be adjourned to the third Monday in August next ensuing, to Warwick, unless extremity of weather prevent ; and if it should, then to the next day.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the third Monday in August, 1735.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Whereas, the inhabitants of the town of Westerly, did, by petition, set forth to this Assembly, that they were destitute of a harbor there, by reason of the breach (that formerly used to be open in the largest salt pond in Westerly, aforesaid) being shut or filled up ; and at the time it used to be open, was but of little advantage to said inhabitants, because of the shallowness of the water in said breach ; and as it is conceived, that by bringing or turning Pawcatuck river into said pond, it would be a means to cause said breach to continue open, and be much larger, and have more depth of water in it, than it hath at any time heretofore had, so that the said pond would become a very commodious harbor, and navigable as well for small sloops as boats ; and that it would be likewise very convenient for the catching and making of cod-fish, which would be of great service to this colony ; but the cost and charge in carrying on said work, would be more than the inhabitants of

said town of Westerly were able to bear, and praying that this Assembly would assist them in defraying part of the charge in turning off the said river into said pond ;—

Which being duly considered, it is therefore enacted by the General Assembly, that the said river be turned into the said pond, in order that the said breach may be opened ; three quarters of the charge whereof, to be allowed and paid out of the general treasury.

Provided, that the said town of Westerly, or any person in their behalf, will first procure and give sufficient bond to pay and discharge the other fourth part of the charge thereof ; and also make and maintain such and so many bridges as there shall ever be occasion to make across said river, between the place where it is taken from its usual channel and the place where it will fall into said pond.

And that Col. Joseph Stanton, Capt. Oliver Babcock, Mr. Samuel Perry and Mr. Samuel Clarke, are appointed a committee to carry on the colony's part, and are empowered to draw money out of the general treasury as necessity requires.

An Act to prevent the fish from being hindered in their course, in going up the several fresh rivers within this colony. [See public laws, 1744, p. 185.]

Upon the petition of George Taylor, of Providence, school-master, together with sundry other persons of said town, praying liberty for the said George Taylor to keep school in one of the chambers of the county house, at Providence ;—

It is therefore voted and enacted, that the said George Taylor have full and free liberty to keep school in one of the chambers of the county house in Providence, during the pleasure of the General Assembly.

Provided, he keeps the glass of said house in constant good repair (after the same is once repaired), and erect a handsome sun-dial in the front of said house, both for ornament and use, and build a necessary house convenient, to prevent nuisance,

and to serve the public ; and the same to be done as soon as conveniently as may be.

Whereas, Stephen Hopkins and Benjamin Fish, Esqs., did, by petition, set forth to this Assembly the necessity of two bridges in the town of Scituate, in the county of Providence, in the country road leading towards Connecticut, over two branches of Pawtuxet river ; the one, called Punhunquanset, the other, Moswosecut, and prayed for some assistance from the General Assembly ;—

It is thereupon voted and ordered, that the sum of £40 be allowed and paid out of the general treasury towards building two bridges over the above mentioned two branches of Pawtuxet river.

An Act for allowing a bounty on flax raised in this colony, and empowering the viewers of hemp and flax to administer the oath, &c. [See public laws, 1744, p. 187.]

Whereas, Benjamin Ellery and Joseph Whipple, Esqs., did, by petition to this Assembly, set forth that the town of Newport had been at a great charge in building a bridge at the Point, which was near completed, saving some plates for the sides thereof, and prayed that they might be allowed a sufficiency for plates out of the timber that was procured for the Block Island pier ;—

Whereupon, it is voted and ordered, that the petition be granted ; and that the timber for plates be delivered to Capt. Ezbon Sanford, for the use of said bridge, by the committee that now have the care thereof.

Voted and resolved, that Capt. Simon Ray and Capt. Peter Ball, be, and they are hereby appointed a committee to improve the £1200, allowed to build a pier at Block Island, or repair the old one ; and draw the same according to the former act of Assembly.

And that the former committee render an account of their proceedings to the next session of this Assembly.

An Act empowering the judges of the superior court, at any time when necessity requires, to grant prohibitions against the proceedings of the court of vice admiralty, held within this government. [See public laws, 1744, p. 188.]

Voted and resolved, that this Assembly be adjourned till the second Tuesday in October next, to Newport, if called by the Governor or deputy governor.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday of October, 1735.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and ordered, that His Honor, the Governor, Messrs. Samuel Clarke, William Coddington and James Martin, the former committee appointed to write to the agent, be still continued for that purpose, to write about all things necessary, and to present a copy thereof to the next session of this Assembly.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday in February, 1735-6.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

The following were admitted freemen of this colony :

Peleg Spencer, son of Benjamin, George Vaughan, Rufus Greene and Clement Cooper, of East Greenwich, and Benjamin Congdon, of Providence.

Voted and resolved, that the sum of £75 be allowed and paid out of the general treasury, towards building a bridge across Pawtucket river, at the falls, in said river, called Wonsocut Falls ; and for that purpose, the same to be paid to Wm. Arnold, of Smithfield, Esq., who is to return the money into the general treasury again, in case the said bridge is not built within twelve months from the rising of this Assembly.

Voted and resolved, that the sum of £15 be allowed towards building a bridge over Pochasset river, in the road towards Plainfield ; and that the same be paid out of the general treasury to Capt. Richard Fenner, when the said bridge is completed.

Voted and resolved, that the sum of £30 be allowed and paid out of the general treasury, to Capt. Benjamin Ellery, towards re-building the bridge in Newport, commonly called the Point Bridge.

Voted and resolved, that the sum of £10 be allowed towards building a bridge in the main road from Connecticut to Warwick, near the house of Mr. Samuel Greene, in said Warwick, where the fresh and salt water meet ; and that the same be paid out of the general treasury, to Philip Arnold, Esq., when the said bridge is completed.

Voted and resolved, that the sum of £20 be allowed towards building a bridge across a large river, called the Queen's river, in North Kingstown, at the highway leading out of the country; and that the same be paid out of the general treasury, to Francis Willett, Esq., when the said bridge is completed.

Voted and resolved, that the sum of £20 be allowed towards re-building a large bridge over Pawtuxet river, in the road to East Greenwich, to Plainfield; and that the same be paid out of the general treasury, to Capt. Ishmael Spink, when the said bridge is completed.

Voted and ordered, that the sum of £4 be allowed, and paid out of the general treasury, to the secretary, for his service in writing to the Right Honorable the Lords Commissioners for Trade and Plantations, the Right Honorable Sir Charles Wager and to the agent for this colony.

Whereas, Samuel Vernon, William Coddington and Francis Willett, Esqs., were this present session appointed a committee to audit the accounts of the committee empowered to carry on the affair relating to Block Island pier, and make report to this Assembly, have done nothing therein, by reason of the shortness of time, &c. ;—

Whereupon, it is voted and resolved, that the said committee be still continued for that purpose; and that they call the said committee to an account, as soon as conveniently may be.

And that they, together with James Sheffield, Esq. (who is added to make up another committee), be, and they are hereby fully empowered to call Joseph Knowlton to an account; also, for the £200 that he received out of the general treasury, and compel the said Knowlton to pay what shall appear to be due from him; and upon his refusal or neglect thereof, the general treasurer of this colony is hereby fully empowered and authorized to sue the said Joseph Knowlton for the same; and the said committees to make report to the next session of this Assembly.

Voted and ordered, that Samuel Vernon, William Coddington, Benjamin Ellery and James Sheffield, Esq., be, and they are hereby appointed a committee to prepare a bill for the en

couragement of the linen manufactory, and present the same to the next session of this Assembly.

Voted and ordered, that Christopher Champlin, of Westerly, be, and he is hereby appointed one of the committee for turning of Pawcatuck river (in the room of Capt. Oliver Babcock, who refuses).

And that those persons who appeared in behalf of the town of Westerly, viz. : Col. Joseph Stanton, Mr. Christopher Champlin, Mr. Samuel Perry and Mr. Samuel Clarke, be accepted and allowed of as sufficient bondsmen for said town, in case they give a bond of £2,000 to the general treasurer, according to the act of Assembly made for that purpose, for carrying on and bearing the one quarter part of the charge of turning the above mentioned river, and making and maintaining all such bridges as shall be made over the same ; and that if any others are willing to be bound with the above mentioned persons, they have the liberty.

Whereas, Messrs. Joseph Whipple, John Coddington, and Daniel Jenckes, were appointed a committee to examine into the accounts of the trustees of the late Indian sachem, did report that they had audited the said accounts, and found that there was due to Col. Jos. Stanton, the sum of £134 5s. 8d. ; and also that there were debts out-standing for lands sold, the sum of £150 2s. .

Whereupon, it is voted and ordered, that the said report be accepted ; and that the secretary take a copy of Col. Stanton's accounts, at the charge of the said sachem, and deliver the originals again to Col. Stanton.

Voted and resolved, that His Honor, the Governor, write to the authority in Connecticut, desiring that two or more of the signers of their bills may appear at our next court of assize and general jail delivery, to prosecute Forrest Dalzell, now in Newport jail, for uttering of the counterfeit bills on said colony of Connecticut.

Voted and resolved, that the general treasurer of this colony deliver to the several towns their proportion of the interest of the last bank, according to act of Assembly, by which the same

was emitted ; inasmuch as the making a harbor at Block Island is not carried on.

Whereas, Jacob Royal, of Boston, in the county of Suffolk and Province of the Massachusetts Bay, merchant, did, by petition, set forth to this Assembly that he, having a quantity of bills of credit in his coat pocket, which he left off, part thereof being this colony bills, which the rats and mice got at, and eat and tore great part of it, and prayed this Assembly for relief therein ;—

Upon consideration whereof, it is voted and ordered, that Samuel Vernon and Gideon Wanton, Esqs., and Col. Daniel Updike, be, and they are hereby appointed a committee to inspect into the value of said bills of credit that were emitted by this colony, and make report thereof, to the next session of this Assembly.

Upon the petition of sundry persons for repealing the act of Assembly, made and passed at the session held in June, A. D. 1730, entitled an act for the relief of tender consciences, and for preventing their being burthened with military duty,—

It is voted and enacted, that Col. Wm. Coddington, Capt. Joseph Whipple and James Honeyman, Jr., Esq., be, and they are hereby appointed a committee to consider of said petition, and what is necessary to be done thereon, and make report to the next session of this Assembly.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 4th day of May, 1736.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,

Mr. Wm. Anthony,

Mr. John Gardner,

Mr. John Wickes,

Mr. John Potter,

Mr. Philip Arnold,

Mr. Ezekiel Warner,

Capt. William Hall.

Mr. George Cornell,

Mr. Francis Willett, speaker.

Mr. Josias Lyndon, clerk.

Voted, that Elnathan Hammond, Nathaniel Wiatt, Ninyan Chaloner, William Jones, Jr., William Brown, Peter Buliod, Francis Weeden, John Huntington, John Freebody, Jr., David Cheesebrough, Charles Whitfield, Nathaniel Norton, Benjamin Holt, Paul Tew, John Barzee, William Ross, Thomas Rogers, James Cahoon, Jr., James Mitchell, William Dumoy, Solomon Gardner, John Barker, Robert Barker, Jeremiah Child, Jr. and Robert Robinson, all of Newport, in the county of Newport, are admitted freemen of this colony.

Voted, that Thomas Durk, Joseph Snow, Jr., Stephen Hawkins, Nath'l Angel, Robert Pollock, Wm. Tillinghast, John Henry, John Yates, Elisha Baker, Jr., John Burton, Jr., Bollingstone Burlingame, Jas. Burlingame, Thos. Owen, Sam. Dyre, Edw. Tripp, John Rhodes, Jr., Zachariah Mathewson, Jr., Sam. Comstock, Robert Saunders, Jos. Jenckes, Jr., Joshua Burlingame, Jonathan Sheldon, Wm. Burlingame, Edw. Potter, Jr., Thos.

Rolph, Stukely Westcote, son of Benjamin, Joseph Borden, Jr., Samuel Ladd, Zephaniah Peck, Daniel Williams, Jr. and John Davis, all of Providence, in the county of Providence, are admitted freemen of this colony.

Voted, that William Allen, son of John, of Portsmouth, in the county of Newport, is admitted a freeman of this colony.

Voted, that Thomas Greene, Francis Mathewson, Jr., Henry Mathewson, Jeremiah Pearse, Elisha Brown, William Utter, Jr., Ebenezer Greene, Anthony Barton and Daniel Smith, Jr., all of Warwick, in the county of Providence, are admitted freemen of this colony.

Voted, that Peter Davis, Joseph Hoxie, son of John, Stephen Hoxie, James Congdon, Solomon Hoxie, John Holway, Jr., Thomas Edwards, John Hall, Jr., Caleb Forster, Jesse Irish, Ebenezer Lamphear, Thomas Clarke, Jr., Joseph Crandall, son of Eber, John Brown, Amos Lewis, John Lamphear, Joseph Woodmansie, John Enos, the 3d, Samuel Cotterell, Jr., Nathan Randall, Joshua Thompson, Daniel Stanton, Jr., David Lewis, Samuel Congdon, John Congdon, Thomas Adams, Joseph Adams and Robert Moore, all of Westerly, in the county of Kings county, are admitted freemen of this colony.

Voted, that Samuel Littlefield and Thomas Pain, both of New Shoreham, in the county of Newport, are admitted freemen of this colony.

Voted, that John Bissell, Samuel Cole, Beria Brown, William Smith, Jr., Nathaniel Rathbone, Thomas Rathbone, Benjamin Rathbone, John Albro, Jr., Francis Colegrove, Thomas Gardner, David Sweet, William Sunderlin, James Sweet, son of John, Edward Wilcox, Peleg Thomas, Elisha Clarke, John Gould, Jr., Samuel Hunt, James Reynolds, son of Francis, Joseph Case, Nathaniel Pearse, James Congdon, George Thomas, Jr., Jeremiah Sweet, John James, George Sweet, Ephraim Codner, Jr. and Samuel Codner, all of North Kingstown, in the county of Kings county, are admitted freemen of this colony.

Voted, that Edmond Arnold, of Smithfield, in the county of Providence, is admitted a freeman of this colony.

Voted, that David Vaughan, Jeremiah Mathewson, Anthony

Sprague, John Smith, Ezekiel Brock, John Dorrance, son of George, Aaron Aldrich, William Havens, Jeremiah Sheldon, Jeremiah Vallet, Joseph Kembell, Daniel Hopkins and James Dorrance, all of Scituate, in the county of Providence, are ad-freemen of this colony.

Voted, that Jonathan Wade, Nathan Wade, Jonathan Eady, Edward Evans, Jonathan Irons, Obadiah Jenks, Jr., Joseph Carey, Daniel Sweet, Moses Bartlett, Daniel Aldrich and Edward Inman, Jr., all of Glocester, in the county of Providence, are admitted freemen of this colony.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1736.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Col. Wm. Coddington,
Mr. Nicholas Easton,
Capt. Joseph Whipple,
Capt. Ezbon Sanford.

For Providence.

Capt. Jabez Bowen,
Capt. Richard Fenner,
Capt. William Hopkins,
Capt. Robert Knight.

For Portsmouth.

Mr. Giles Slocum,
Col. Wm. Hall,
Mr. Jonathan Nichols.

For Warwick.

Mr. Wm. Greene,
Mr. John Rice, Jr.,
Mr. John Low,
Mr. Samuel Barton.

For Westerly.

Col. Jos. Stanton,
Mr. Thomas Hiscox.

DEPUTIES.

For New Shoreham.

Capt. Simon Ray,
Mr. Edward Sands.

For North Kingstown.

Mr. Francis Willett,
Mr. Nicholas Gardner.

For South Kingstown.

Col. John Potter,
Mr. Robert Hassard.

For East Greenwich.

Mr. Thomas Spencer,
Mr. Thomas Nicholls.

For Jamestown.

Capt. Nicholas Carr,
Mr. Richard Tew.

Smithfield.

Mr. Daniel Jenckes,
Mr. Thomas Sayles.

Scituate.

Mr. Stephen Hopkins,
Mr. Job Randall.

Glocester.

Mr. John Barnes,
Mr. Walter Phetteplace.

Mr. Francis Willett, speaker.

Mr. Josias Lyndon, clerk.

Voted, that Benjamin Lawton, Jr., of Portsmouth, in the county of Newport, is admitted a freeman of this colony.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,
Mr. John Gardner,
Mr. Thomas Olney,
Mr. Ezekiel Warner,
Mr. George Cornell,

Mr. Wm. Anthony,
Mr. John Wickes,
Mr. Philip Arnold,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

Voted and resolved, that His Honor, the Governor, Messrs. William Coddington, Daniel Updike, and James Martin be, and they are hereby appointed a committee to write to the colony's agent, and answer his letters, and present copies thereof to the next session of this Assembly.

And that William Jenckes, William Hopkins and Stephen Hopkins, Esqs., be a committee to procure such further evidences and informations relating to the gore of land in controversy, as are necessary, in order to be sent home to said agent as soon as may be with conveniency.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Monday of June, 1736.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Whereas, sundry inhabitants, of the town of Warwick, did, by petition, set forth to this Assembly, that they, with several others, being concerned in a tract of land, situate in the Grand Purchase, of Warwick, in that part called Natick, near fifty years past; and likewise others, in a tract of land, called We-cacheconet, and there being no provision made for highways,

whereby the proprietors and other the neighboring inhabitants may pass and re-pass through each others' lands to mill or to market, without being exposed to great difficulty; and several of the present proprietors being orphans, and some others not being willing that any way should be laid through their lands except satisfaction be made for the same; and the petitioners having laid the matter before the town council of said Warwick, which they were willing to grant;

Provided, the present proprietors would find the land, and be at all charges relating to the same; which cannot be complied with, for the reasons aforesaid; whereupon the petitioners prayed this Assembly to authorize the said town council to summon a jury to run out the same, according to the laws of this colony; and determine the charge which may be binding to the said orphans and others, through whose land the said highway shall be laid;—

Upon consideration whereof, it is the opinion of this Assembly, as the town councils of the several towns in this colony are already fully authorized and empowered to lay out high ways, that the town council of Warwick proceed, according to law, in laying out the highway prayed for, as before mentioned, if they judge the same necessary.

Voted and resolved, that His Honor, the Governor, be, and he is hereby allowed the sum of £300; and that His Honor, the deputy governor, be, and he is hereby allowed the sum of £50.

Voted and resolved, that His Honor, the Governor, issue out proclamations to the number of one hundred, in print, and put the same in the Boston Gazette, forthwith, for the apprehending of Nathaniel Shelton, with £30 reward, for any person or persons that shall apprehend and deliver him to William Hopkins, Robert Gibbs and Elisha Knowlton, Esqrs., or either of them, and all necessary charges paid.

And that the said William Hopkins, Robert Gibbs and Elisha Knowlton, Esqrs., examine into the offence of Zachariah Eady, Jr., and the said Shelton, and lay them under bonds, according as the nature of their offences shall require; and that

they take all such evidences as shall appear necessary, for prosecuting the said Shelton and Eady.

Voted and resolved, that Messrs. William Coddington and George Goulding be a committee to draw out of the general treasury a sufficiency of money to procure bills of exchange, gold or silver, to the value of £200, and send the same to the agent for this colony, for the use of said colony; and he there-with to first pay himself the balance due to him for the cannon, &c., and give the colony credit for the remainder.

Voted and resolved, that the sum of £30 be allowed towards finishing of the bridge, commonly called the Point bridge, in Newport; and that the same be paid to Samuel Rodman, out of the general treasury, for that purpose.

Voted and resolved that Messrs. George Goulding, James Sheffield and Peter Bourse, be, and they are hereby appointed committee men for auditing the accounts relating to the building Block Island pier (in the room of Sam. Vernon, and Francis Willett, Esqs., who refuse); and that they have the same power as those had in whose room they are appointed.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1736.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the public acts and laws of this colony, now in force (and not yet in print), be printed; and that His Honor, the Governor, Col. Daniel Updike, the attorney general, and secretary, be a committee to procure the same to

be done ; and that they treat with the widow Franklin about printing said acts, and inquire into her ability for that purpose ; and if it appears to them that she is qualified for the same, and they can agree with her upon reasonable terms, that she be employed to do the same as conveniently as may be.

Whereas, a petition was preferred to this Assembly, in the behalf of the town of Providence, setting forth the decay of Weybosset bridge there, and that the charge they had already been at, to repair the same, amounted to the sum £125 10s. 4d. ; and to finish and complete the bridge, both for passage and against the ice, would take near £20 more, and therein prayed this Assembly for relief in the premises ;—

Whereupon, it is voted and resolved, that the sum of £80 be allowed and paid out of the general treasury, towards the re-building of Weybosset bridge before mentioned ; and that Capt. Richard Waterman draw the same out of the general treasury, for the use aforesaid.

Voted and resolved, that Col. Daniel Abbott, John Jenkins and William Greene, Esqs., be, and they are hereby appointed a committee to renew the bounds between this colony and the colony of Connecticut ; and that they notify said colony of Connecticut thereof, and appoint the time, and do the same as soon as conveniently may be.

Whereas, there is a report spread abroad in this colony, that the Honorable John Wanton, Esq., our present Governor, has drawn out of the general treasury the sum of £70, and appropriated the same to his own use, or to treat his friends to vote him, or to pay tavern scores ; and upon inquiry therein, find the report to be groundless and false ; and that the same go out in the acts of this Assembly.

Whereas, William Borden, late of Newport, in the county of Newport, by petition to this Assembly, did request that the sum of £3,000, borrowed of this government, in June, A. D. 1728, for the term of ten years, for carrying on the duck manufactory, might be continued in his hands for some longer time than has been allowed to him, he not being in a capacity to pay the same at the time set for the payment thereof ;—

Upon consideration whereof, it is voted and ordered, that the said £3,000 be continued in the hands of the said Wm. Borden, for three years longer than what has heretofore been granted to him.

Provided he give good land security to the grand committee, to pay into the hands of the grand committee, for the use of the colony, the whole sum of £3,000, at the expiration of said term, which will be in the month of June, A. D. 1746.

Whereas, William Coddington, George Goulding, James Sheffield and Peter Bours, Esqs., did report to this Assembly, that in pursuance of a vote passed in the June session, A. D. 1736 (empowering the said persons to audit the accounts of the committee appointed for the building of Block Island pier, or making a harbor there; as also the accounts of Joseph Knowlton, relating to the £200 received by him for the purchasing of plank, for the building of the same);—

They met on the 21st day of October instant, for the purposes aforesaid, and notified the said Joseph Knowlton thereof, who did not appear; also, Capt. Henry Bull, who appeared, but refused to exhibit his accounts, by reason the Assembly fell through, which was adjourned to the 4th Monday in August last past; and likewise, that he was not willing to submit the article of commissions said to be charged in his account, to any audit, but such as were under oath, to proceed according to law;—

Therefore, for the rendering the said vote passed, still effectual, be it enacted by the General Assembly, that the said William Coddington, George Goulding, James Sheffield and Peter Bours, Esqs., be still continued as a committee, to audit the accounts of the committee appointed for the building of said pier or harbor; and in case the said committee appointed for the building of said pier or harbor, refuse to render an account within one month after the rising of this Assembly, that the King's attorney, upon their refusal to render an account, as aforesaid, is hereby fully empowered to bring an action of account against the said committee so appointed, to build said pier

or harbor, to oblige them to render an account of what they have received out of the general treasury, and how they have disposed of the same.

Whereas, Joseph Mumford, of South Kingstown, in Kings county, yeoman, by petition, did set forth to this Assembly, that he, some time past, was at a great charge in building the pier at Point Judith, in South Kingstown, aforesaid, which has been of great service to the country ; but by the late storm, the said pier was very much damaged, and has cost the petitioner considerable to repair the same, and the petitioner having received three or four cord of timber, which was designed for Block Island pier, prayed that the same might be allowed him towards repairing his said pier ;—

Upon consideration whereof, it is voted and ordered, that the said three or four cords of timber received by the said Jos. Mumford, be allowed to him for repairing his said pier, without any account to be rendered for the same.

Whereas, Alexander Thorp, livery stable keeper, and Isaac Cusno, saddler, both of Boston, within the Province of the Massachusetts Bay, by petition to this Assembly, did set forth that the petitioners, being about to set up the business of keeping stage coaches for the transporting of passengers and goods to and from this colony and the Massachusetts government, which would tend to the great advantage of the inhabitants of both governments ; and as the petitioners must be put to great expense and cost in procuring coaches, with horses, and other conveniences, for the purpose aforesaid, humbly requested that they might have the liberty and license to keep two stage coaches for the service, aforesaid, and of improving the same for the space of ten years, in regard of the great charge and expense they must be at, as aforesaid, that all and every person and persons might be debarred from the like liberty or license, during said term ;—

All which, being considered, it is enacted by the General Assembly, that the petitioners' request is granted for keeping and improving two stage coaches for the space of seven years, upon such terms and conditions as shall be agreed on between

the petitioner and Samuel Vernon, William Coddington and Joseph Whipple, Esqs., who are appointed a committee to enter into articles on behalf of this colony, with the petitioners, who are to give bond for the performance of their part of said articles; and the whole charge thereof, to be paid by the petitioners.

[The following public laws, passed during the year 1736, are printed at length in the Digest, of 1744.]

An Act to prevent vexatious law suits.

An Act to prevent the fish from being hindered in their courses, of going into Point Judith ponds and Pettaquamscutt river.

An Act for making the real estates of persons that have left this colony, or conceal themselves therein, or do not live in this government, liable to the payment of debts.

An Act against bribery and corruption in voting for officers within this government.

An Act prohibiting the several courts in this colony from allowing interest in the judgments made up upon bonds sued in behalf of this colony.

An Act for augmenting the bounty on destroying bears in this colony.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at East Greenwich, the 15th day of February, 1736-7.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

The following were admitted freemen of this colony :

Of Providence, Jacob Bartlett, Jeremiah Brown, son of Jas., Daniel Abbott, Jr., Charles Harris, James Henry, William Fener, Ebenezer Metcalf, Jesse Randall, Robert Sterry and Gideon Harris.

Of Portsmouth, Caleb Corey, Benjamin Butts, Adam Lawton and Benjamin Lawton, Jr.

Of Warwick, Abraham Francis.

Of Westerly, James Brand, Robert, son of Robert Burdick, Robert Knowles, William Watson, Wm. Ross, Jr., Sam. Saunders and Joseph Park.

Of North Kingstown, Henry Tibbetts, Joseph Parker, Benjamin Thomas and John Cole, Jr.

Of East Greenwich, Benjamin Tanner, Joseph Carpenter, Jr., Thomas Carpenter, David Whitford, Thomas Rathbone, Benajah Carr, Charles Carr, Peter West, Thomas Coggeshall, William Sweet, son of Richard, Joseph Niles, John Hopkins, Nathaniel Sweet, Thomas Goodfellow, Ebenezer Goddard, John Austin, Jeremiah Carpenter, John Austin, Jr., Hezekiah Mathewson, son of Henry, and William Cumstock.

Whereas, the bonds given by the inhabitants of the town of Providence, for the payment of the tenths of the several sums on the emission of the second banks, are lost or mislaid by Col. Nicholas Power, late one of the trustees for said town ;—

Be it enacted by the General Assembly, and by the authori-

ty of the same it is enacted, that the present trustees for the said town of Providence, be, and they are hereby fully empowered and authorized, to take from the inhabitants of said town, nine bonds for the payment of their several sums due to the colony, by mortgages on an emission of the second bank, at the charge and expense of the estate of the said Nicholas Power ; one, whereof, shall be given upon demand, for what is now due, and the remaining bonds shall be given for the payment of each tenth, yearly, till the several mortgages be discharged ; which, if refused by the said inhabitants, then the several mortgages shall be forthwith put in suit, and said bonds when taken, shall be sent to the grand committee, which shall utterly make void the former bonds given for the purpose aforesaid.

Voted and resolved, that Col. Joseph Stanton and Capt. Oliver Babcock, be a committee to repair this colony's part of Pawcatuck bridge, at the charge of the colony.

Whereas, the General Assembly, at their session, in October last, did appoint the King's attorney to sue the committee appointed to build Block Island pier, in case they did not render an account to the committee appointed to audit their accounts ; but did not direct in whose name the suit should be brought ;—

It is therefore voted and enacted, that the said King's attorney shall sue the said committee appointed to build said pier, in the name of the general treasurer, in behalf and for the use of the colony.

Voted and ordered, that His Honor, the Governor, Mr. Geo. Goulding and Capt. Benjamin Ellery, be, and they are hereby continued a committee, and Col. William Coddington added to them, to inquire into the affair of the Narragansett bonds and notes, given for the sale of the committee lands sold by the government.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 3d day of May, 1737.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,

Mr. William Anthony,

Mr. John Gardner,

Mr. Philip Arnold,

Mr. Thomas Olney,

Mr. Jeremiah Gould,

Mr. Ezekiel Warner,

Mr. Rouse Helme.

Mr. George Cornell,

Mr. Francis Willett, speaker.

Mr. Josias Lyndon, clerk.

Voted, that the following be admitted freemen of this colony :

Of Newport, William Lawton, Isaac Chapman, Jr., William Coggeshall, Jr., Samuel Crandall, Latham Clarke, Samuel Valentine, Jonathan Chase, Jr., Thomas Manchester, Charles Bennett, Thomas Teagle, tailor, Isaac Beauchamp, Benjamin Hamblin, Walter Chaloner, Elijah Heffernon, Thomas Creese, Joseph Wright, Seth Sears, Benoni Gardner, John Leach, Samuel Brown, Jonas Minthorn, Aaron Sheffield, Isaac Rogers, John Gould, Thomas Weaver, cooper, Stephen Wanton, John Benson, William Brenton, John Wood, Caleb Peckham, Parker Hall, William Stevens, Simeon Rhodes, Richard Card, Benjamin Ingraham, Isaac Ingraham, William Gardner, Ebenezer Flagg, Azariah Dring, John Cook, son of Peleg Cook, of Warwick, and Joseph Clarke, son of Lawrence.

Of Providence, George Taylor, Samuel Byles, John Ashton, Uriah Herendon, Samuel Potter, son of Ichabod, Nathaniel Williams, Stephen Potter, Jr., John Waterman, Jr., Stephen Burlingame, Daniel Burlingame, Richard Coman, Jeriah Hawkins, William Huston, Thomas Relph, Christopher Arnold, William Crawford, Stephen Sweat, William Roberts, Joseph Remington, Stephen Arnold, William Hamon, Jr., Benjamin Westcote, Jr., and Stephen Colegrove.

Of Portsmouth, Peleg Shearman, Jr., Caleb Shearman, Geo. Shearman, Preserved Shearman, Job Lawton, son of Capt. George, Benjamin Tallman, Jr., John Albro, Jr., Daniel Lake and Philip Shearman.

Of Warwick, Cotton Palmer, John Andrew, Stephen Smith, Elisha Arnold, Jr., Thomas Rice, Thomas Mattason, Christopher Lippett, Joseph Lippett, James Sweet, George Whitman, Jr., Thomas Parker, Bartholomew Johnson, Daniel Scranton, Thos. Wickes, Jr., Richard Greene, son of Peter, John Barton, James Carder, William Foster, Moses Budlong, Alexander Dixon, John Nichols, Jr., Benjamin Nichols and John Lee, Jr.

Of Westerly, Clement West, Joseph Button, Thomas Lawton, Francis Robinson, Edward Robinson, William Clarke, son to William, Nathaniel Babcock, John Lamphear, Jr., James Pendleton, Jr., William Thompson and Joshua Champlin.

Of New Shoreham, Thomas Mitchell, son of Joseph.

Of North Kingstown, John Nichols, Thomas Nichols, George Nichols, Christopher Spenser, Jeremiah Bailey, Henry Spenser, Ichabod Shearman, Benjamin Tanner, William Hall, Jr., John Briggs, Jr., Joseph Atherly, Robert Havens, Jr., John Sweet, son of Daniel, Thomas Spenser, Nathaniel Havens, son of Joseph, Caleb Gardner, Sylvester Gardner, Michael Spenser, Wm. Rathbone, Joseph Baker, Josiah Baker, William Fones, Jonathan Lewis, Daniel Gould and Jacob Pinder.

Of South Kingstown, Jedediah Collins, John Potter, Jr., John Reynolds and Elisha Watson.

Of East Greenwich, John Punt, Thomas Shippey, Philip Greene and George Park.

Of Smithfield, Samuel Smith, Jeremiah Olney, Nedebiah Olney, Nathan Staples, William Sprague, Jr. and James Rowse.

Of Scituate, William Sheldon, Elisha Brown, Richard Colwell, Jonathan Herendon, Benoni Williams, Joseph Tucker, David Hopkins, Jabez White, Nehemiah Angel, Thomas Angel, Jr., Jonathan Angel, Christopher Wilkinson and John Fisk.

Of Glocester, Francis Whitmore, John Marsh, Joseph Pettingall, James Bloyce, Job Pray, David Phillips, Joseph Hix, John Sly, John Keech, Jr. and Benjamin Mackintire.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1737.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Capt. Benjamin Ellery,
Mr. Jahleel Brenton,
Mr. Nicholas Easton,
Mr. Joseph Whipple,
Capt. Ezbon Sanford.

For Providence.

Mr. John Potter,
Capt. James Bowen,
Capt. William Rhodes,
Capt. William Hopkins.

For Portsmouth.

Mr. Giles Slocum,
Capt. George Lawton,
Capt. William Brown,
Col. William Hall.

For Warwick.

Capt. James Arnold,
Capt. Joseph Stafford,
Mr. John Rice, Jr.,
Mr. John Holden.

DEPUTIES.

For Westerly.

Capt. Oliver Babcock,
Capt. James Rogers,
For New Shoreham.

Capt. Simon Ray,
Mr. Edward Sands.

For North Kingstown.

Mr. Francis Willett,
Mr. Nicholas Gardner.

For South Kingstown.

Mr. Wm. Robinson,
Capt. Robert Hassard.

For East Greenwich.

Doctor Thomas Spencer,
Mr. John Jenkins.

For Jamestown.

Mr. Nicholas Carr,
Mr. Thomas Carr.

For Smithfield.

Capt. Thomas Sayles,
Mr. Daniel Jenckes.

For Scituate.

Mr. Stephen Hopkins,
Mr. Thomas Realph.

For Gloucester.

Capt. John Smith.

Mr. Francis Willet, speaker.

Mr. Josias Lyndon, clerk.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. Samuel Vernon,
Mr. Peter Bours,
Mr. Ezekiel Warner,
Mr. Joseph Fenner,
Mr. George Cornell,

Mr. Wm. Anthony,
Mr. John Wickes,
Mr. Philip Arnold,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

GENERAL TREASURER.

Mr. Gideon Wanton.

Whereas, several persons, by petition, did set forth to this Assembly, the great necessity of laying out a highway from near the house of Capt. John Rice, in Warwick, to the grist mill called and known by the name of Edmond's mill, in said Warwick; and from thence to extend westwardly to the south-east corner, to the town of Scituate, at, or near the line of James Colvin;—

And the petitioners having divers times requested the town council of said Warwick, that they would lay out said highway, which, by the council was always refused, unless the proprietors of the lands through which the said way should go, would be at all the cost and charge of laying it out, and allow the land on which the same should be laid out, which conditions were not in the power of the petitioners to perform, not having authority or right to oblige the proprietors to comply with such proposals, and the same have been a means of hindering and impeding a way being laid out, as aforesaid, although the council have judged a necessity therefor;—

Which being duly considered, be it enacted by the General Assembly, and by the authority of the same it is enacted, that from or near the house of Capt. Rice, in Warwick, there be a high way laid out in the most near and convenient manner to the grist mill, commonly called Edmonds' mill; and from thence to extend Westerly to the south-east corner of the town of Scituate, at or near the land of James Colvin.

And for the effecting the same, the town council of the said town of Warwick, are hereby directed to grant forth a warrant to the sheriff of the county of Providence, or to his deputy, to summon a jury for the laying out of the same as the law directs; but in case the town council should refuse or neglect to grant forth their warrant, as aforesaid, for the space of two months, then it shall and may be lawful for any two assistants or justices of the peace, of the town of Warwick, to grant forth a warrant, as aforesaid, for the laying out said highway; and that the charge thereof, be paid out the town treasury of the town of Warwick.

Voted and resolved, that Capt. Matthew Norris, commander

of His Majesty's ship, the Tartar Pink, now in the harbor of Newport, be presented with a score of the best sheep that may be got; and that Jahleel Brenton, Esq., be, and he is hereby appointed to procure the same, and present them to said Capt. Norris; and that the charge thereof, be paid out of the general treasury.

Voted and resolved, that the sum of £4,042 2s. 5d., of old torn money, that was in the general treasury (and presented to this General Assembly, by the committee appointed to audit the general treasurer's accounts), be burned in the presence of this Assembly; and the same is done, accordingly.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1737.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

God save the King.

[There was no business of a public nature, transacted at this session of the General Assembly.]

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at Newport, the fourth Tuesday in November, 1737.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the sum of £41 5s. 4d., for repairing and mending of Pawcatuck bridge, be allowed and paid to Messrs. Joseph Stanton and Oliver Babcock, out of the general treasury.

Voted and resolved, that the sum of £10 be added to the sum of £20 already allowed towards building a bridge over Moswansecut river, in the road between Providence and Plainfield; and that Stephen Hopkins, Esq., be, and he hereby is empowered to draw the whole £30 out of the general treasury; he having promised to complete said bridge without any more charge to this colony.

Voted and resolved, that Messrs. George Goulding, Benjamin Ellery, Ezbon Sanford and George Wanton, be, and they are hereby appointed a committee to examine into the circumstances of Fort George, and receive the stores there, of Capt. Joseph Wanton, and deliver the same to the person that shall be appointed by His Honor, the Governor, to have the care thereof, taking an account of the same; and that they order such reparations to be made on the house at Fort George as to them shall appear necessary, and make report of their doings thereon to the next session of this Assembly.

Whereas, Samuel Vernon, Esq., was employed to impress the £30,000, ordered to be made for the exchanging of the halves and quarters of the bills of credit; but he being now so indisposed as not to be capable of finishing the same;—

It is therefore resolved, that Samuel Vernon, Jr., be, and he is hereby appointed to complete the impressing said bills, and be under the care and inspection of the grand committee.

Voted, that the following be admitted freemen of the colony :

Of Westerly, Joseph Witter, Benjamin James, James James, Thomas James, John Satterly, Thomas Sisson, Robert Clarke, Elisha Clarke, Caleb Clarke and Wm. Sisson.

Of North Kingstown, Josiah Spink, Jonathan Chase and Thomas Casey.

[The following public laws, passed during the year 1737, will be found at length in the printed Digest of 1744.]

An Act stating the fees of clerks of the general sessions of the peace in this colony.

An Act for enabling the several courts in this colony to allow and tax costs in all criminal actions.

An Act to oblige the commissioned officers in the militia to train, unless they have served five years, or been excused by the General Assembly.

An Act stating the fees of grand jurors.

An Act for the making of £30,000, in bills of public credit, for exchanging of torn bills.

An Act to prevent the drawing of any net or seine for the catching of perch in Easton's pond, in Newport.

An Act exempting persons appointed to work the several engines in Newport from several duties, &c.

An Act enlarging the fine on offenders for breach of an act made and passed in October, 1731, for preventing mischief being done in the town of Newport, or in any other town in this government, by firing of guns and pistols, and throwing of squibs, &c.

An Act for ascertaining the bounds of the compact part of the town of Newport, as to watching, in time of peace.

An Act empowering town councils of the several towns within this government to take bonds from administrators, for the

rendering of accounts of their administration on the estates of persons dying intestate.

An Act enabling the town councils of the several towns within this colony to receive or reject any persons from being inhabitants of the same.

An Act setting forth the form of a deed to be given by the sheriffs, for land sold by them, after being attached for satisfying debts.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Tuesday in February, 1737-8.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that Benj. Ellery, Esq., is chosen the first assistant of this colony, in the room of Samuel Vernon, Esq., deceased.

Voted, that the following be admitted freemen of the colony :

Of Providence, Richard Thornton, Jr., Benjamin Sprague, Jr., Daniel Sheldon, Nathaniel Waterman, Jr., Elisha Tillinghast, Roger Sheldon, Benjamin Cushion, Alexander Frasier, Daniel Cook and Abraham Angel.

Of Portsmouth, Jeremiah Tallman and John Sisson.

Of Warwick, George Hall, John Rhodes, Jr., Thomas Edmonds, Robert Havens and Randall Rice, son of John.

Of Westerly, William Burdick, Elisha Burdick and Hobart Burdick, Jr.

Jamestown, John Hull, Jr. and Stephen Franklyn.

Of Scituate, John Taylor, Jr., James Daniel, Joseph Sprague and Samuel Whidden.

Upon the petition of Valentine Downing, it is voted and resolved, that he be taken into the service of the fort, there to dwell, and be under the direction of the gunner ; and so long as he does his duty, to have his pension allowed him, by act of Assembly ; but if he leaves the fort, or neglects his duty there, that then his pension or allowance be forfeited.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 2d day of May, 1738.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Capt. Benjamin Ellery,	Mr. Wm. Anthony,
Mr. Peter Bours,	Mr. John Wickes,
Mr. Ezekiel Warner,	Mr. Philip Arnold,
Capt. Joseph Fenner,	Mr. Jeremiah Gould,
Mr. George Cornell,	Mr. Rouse Helme.

Mr. Thomas Spenser, speaker.

Mr. Josias Lyndon, clerk.

Voted, that the following be admitted freemen of this colony :

Of Newport, Nicholas Carr, Daniel Greene, Thomas Potter, John Fryers, Henry Coggeshall, John Peckham, Jr., Charles Beer, Thomas Sanford, Joseph Sanford, David Melvil, Thomas Smith, Sayles Carr, William Jeffers, Benjamin Weaver, Jr.,

Samuel Greene, William Hookey, John Hookey, Brice Eccles, Arnold Belcher, Herbert Nichols, William Smith, John Allen, Jr., Edward Boss, Jr., Robert Mortimore, Samuel Webb, Daniel Vernon, Mathias King, Christopher Lindsey, Benjamin Bailey, William Greenman, Benjamin Slocum, Preserved Fish, Richard Rose, William Weeden, son of Joseph, John Cain, Moses Pitman and Robert Nichols.

Of Providence, Nathaniel Brown, William Carpenter, Jr., William Knight, William Corpe, Ephraim Carpenter, Richard Knight, the 3d, William Alverson, Jeremiah Corpe, George Potter, Ichabod Potter, Jr., Samuel Sprague, Joseph Corpe, Samuel Gorton, Jonathan Stone, Christopher Lippett, Benoni Potter, Silas Williams, John Snow, Job Waterman, Nathaniel Day, William Fenner, Nathaniel Stephens, Philip Baker and John Stone, Jr.

Of Portsmouth, Joseph Anthony, Job Briggs, Joseph Freeborn and James Coggeshall.

Of Warwick, John Gibbs, John Wickes, son of Thomas, Benjamin Wickes, Thomas Welsh, Peter Wells, William Bates, Peleg Spenser, Jr., Benjamin Tiffany, William Wickes, James Parks, John Bucklin, Miel Pearse, Nathaniel Pearse, Henry Sparks, Isaac Rice, George Rice and David Napp.

Of Westerly, Francis West, Joseph Crandell, Jr., William Clark, Amos Clark, Simeon Clark, Benjamin Randell, Morris Tucker, Joseph Stillman, John Wilkinson, Robert Moore, Benj. Hoxie, Cornelius Stutson, Nicholas Cotterell, Nathaniel Pulman and Joseph Stanton, Jr.

Of New Shoreham, Edward Mott, John Littlefield and Wm. Rock.

Of North Kingstown, Samuel Eldred, son of John, Richard Robins, James Rogers, Isaac Gates, Caleb Arnold, Abiel Hall, Palmer Tanner, Joseph Corey, Thomas Allen, Jr., Daniel Pearce, the 3d, Joseph Smith, John Sweet, son of Jeremiah, Jeremiah Sweet, Jr., Samuel Boone, Jr., Job Lawton, James Cooper, Jr., John Moone, Joseph Card and James Allen, son of William.

Of South Kingstown, John Wells, Daniel Tift, Ichabod Sheffield, Daniel Carpenter, Hezekiah Babcock, Ephraim Smith, Joseph Rhodman, Samuel Rhodman, Nathaniel Helme and James Tift.

Of East Greenwich, Robert Hill, William Sweet, Jr., James Greene, David Vaughan, John Spenser, son of William, John Underwood, John Olin, John Pearse, son of Jeremiah, Benjamin Roberts, Robert Hopkins, John Jones, John Niles and Wm. Carr.

Of Smithfield, Preserved Harris, Abraham Bellou, Hezediah Cumstock, Jr., Francis Herenden, Azariah Cumstock, John Malary, John Bellou, Jr., Josiah Arnold, Samuel Bagley, Benjamin Cook, Thomas Beadle and Joseph Arnold.

Of Scituate, Thomas Bennett, John Coleman, Thomas Forster, Richard Salsbury, Gideon Hammond, Nathaniel Wade, Jonathan Knight, Thomas Ralph, Jr. and Henry Randall, Jr.

Of Glocester, Daniel Bartlett, Stephen Pain, Jr., Miles Sly, Elisha Herenden, Jr., Richard Hayward, Eleazer Marsh, Ephraim Marsh, Obadiah Bowen, William Keech, Jr., William Colwell, Edward Davis, Daniel Hix, James Harris, Ichabod, Bumpus, Eliphalet Eady, Benjamin Keech, Jr. and Isaac Benson.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1738.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
 Mr. William Ellery,
 Mr. Nicholas Easton,
 Mr. Thomas Coggeshall,
 Capt. Joseph Whipple,
 Capt. Ezbon Sanford.

For Providence.

Mr. Charles Tillinghast,
 Mr. John Potter,
 Capt. Jabez Bowen,
 Mr. Richard Thornton.

For Portsmouth.

Mr. Giles Slocum,
 Capt. George Lawton,
 Mr. Jonathan Nichols,
 Mr. Stephen Brownell.

For Warwick.

Mr. John Rice, Jr.,
 Mr. Wm. Greene,
 Mr. Peter Greene,
 Mr. John Whitman.

For Westerly.

Col. Oliver Babcock,
 Capt. Christopher Champlin.

Mr. Thomas Spenser, speaker.
 Mr. Josias Lyndon, clerk.

For New Shoreham.

Mr. Thomas Mitchell, Jr.,
 Mr. Nathaniel Littlefield.

For North Kingstown.

Mr. Job Tripp.
 Mr. Jeoffrey Hassard.

For South Kingstown.

Capt. Robert Hassard.
 Mr. Robert Hassard.

For East Greenwich.

Mr. Thomas Spencer,
 Mr. John Jenkins.

For Jamestown.

Capt. Benjamin Sheffield,
 Mr. John Paine.

Smithfield.

Mr. Thomas Sayles.
 Mr. Wm. Arnold.

Scituate.

Mr. Edward Sheldon,
 Mr. Stephen Hopkins.

Glocester.

Capt. John Smith,
 Mr. Richard Steere.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. George Hassard, Deputy Governor.

ASSISTANTS.

Mr. John Chipman,
Mr. Peter Bours,
Mr. Ezekiel Warner,
Mr. Joseph Fenner,
Mr. George Cornell,

Mr. Wm. Anthony,
Capt. James Arnold,
Mr. Philip Arnold,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the second Tuesday of June, 1738.

The Hon. John Wanton, Governor.

With the assistants and deputies from the several towns.

Whereas, Capt. Simon Ray and Capt. Peter Ball, were appointed a committee to carry on the building a pier at Block Island ;—

It is therefore resolved, that the clerk of the house of deputies, be, and he is hereby appointed and directed to cite said Simon Ray, and Peter Ball, to appear at the next session of this Assembly, and render an account in writing of their proceedings in said affair.

Voted, that Joseph Tripp, of Portsmouth, in the county of Newport, is admitted a freeman of this colony.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 5th day of July, 1738.

The Hon. John Wanton, Governor.

With the assistants and deputies from the several towns.

[No business of a public nature, was transacted at this session.]

Voted, that Daniel Abbott, Esq., is chosen deputy governor, of this colony, in the room of the Honorable George Hassard, Esq., deceased.

Voted and resolved, that this Assembly be adjourned to the third Monday in August next, to Newport, if a sufficient number of members [shall be present] that day, to constitute an Assembly; if not, the next day.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the fourth Tuesday in August, 1738.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for dividing and incorporating the town of Westerly into two towns, and the same to be known and distinguished by the names of Westerly and Charlestown.

Whereas, the present town of Westerly, is very large, and its inhabitants are numerous, many of whom live at a very remote distance from the place of meeting appointed for the transacting the public and prudential affairs of the town ; and the rivers there (especially in the middle part thereof) being very large, so that the way to said meeting is rendered difficult as well as dangerous, and many of the inhabitants are thereby often impeded and hindered in attending thereon, which proves a great injury and hurt to them :

And whereas, the said town is well situated, and lies commodious for a division into two towns, which being divided, will tend to the general interest and advantage of all its inhabitants ;—

Be it enacted by the General Assembly of this colony, and by the authority thereof it is enacted, that the line for dividing said town, be as follows, viz. :

Beginning northerly, where Wood river enters the line between the said town of Westerly and North Kingstown, and so running by the natural course thereof, so far, until said river empties itself into a river called Pawcatuck ; and then to run or extend as said Pawcatuck river runs by the banks thereof, westward, three miles ; and from thence, a south or southerly course, to the sea ; and that for the future, the town of Westerly extend no further eastward than the aforesaid line.

And be it further enacted by the authority aforesaid, that all the rest of said lands heretofore westerly situate, lying and being to the eastward of the aforesaid line, be, and they are hereby incorporated and erected a town, and called and distinguished by the name of Charlestown ; and that the inhabitants thereof, have all the liberties, privileges and immunities in the same manner as the other towns in the government enjoy by charters.

And be it further enacted by the authority aforesaid, that Jeremiah Gould, John Rice and William Greene, Esqs., be appointed a committee to run a line between the aforesaid town, and erect and make thereon proper monuments and bounds

for distinguishing the same, and to perform the same forthwith.

And be it further enacted by the authority aforesaid, that the justice of the peace in the town of Charlestown, as soon as conveniently may be, issue forth a warrant, to summon in the freemen to elect and make choice of their town officers, for the management of the prudential affairs of said town; and also, for the choice of two deputies for said town, to represent the same at the General Assembly in the October session next; and so on from time to time, as by charter is appointed; and that the town of Westerly send two deputies, to be chosen in manner as usual.

And be it further enacted by the authority aforesaid, that each of the said towns, have their proportion of the interest of the bank money appropriated for the towns in this colony, in the same proportion, and according to the sums that the lands in each town are mortgaged for.

And be it further enacted, by the authority aforesaid, that the town of Westerly send three grand jurors to attend on the general session of the peace, for the county of Kings county, and two petit jurors to attend at the inferior court, for said county; and that the town of Charlestown send two grand jurors to attend on said court of general session of the peace, and two petit jurors to attend on said inferior court.

And it is likewise further enacted, that the towns of Westerly and Charlestown, shall each send to the superior court, one grand juror, and one petit juror, to attend on the same.

Voted and resolved, that the sum of £26 2s., be allowed and paid to William Cook, out of the general treasury, for his care and attendance at the ferry, called Cook's Ferry, in order to prevent the small pox from spreading here, when it was prevalent at Martha's Vineyard.

Voted and resolved, that Messrs. Peter Bours, Joseph Whipple and William Ellery, be, and they are hereby appointed a committee to prepare the draft of a letter, to be signed by His Honor, the Governor, and sent to His Excellency, the Governor of the Province of the Massachusetts Bay, to inform

him of the report of the lords of trade to the lords of the committee of council, upon the controversy relating to the bounds of this colony, a copy of which is now before this Assembly.

Whereas, sundry inhabitants of the town of New Shoreham, in this county of Newport, did, by petition, set forth to this Assembly, the ill conveniences attending there being but two wardens in said town ;—

It is therefore voted and enacted, that there shall be two more wardens added to the town of New Shoreham, to be chosen in the same manner as heretofore has been customary, according to their charter.

Voted and resolved, that the sum of £100, be remitted to our agent in Great Britain ; and that His Honor, the Governor, Messrs. George Goulding and Joseph Whipple, be, and they are hereby appointed a committee to purchase bills of exchange, gold or silver, to that value, and draw the money out of the general treasury, to pay for the same, and send it as soon as conveniently may be.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1738.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Whereas, several of the freemen and enlisted soldiers, belonging to the first company, or train band of the town of Providence, in the county of Providence, did, by petition, set forth to this Assembly, that said company was very large, and considerable in number, and some of them lived a great distance from the place of rendezvous ; and therefore pray this Assem

bly, that the southerly part of said first company might be set apart and constituted into another company, and invested with the same liberties and privileges as the other train bands have and enjoy in this colony ;—

Whereupon, it is voted and resolved, that the said first company of the town of Providence, be divided into two companies, agreeably to said petition ; and that the Honorable deputy governor, Messrs. William Hopkins and Charles Tillinghast, be, and they are hereby appointed a committee to divide said company, that so they may choose their officers the next choice ; and that said committee make report to the next session of this Assembly.

Voted and resolved, that this Assembly be adjourned to the third Monday in December next, to Providence.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the 19th day of December, 1738.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

[The following public laws, passed during the year 1738, will be found at length in the printed Digest of 1744.]

An Act in addition to an act, entitled “ An act for making the real estates of persons that have left this colony, or conceal themselves therein, or do not live in this government, liable to the payment of debts.”

An Act for the better securing the payment of interest due on the several banks of money emitted by this government.

An Act in addition to an act for the making of £30,000, to exchange torn bills of public credit.

An Act enabling and appointing trustees or guardians to lease out the lands belonging to the sachem in the Narragansett country.

An Act in addition to the several acts already made, for the prevention of the spreading of infectious distempers, &c.

An Act appointing the time that waste gates in the several dams in this colony are to be kept open, for venting the natural course of the water to the next dam of any grist mill below the same.

An Act for emitting £100,000 in bills of public credit.

An Act empowering three or more justices of the peace to try persons guilty of theft, not exceeding the value of £10.

An Act allowing the clerks of the inferior courts of common pleas and general sessions of the peace, fees for entering judgment without verdict, and for administering oaths in the several courts.

An Act restricting the justices of the several courts of general sessions of the peace from drawing money out of the treasury, to defray their expenses.

An Act to prevent illegal voting for officers within this colony.

An Act for the better securing the interest money due the colony on former banks emitted.

[No business of a public nature, was transacted at this session.]

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the third Tuesday in February, 1738-9.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that the following be admitted freemen of this colony :

Of Providence, Daniel Brown, Elisha Brown, Alexander M. Creary, John Hoyle, Jr., John Birkett, William Field, Paul Dexter, James Daley, Daniel Sprague, Benjamin Hunt, Amaziah Waterman and John Paine.

Of Warwick, Henry Rice, Andrew Barton and Alexander M. Gregory.

Of North Kingstown, William Havens, Jr., Ebenezer Cahoon, John Cleaveland, Stephen Card, Robert Northup, Sam'l Watson and Samuel Fones.

Of South Kingstown, Joseph Torrey, Immanuel Clark, Jireh Mumford and Henry Gardner, son of Nicholas.

Of Charlestown, John Mumford and George Kenion.

Voted and resolved, that the account of James Helme, amounting to £11 16s. 3d., for the necessaries found and work done to the county house, in Kings county, be allowed, and paid out of the general treasury.

An Act for the building of a new colony house.

Be it enacted by the General Assembly, and by the authority thereof it is enacted, that a new colony house be built and made of brick, at Newport, where the old one now stands, consisting of eighty feet in length, and forty in breadth, and thirty feet studd ; the length whereof, to stand near or quite north and south.

And that Peter Bours, Esq., Mr. Ezbon Sanford, Mr. George Goulding and Mr. George Wanton, be appointed a committee to procure materials, and carry on the building of said house, as soon as conveniently may be, and draw out of the general treasury for that purpose £1000, as soon as the same shall be wanted ; which committee shall render an account unto His Honor, the Governor, John Chipman, William Ellery and Jos. Whipple, Esqs., how, and after what manner the said £1,000 is expended and laid out ; and have a certificate from them, that they have so accounted ; and upon presenting the same to the general treasurer, they are empowered to draw one other

thousand pounds, and account for the same in manner as aforesaid, before they draw any more; and so on, in like manner, until said house is finished.

And that Josias Lyndon attend upon the last mentioned committee as a clerk, in order to receive the account of the first mentioned committee, after they are examined, and enter them in a book to be kept for that purpose, and present it to the General Assembly when, and so often as called for; and that the first mentioned committee dispose of the old colony house at a public vendue to the highest bidder, for the use of the said colony.

Whereas, William Arnold and Thomas Sayles, Esqs., by petition, did set forth to this Assembly, that some time since, application was made to the General Assembly, for some assistance in building a bridge over Pawtucket river, at a place called Wansoket Falls, in Smithfield, upon which £70 were granted, with encouragement of further assistance, if needful; since which, said bridge is built, and the said sum expended, together with a further sum raised by subscription; but there still remains the sum of £53 yet due and unpaid, towards the charge of said work, and prayed the same might be paid out of the general treasury;—

It is therefore voted and ordered, that the sum of £53 be allowed and paid out of the general treasury, to the petitioners, William Arnold and his father, for the use aforesaid.

Whereas, William Hopkins, Esq., did, by petition, set forth to this Assembly, that the great bridge over Pawtucket river, is by the late great flood of water, partly carried away, and rendered useless to the public; and therefore prayed this honorable Assembly, that proper persons might be appointed to repair that part of the bridge that was built by this colony, at the charge of the colony;—

Which being duly considered, be it therefore enacted by the General Assembly, that William Jenckes, Esq., be, and he is hereby appointed to repair the one half part of the said bridge; and that the sum of £50 be allowed and paid out of the general treasury, for that purpose.

Provided, that the General Court or Assembly of the Province, or any other person on their behalf, shall repair the other half, thereof; and that also an open highway be laid out, or procured on the other side of said bridge, from the main road down to the same.

Whereas, Andrew Brown, of Gloucester, in the county of Providence, did, by petition to this Assembly, set forth that the great bridge over Chepatsick river, is very much gone to decay, and not safe for travellers to pass over; and therefore prayed that it might be repaired at the charge of the colony, since the same is of very great use and advantage to the public;—

Upon consideration whereof, it is voted and ordered, that the said Andrew Brown draw out of the general treasury the sum of £20, to re-build said bridge with; provided, he will do the same for said sum.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Tuesday in May, 1739.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

ASSISTANTS.

Mr. John Chipman,

Mr. Peter Bours,

Mr. Ezekiel Warner,

Mr. Joseph Fenner,

Mr. George Cornell,

Mr. Wm. Anthony,

Capt. James Arnold,

Mr. Philip Arnold,

Mr. Jeremiah Gould.

Mr. Francis Willett, speaker.

Mr. Josias Lyndon, clerk.

Voted, that the following be admitted freemen of this colony :

Of Newport, Wing Spooner, Elisha Shearman, Nathaniel Coddington, Jr., John Collins, William Wickham, Stephen Tripp, Robert Kelley, Rouse Potter, Thomas Borden, Nicholas Easton, Jr., Peleg Barker, Daniel Wilcox, John Easton, son of Joshua, John Rogers, son of Peleg, Samuel Hull, John Cook, Silas Cook, James Sisson, Job Bennett, Jr., John Rodman, Nathaniel Allcock, Stephen Mott, Thomas Dring, John Allen, son of James, John Bannister, George Lawrence, Joseph Silvester, Richard Lowden, William James, son of John, James Wanton, John Parry, James Rogers, Jr., William Rogers, Jr., Clement Weaver, Jr., Thomas Weaver, son of Benjamin, Benjamin Burroughs and James Gibbs.

Of Providence, Thomas Manchester, Jeremiah Merryhew, David Roberts, Josiah King, Daniel Olney, Ebenezer Tyler, Nicholas Cook, Ezekiel Sheldon, Thomas Remington, John Knight, Jr., John Briggs and John Potter, son of Job.

Of Portsmouth, John Fish, Mathew Slocum, Abraham Anthony, Jr., Thomas Lawton, son of Benjamin, and John Hicks.

Of Warwick, Ebenezer Perkins, John Potter, John Allerton, Job Greene, son of Fones, John Levally, Philip Baker, James Greene, son of John, Jonathan Nichols, Peter Greene, son of Major Peter Greene, Charles Andrew, William Briggs, Markin Salisbury and William Warner.

Of Westerly, Joshua Vorse, Samuel Maxson, John Cotterel, the 2d, Joseph Hull, Thomas Forster, James Champlin, Thomas Brand, son of Tobias, Thomas Burdick, the 4th, Nathaniel Crandall, William Maxson, John Burdick, David Burdick, Eleazer Brown, Jonathan Talmitter, Stephen Willbore, William French and Jedediah Davis.

Of North Kingstown, John Nichols, Joseph Weight, Jr., Samuel Dawley, Benjamin Nichols, William Congdon, Edward Greene, Jr., James Allen, Edward Slocum, John Albro, yeoman, John Albro, the 4th, William Hill, Jr., and John Records.

Of South Kingstown, Henry Gardner, son of Nicholas, John

Gardner, son of William, Fones Hassard, Ephraim Gardner, Jr., Job Card, the 3d, and Joseph Holway.

Of East Greenwich, Stephen Nichols, Thomas Spenser, son of John Spenser, Jr., John Wood, Jr., Silas Greene, John Grinold, John Tarbox, Jr., William Wood, Ayres Ellis, Benjamin Bennett and Newman Perkins.

Of Jamestown, Mathew Greenal, Ebenezer Slocum, Henry Tew, Jr., Elisha Tew, Thomas Cranston, son of John, and Geo. Underwood.

Of Smithfield, Nehemiah Sprague, Thomas Beadle, Israel Whipple, John Dexter, Jr., Daniel Jones, Noah Whitman, Jos. Arnold, son of Joseph, Moses Arnold, Daniel Cumstock, Jr., James Appleby, Henry Blackmore, Stephen Olney, Gideon Pain, Stephen Sly and Jeremiah Brown, Jr.

Of Scituate, Simon Davis, George Dorrance, Jr., Samuel Dorrance, Jr., William Corey, Zuriel Mathewson, Reuben Hopkins, Stephen Forster, Daniel Whittaker, John Borden, James Franklyn and William Tiler.

Of Glocester, Samuel Short, David Ross, David Ross, Jr., Stephen Smith, John Benson, John Jenckes, Jeremiah Irons, John Inman, Jr., Anthony Steere, John Hunt and Abraham Inman.

Of Charlestown, Joseph Johnson, Ichabod Enos, Stephen Sweet, Silvester Kenion, Ezekiel Barber, Nicholas Larkin and James Webster.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1739.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Mr. William Ellery,
Mr. Nicholas Easton,
Mr. John Bennett,
Mr. Godfrey Malbone,
Capt. Ezbon Sanford.

For Providence.

Mr. Richard Fenner,
Mr. Peter Burlingame,
Mr. James Williams, Jr.,
Mr. Robert Gibbs.

For Portsmouth.

Mr. Giles Slocum,
Capt. George Lawton,
Mr. Stephen Brownell,
Col. Wm. Hall.

For Warwick.

Mr. John Rice, Jr.,
Mr. Wm. Greene,
Major Joseph Stafford.

For Westerly.

Mr. Thomas Hiscox,
Mr. Joshua Babcock.

For New Shoreham.

Mr. Edward Sands,
Mr. Nathaniel Littlefield.

For North Kingstown.

Mr. Francis Willett,
Mr. John Hall.

For South Kingstown.

Capt. Robert Hassard,
Mr. Robert Hassard.

For East Greenwich.

Mr. John Spenser, Jr.,
Mr. Giles Pearse.

For Jamestown.

Mr. Teddeman Hull,
Mr. Edward Carr.

For Smithfield.

Mr. Resolved Waterman,
Mr. William Jenckes.

For Scituate.

Mr. Job Randall,
Mr. James Colvin.

For Gloucester.

Capt. John Smith,
Mr. Richard Steere.

For Charlestown.

Mr. Samuel Perry.

Mr. Francis Willet, speaker.

Mr. Josias Lyndon, clerk.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

ASSISTANTS.

Mr. John Chipman,
Mr. Peter Bours,
Mr. Ezekiel Warner,
Mr. Joseph Fenner,
Mr. George Cornell,

Mr. Gideon Cornell,
Capt. James Arnold,
Mr. Philip Arnold,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

Voted and resolved, that that part of the act for building a new colony house, which directs the length thereof to be north and south, be repealed; and that the length of said house be put east and west.

Voted and resolved, that the committee who were appointed to erect additions to the pest house, at Coasters' Harbor, be, and they are hereby empowered to draw out of the general treasury the sum of £50, to procure stuff and materials to carry on said building with.

Voted and resolved, that the affair of the gore of land in controversy, be referred to the next session of this Assembly;—

And that, Messrs. Peter Bours, Godfrey Malbone, Daniel Updike and James Martin, be, and they are hereby appointed a committee, to write to the General Court of the Province of the Massachusetts Bay, concerning said controversy, and to endeavor an accommodation of the same.

Voted and resolved, that Col. Daniel Updike be allowed and paid out of the general treasury the sum of £20, for drawing a state of the case with the Province of the Massachusetts Bay, respecting the gore of land, and other claims of this colony, from said Province.

Voted, that the charges arising on the imprisonment and ex-

ecution of the pirates, in November last past, be paid out of the general treasury.

Voted and resolved, that the four bills of costs on the trial of the pirates in October, A. D. 1738, amounting to the sum of £196 19s. (first deducting the sum of £2 10s., overcharged by the advocate general, in each bill of cost), be allowed and paid out of the general treasury, to the several persons therein mentioned.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Portsmouth, the 10th day of July, 1739.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Upon the petition of sundry of the inhabitants of the town of Newport, setting forth that the new colony house to be built, would look more commodious, &c., if the length thereof should be set north and south, and praying that the present situation might be altered ;—

It is thereupon voted and ordered, that the late act passed for setting the length of the colony house east and west, be repealed, and that the length thereof, be built north and south ; and that a cellar be made under the same.

Upon the petition of the town council of Newport, in behalf of said town, setting forth the difficulty said town has labored under for some time ; together with the vast charge and expense that hath accrued upon the means used to prevent the spreading of the small pox ;—

It is voted and ordered, that the said town of Newport be accommodated with the sum of £500, to be drawn out of the general treasury, by the said town council of Newport, towards paying the extraordinary charge above mentioned.

Voted, that Messrs. William Ellery, Godfrey Malbone and George Wanton, be, and they are hereby appointed a committee to procure a suitable boat to be built for Fort George; and the charge thereof, to be paid out of the general treasury; and that they dispose of the old boat to the best advantage.

Voted and resolved, that the account of Lawrence Langworthy, amounting to £183 18s. 6d., for powder, supplied Fort George, be allowed, and paid out of the general treasury.

An Act appointing commissioners for the settling and establishing the eastern controverted lines.

Whereas, the controversy respecting the gore of land, and the other controverted line, between this government and the Province of the Massachusetts Bay, is still subsisting; and it being apprehended that it would highly conduce to the honor and interest of each respective government, and to the peace and happiness of the inhabitants bordering on those controverted lines, that the same should be speedily, amicably and effectually determined;—

Be it therefore enacted by the General Assembly and by the authority thereof it is enacted, that Peter Bours, Gideon Cornell, James Honeyman, Jr., Stephen Hopkins, Daniel Updike, Samuel Clarke and Francis Willett, Esqs., be, and they are hereby appointed commissioners, and fully authorized and empowered to meet with commissioners, that are, or shall be appointed, and fully authorized by the General Court or Assembly of the said Province of the Massachusetts Bay, and with them to agree, compromise and finally determine the controversy respecting the aforesaid gore of land, and the other controverted lines between the two governments; and such agreement and determination, signed, sealed and perfected by the commissioners of this colony, with those appointed by the

said Province of the Massachusetts Bay, shall be forever adjudged good and valid by this government.

Provided, always, that such agreement and determination shall be made and given at or before the 12th day of October next.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday in August, 1739.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that in case the commissioners appointed by this General Assembly, to meet with the commissioners of the Province of the Massachusetts Bay, do not agree upon a settlement of the boundaries between this colony and that Province, that then, His Honor, the Governor, Peter Bours, Esq., Messrs. George Goulding and Joseph Whipple, be, and they are hereby appointed a committee and empowered to draw out of the general treasury a sufficient sum, to purchase bills of exchange, gold or silver, and remit the same to our agent, to defray the charges of taking out the commission appointing commissioners for settling the eastern controverted lines; and that said commission be taken out forthwith.

Voted and resolved, that there be lent to Messrs. Godfrey Malbone, John Brown and George Wanton, so many of the colony's small arms, pistols, cutlasses and great shot, as they have occasion of, for fitting out their private men of war, upon their giving sufficient security to the general treasurer as many and as good (as they shall receive) paying the necessary charges arising thereon, in one month's time, from the rising of

this Assembly, to Messrs. Jahleel Brenton, Jos. Whipple and Henry Tisdale, who are hereby appointed to view said arms, pistols, cutlasses and shot, and take an account thereof, to deliver the same to said persons.

Voted and resolved, that His Honor, the Governor, grant all such commissions in behalf of this colony, to private men of war against Spain, and the subjects thereof, &c., as he shall think needful and necessary, pursuant to His Majesty's warrant.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the last Wednesday in October, 1739.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the secretary write to Ellis Hugh, Esq., of Portsmouth, in New Hampshire, and inform him that this General Assembly, is well assured that the two £5 bills sent by him to this government, are counterfeit bills, and that this government is ready to make proof of the same, by two of the grand committee going down to the court when the offenders are to be tried, upon receiving notice that the same is necessary; and that the secretary procure the oaths of two or more of the grand committee, and enclose the same in his letter to the said Mr. Hugh.

Voted and resolved, that His Honor, the Governor, issue out a proclamation, promising any person or persons a reward of £200, who shall discover to this colony the plates on which the late counterfeit £5 bills in imitation of the bills of this colony were impressed, and detect the persons who counterfeited said

bills, that they may be convicted, and suffer the punishment due to such crimes; and that His Honor, the Governor, write to the Governor of the Massachusetts Bay in the same manner, as the secretary is directed to write to Mr. Hugh, relating to the counterfeit bills.

Voted and resolved, that Peter Bourse, Esq., write to the commissioners of the Province of the Massachusetts Bay, and inform them that it is the resolution of this government to proceed no further in the controversy relating to the eastern bounds of this colony, by choosing commissioners, but wait for the King's commission in that affair.

Voted and resolved, that His Honor, the Governor, write to our agent, strenuously to oppose at home the making any addition to the sugar act, that so much affects the northern plantations; and that His Honor also write to the neighboring governments, requesting them to join with us in opposing the same.

[The following public acts, passed during the year 1739, will be found printed at length in the Digest of 1744.]

An Act for rating and assessing foreigners and strangers trading with this government.

An Act directing the attorney general to give the general treasurer a receipt for all such bonds as he shall receive to put in suit for the colony's debts.

An Act for preventing the spreading of the small pox.

An Act to regulate the meeting, and prevent the failing of the General Assembly of this colony.

An Act for the maintenance of insolvent debtors in jail, and for repealing the several acts heretofore made for that purpose.

An Act enabling the trustees of the Indian sachem to lease out new settlements of land, belonging to him, for the space of fourteen years.

God save the King.

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Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 8th day of January, 1739-40.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Report on the boundary between Rhode Island and Connecticut.

Whereas, the General Assembly, at their session, held at Providence, on the last Wednesday in October, A. D. 1736, nominated and appointed us, the subscribers, a committee to renew the bounds between this colony and the colony of Connecticut, and to notify said colony of Connecticut thereof, and appoint the time, and to do the same as soon as conveniently might be;—

In pursuance whereof, we, the said committee, soon after our being nominated for that purpose, notified His Honor, the Governor of the colony of Connecticut, thereof, and sent him an attested copy of the vote of said General Assembly, and appointed the time and place when and where to meet; soon after which, we received an answer from His Honor, the Governor, that they had not then appointed a committee, but that he was of opinion they should speedily do it for that service, and desired us to defer the matter for some time, which we accordingly did; afterwards, we received a letter from Roger Wolcott, Esq., who informed us, that he, together with Esquire Wadsworth, and one Mr. Avery were appointed a committee for that government, to join with us in the affair; but that they did not approve of the place we had appointed to meet at, being at Killingley, and withal appointed the 10th of October, 1738, to meet us at the widow Thompson's, at Westerly; at which time, we sat out in order to meet them, and by the way met with a letter from the said Mr. Wolcott, which informed us that he had not been well for some time, and said Mr. Wadsworth, also, and that they could not well attend the service at that time; whereupon, we returned home again, and afterwards wrote to them, and appointed the place to meet us, in October, 1739, to which they wrote us an answer that they could not meet us at that time, but appointed to meet us on the second Wednesday in November, being the 14th day of said month, A. D. 1739, at said widow Thompson's; and that if they heard no further from us, before that time, they should depend we would meet them; to which, we gave them no answer, but concluded to join with them; and accordingly, on the said 14th day of November, we, the subscribers, did meet at the house of the said widow Thompson's, in Westerly, and there waited till the next day about 12 of the clock; at which time, the Connecticut gentlemen did not appear, nor could we hear any thing from them; and we considering that they had never sent us any copy of a vote of their General Assembly, whereby they were appointed, and therefore it did not manifestly appear to us, whether that government had appointed a committee for that service or not; and the affair, having from time to time, been so long deferred, that we concluded

it was high time to proceed thereon without them ; and accordingly did proceed to renew the said bounds on November the 15th, 1739.

We began at the north of Ashewague river, where it runs into the Pawcatuck river, and renewed said bounds from place to place, until we came to Warwick south west corner, which was a large heap of stones, when made in the year A. D. 1728, with sundry trees marked with several letters on them, near said heap of stones, which two of us well remember, being then present, and helped to make said heap of stones, and mark said trees ; which heap of stones was made in the edge of a swamp, on the east side thereof, where some cedar grows in some part of said swamp ; we found said heap of stones to be removed and all gone from said place ; but the trees standing with the old marks on them, viz.: W.W; BE DA; JW; and sundry other letters of them ; and we new marked said trees, leaving all the old marks standing on them.

And we also made up a large heap of stones in the same place, where the former heap was made, which is on the east side of a pitch pine tree, near said tree ; so near, that some of the heap of stones lieth on the roots of said tree ; and said pine tree was one of the trees that was marked when said corner was made in the year 1728, which being then cut through the bark, was partly grown up ; but there was now plain to be seen on the east side thereon an R ; and we now new marked said pine tree with the two first letters of our names, thus : DA JJ WG, on the east side of said pine tree ; one maple tree, standing about half a rod about south west from said corner, is marked with JS, and another maple tree standing about three-quarters of a rod, about north east from said corner, is marked with many letters, both old and new ; said pine and said maples stand near in a range one with the other. There were near twenty men present at our renewing said corner, and many of them set their names, or the two first letters thereof, on the trees standing near about the same.

And from said south west corner of Warwick, November 17th, we proceeded northward, and renewed the former bounds from place to place, in the dividing line as run in the year 1728, between said colonies, until November the 20th, 1739, when we came to the north west corner of this colony adjoining to the Bay line ; it being a large heap of stones on the west side of a large high hill, commonly called Abbott's Hill ; which heap of stones we renewed, and we found standing near said heap of stones several large trees with the old marks plain on them, viz. :

One large pitch pine tree, marked with the day of the month and date of the year, when said corner was made ; one other pitch pine tree, marked with sundry letters ; both said trees stand within about a rod of the corner, one about south west from said corner, and the other about a rod eastward thereof ; some white oak trees are also marked near said corner, with sundry letters ; and we new marked several of said trees ; one of them, the said pine tree, we marked with the first letters of our names, and day of the month, and date of the year, as thus, viz. : 20th November, 1739.

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WG }

Which is humbly submitted to this Honorable Assembly, as a return of
Your most humble servants,

DANIEL ABBOTT, }
JOHN JENKINS, } Committee.
WM. GREENE, }

Voted and resolved, that the afore-written report be accepted; and that the same be entered upon record, by the secretary.

Voted and resolved, that the following sums be paid out of the general treasury to the several persons hereafter mentioned, being for their time and expenses in revising and renewing the boundary line between this colony and the colony of Connecticut in November last past, viz.:

To the Honorable Daniel Abbott, Esq., £20 13s. 10d., to Mr. John Jenkins, £17 10s., to Mr. William Greene, £24 9s. 6d., and to Capt. Ishmael Spink, £9, said Spink attending the committee, at their request.

God save the King.

Proceedings of the General Assembly held for the Colony of Rhode Island and Providence Plantations, at South Kingstown, the 26th day of February, 1739-40.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that the following be admitted freemen of this colony:

Of Providence, John Potter, son of John Potter, Esq., Ephraim Bowen, Obadiah Brown, Jr., Capt. William Walker and Thomas Clemence, Jr.

Of Warwick, Othniel Gorton, Jos. Stafford, Jr. and Benj. Colvin.

Of East Greenwich, Alexander Nichols, Gideon Brayton, Pardon Tillinghast, Jr., Job Reynolds, John Pearce, John Mawny, Robert Sweet and Thomas Wait.

Of Scituate, John Bates.

Of Glocester, Elijah Inman and John Daley.

Of Charlestown, Joseph Enos, Jr.

Whereas, Joshua Babcock, Esq., was appointed to procure a bell for the court house in Kings county,—

It is therefore resolved, that the said Joshua Babcock, be, and he is hereby empowered and directed to draw the sum of £25 out of the general treasury, to pay for the same.

An Act for making some necessary preparations for the defence of the government in time of war.

Whereas, war is already proclaimed by His Most Sacred Majesty against the kingdom of Spain, and in all probability will for some time continue; and as the security and preservation of the government under God, depends on suitable and necessary preparations for war being made, in case of an invasion, by the enemy;—

Upon consideration whereof, be it enacted by the General Assembly, and by the authority thereof it is enacted, that there be a captain and lieutenant appointed and commissioned to act in those respective offices, at Fort George, over the soldiers that shall be enlisted there.

And be it further enacted by the authority aforesaid, that the field officers of the county of Newport, be empowered to impress and enlist twelve good able men of said county, one whereof, to be a gunner; and oblige them forthwith to repair to said fort, and do their duty as soldiers; who, for their service, shall be entitled to receive out of the general treasury £4 each per month (except the gunner, who shall have £6 per month); and twelve shillings per week, to said gunner and each soldier, for their respective board wages, and their wood to be found them.

And it is further ordered, that there be an addition of thirty-eight men, who shall be enlisted by the said captain and lieutenant, as soldiers, to repair to said fort, upon notice given by said officers.

And be it further enacted, that the platform of Fort George

be made four feet wider than it is at present; and that the powder room be ceiled, and the store houses new floored; the sills and doors of the barrack houses to be repaired.

And that there be procured for said fort eighteen barrels of gunpowder, three reams of cartouch paper, two hundred weight of musket balls and four dozen of crab hand-spikes; the charge whereof, to be drawn out of the general treasury, by Messrs. John Cranston, Ezbon Sanford and George Wanton, who are hereby empowered to make the aforesaid reparations, and to procure the said materials.

And be it further enacted by the authority aforesaid, that the field officers of each of the respective counties of Providence and Kings county, be empowered to impress and enlist ten good able men out of each of said counties, as soldiers, to be sent to New Shoreham, on or before the 20th day of April next, to be transported at the charge of the colony; and there to continue, in His Majesty's service, for the space of six months, for the assistance of the inhabitants at said island against the enemy; which soldiers shall be under the care and command of the captain of said island, and shall be by him billeted out at the charge of the inhabitants of said island; and shall, for their reward and service, be entitled to receive £3 per month, out of the general treasury, by a certificate under the hand of the said captain, duly obtained.

And be it further enacted by the authority aforesaid, that the six great guns at New Shoreham, be mounted on carriages, in the most convenient manner, as shall be judged by the inhabitants; and that they, at their own charge, procure two barrels of gunpowder, one hundred and twenty great shot and forty pounds weight of musket balls; and that Capt. Edward Sands and Mr. Nathaniel Littlefield procure carriages for said guns, and draw money out of the general treasury, to pay for the same.

And be it further enacted by the authority aforesaid, that there be built one watch house at Castle Hill, one ward house on Brenton's Point, one watch house at Sachueast Point, and

the same to be done by Messrs John Cranston, Ezbon Sanford and George Wanton, who are hereby empowered to draw out of the general treasury, monies for the purposes aforesaid.

And that there be built one watch house in the most convenient place at Jamestown, by Mr. John Willson, the cost of which, to be drawn by him out of the general treasury.

And that there be built one watch house at Point Judith, by Mr. Nathaniel Niles; one, at Watch Hill, by Doctor Joshua Babcock, and one at Portsmouth, by Mr. John Dexter; the charges of all which, to be paid in manner as aforesaid; the dimensions of which buildings to be eight feet square, and six feet stud.

And that each town keep a watch in said houses at their own charge, and be under the regulation of the council of war.

And be it further enacted by the authority aforesaid, that there be one beacon erected at New Shoreham, one at Point Judith, one at Beaver Tail, one at Newport and one at Portsmouth, at the charge of the several towns where they shall be erected.

And be it further enacted by the authority aforesaid, that the persons before mentioned, as committees, who by this act are empowered to draw money out of the general treasury, as aforesaid, render an account to the General Assembly of their respective proceedings.

Voted, that Col. John Cranston is chosen captain of Fort George.

Voted and resolved, that a good sloop be forthwith built for the use of this colony, for the defence thereof, not exceeding one hundred and fifteen tons, in the best shape it can be built.

And that Messrs. Peter Bours, George Goulding, John Cranston and Joseph Whipple be, and they are hereby appointed a committee to procure said vessel to be built, and draw money out of the general treasury to pay for the same, as it is wanted.

Whereas, the town council of Portsmouth, in the county of

Newport, did represent to this Assembly that several families in said town, had been visited with the small pox, which had created a very great charge to the inhabitants thereof;—

Whereupon, it is voted and ordered, that the sum of £50 be allowed to the town of Portsmouth, out of the general treasury, towards defraying the said charge; and that the town treasurer of Portsmouth draw out said money for the use of said town.

Whereas, several of the inhabitants of the town of Newport, in the county of Newport, did, by petition, represent to this Assembly, that they had been at great charge and expense in taking care of a family of Indians that had the small pox, and also in the building of a house on Dutch Island, to prevent the spreading of said distemper; and therefore prayed for some relief in the premises;—

Whereupon, it is voted and ordered, that the sum of £47 8s., be allowed to the town of Jamestown, out of the general treasury, towards defraying their charges; and that the town treasurer of said Jamestown draw out said money for the use of said town.

Voted and resolved, that Messrs. Peter Bours, Nicholas Easton, Joseph Whipple and William Anthony, be, and they are hereby appointed a committee to procure some suitable place to hold the next general election in; and that they request of the people called Quakers, in Newport, the use of their meeting house for that day, for the purpose aforesaid, the colony making good all damages that shall accrue to said house, by meeting in it, as aforesaid.

Whereas, Stephen Hopkins, Richard Thornton and John Rice, Jr., Esqs., judges of the inferior court of common pleas, in the county of Providence, informed this Assembly, that Capt. James Olney and sundry others, of the Baptist denomination, in Providence, made application to them for liberty to meet in the county house in Providence, on the first day of the week, to worship God; upon which, the said judges gave them leave to meet there till the sitting of the General Assembly, and promised to lay the same before the Assembly, which they

have now done, and pray the opinion of this Assembly, whether the said people may meet there for the future ;—

Upon consideration whereof, it is voted and ordered, that the aforementioned persons of the Baptist denomination have the liberty of meeting upon the first days of the week, in the said county house, in Providence, to worship, during the pleasure of the General Assembly, upon sufficient security being given to the sheriff of the county aforesaid, for repairing and making good all damages that shall accrue to the said house by means of the said persons meeting in the same, as aforesaid.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 6th day of May, 1740.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

ASSISTANTS.

Mr. John Chipman,

Capt. James Arnold,

Mr. Peter Bours,

Mr. Philip Arnold,

Mr. George Cornell,

Mr. Jeremiah Gould.

Mr. Gideon Cornell,

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

Voted, that the following be admitted freemen of this colony :

Of Newport, Peter James, Joseph Leach, Joshua Peckham, Jeremiah Staniford, Henry Tisdall, Timothy Waterhouse, Nicholas Eyres, Collier Pearce, Thomas Perrin, John Almy, Samuel

Pitman, Thomas Vernon, William White, Richard Jones, Benj. Carr, John Sanford, George Franklin, Moses Howard, John Winslow, Samuel Peckham, Jr., Ralph Stanhope, John May-lem, Arnold Coddington and John Sisson, Jr.

Of Providence, Peter Burlingame, Jr., Peleg Williams, Jr., John Dyer, John Crawford, Archibald Young, Abner Brown, Peter Newcomb, Benjamin Cary, Edward Kenicut, Solomon Drowne and Joseph Randall, Jr.

Of Portsmouth, John Shrieve, son of John Shrieve, Jr., Francis Brayton, Jr., John Strange, Edward Perry, Benjamin Tucker and David Lawton.

Of Westerly, William Thorn and Elisha Clark.

Of North Kingstown, Samuel Money, Samuel Brownell, Jr. and John Scranton, son of Daniel.

Of Smithfield, Thomas Cruff, Daniel Eddy, Hazael Scott, Obadiah Sprague and George Willbore.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the first Wednesday of May, 1740.

The Hon. John Wanton, Governor.

The Hon. Daniel Abbott, Deputy Governor.

With the assistants and deputies from the several towns.

DEPUTIES.

For Newport.

Mr. George Goulding,
Mr. William Ellery,
Mr. Nicholas Easton,
Col. John Cranston,
Mr. Joseph Whipple,
Capt. Ezbon Sanford.

For Providence.

Mr. Peter Burlingame, Jr.,
Mr. Richard Thornton,
Capt. Jonathan Randall,
Col. William Hopkins.

DEPUTIES.

For Portsmouth.

Mr. Gideon Freeborn,
Mr. Wm. Anthony,
Mr. Stephen Tallman,
Mr. John Lawton.

For Warwick.

Mr. John Rice, Jr.,
Mr. Wm. Greene,
Mr. William Holdon,
Mr. James Rhodes.

For Westerly.

Mr. Thomas Hiscox,
Mr. Joshua Babcock.

For New Shoreham.

Mr. Edward Sands,
Mr. Nathaniel Littlefield.

For North Kingstown.

Col. Immanuel Northup,
Mr. Benjamin Weight.

Mr. Samuel Clarke, speaker.

Mr. Josias Lyndon, clerk.

For South Kingstown.

Mr. John Potter,
Mr. Ephraim Gardner.

For East Greenwich.

Capt. Peter Mawny,
Mr. Thomas Frye, Jr.

For Jamestown.

Mr. Samuel Clark,
Mr. James Carr.

For Smithfield.

Mr. Resolved Waterman,
Mr. David Comstock.

For Scituate.

Mr. Job Randall,
Mr. James Colvin.

For Gloucester.

Capt. John Smith,
Mr. Richard Steere.

For Charlestown.

Mr. Samuel Perry.
Capt. John Hill.

The following officers were declared elected, and duly engaged.

The Hon. John Wanton, Governor.

The Hon. Richard Ward, Deputy Governor.

ASSISTANTS.

Capt. Benjamin Ellery,
Mr. Peter Bours,
Mr. Ezekiel Warner,
Mr. Richard Fenner,
Mr. Gideon Cornell,

Mr. John Dexter,
Mr. Philip Arnold,
Mr. John Wickes,
Mr. Jeremiah Gould,
Mr. Rouse Helme.

SECRETARY.

Mr. James Martin.

GENERAL TREASURER.

Mr. Gideon Wanton.

GENERAL ATTORNEY.

Mr. James Honeyman, Jr.

An Act for raising and enlisting a number of soldiers, to be transported to the West Indies for His Majesty's service.

Whereas, His Majesty hath been graciously pleased to make a declaration of war against the King of Spain, and being determined in the most effectual manner to distress and annoy the Spaniards; and more particularly by making an attempt upon some of their most considerable settlements in the West Indies; and for that purpose having recommended to this government the necessity of raising a number of soldiers to be there transported;—

In obedience therefore, to His Majesty's orders, and for the encouragement of those who shall enlist in His Majesty's service, be it enacted by the General Assembly of this colony and by the authority thereof it is enacted, that there be a commanding officer in each regiment in this colony appointed by the Governor and so many of the council as are upon Rhode Island, to enlist so many men as shall be willing to serve His Majesty in the intended expedition against the Spaniards, which officer so appointed, shall be obliged to enlist himself.

And be it enacted by the authority aforesaid, that each soldier (so enlisted by said officer) being an able bodied effective man, shall have the sum of £3 allowed him by the colony, at the time of his enlisting; and shall be exempted from all military service for the space of three years after his return, except in cases of great extremity; and that the money hereby allowed, be deposited in the hands of each colonel in the colony, for the purpose aforesaid.

And in order to facilitate the raising and enlisting such soldiers, the field officers in each county be hereby empowered to call each captain's company together, in order for the aforesaid

commanding officer to enlist soldiers, as aforesaid ; and that each of the said officers attend on said companies.

And it is also further enacted by the authority aforesaid, that there be at the charge of the colony, provided proper transports for the transporting such and so many men as may be enlisted, at such time as His Honor, the Governor, upon further advice, shall judge proper, to embark them, in order to go to the place of the general rendezvous.

And be it further enacted by the authority aforesaid, that Peter Bours, Esq., Messrs. George Goulding and Joseph Whipple, be appointed a committee to provide transports and provisions for the purpose aforesaid, upon notice given them by His Honor, the Governor.

And that the several colonels have the care of the soldiers raised in each respective regiment, in providing for them provisions and other necessaries, until they are otherwise disposed of.

And that the enlisting begin immediately after the proclamation of the Governor, who is hereby requested forthwith to issue out the same, expressing the encouragement offered by His Majesty, together with what is by this act given.

Voted and resolved, that Messrs. George Goulding and Jahleel Brenton, be, and they are hereby appointed a committee to go down to Ipswich court, in the Province of the Massachusetts Bay, to attend the trial and give evidence against the persons to be tried there, for uttering counterfeit bills, in imitation of the bills of this colony ; and likewise to attend the court in the Province of New Hampshire, for the same purpose.

Whereas, Joseph Eady, of Glocester, in the county of Providence, produced a certificate from Andrew Brown, Esq., a justice of the peace, in said Glocester, that he had presented to his view an old wolf's and seven young creatures' heads, which the said Eady made oath, were wolves' heads, and that he killed the old wolf and destroyed the young ones, all within this government, &c. ;—

It is thereupon resolved, that the bounty on the old wolf's

head be allowed, and no more ; it being uncertain whether the young creatures were wolves or not.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday of June, 1740.

The Hon. John Wanton, Governor.

The Hon. Richard Ward, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the committee appointed to build the colony sloop, be still continued ; and that they procure a master and five other men, such as they shall think suitable, upon the best terms they can, to take the care of said sloop and appurtenances, till the next session of this Assembly ; and also to provide necessary provisions for said sloop ; and that she go on a cruise as soon as conveniently may be, after being fitted for the sea ; and at her return, that her sails be unbent and kept in some secure and proper place.

And that His Honor, the Governor, or in his absence, the deputy governor, and such of the general council as shall be present, are hereby empowered to appoint a captain for said sloop, and send her out for the defence of the colony, at such times and so often as they shall think proper ; and that the captain be empowered to take and bring in any foreigners that are upon an illegal trade, in order that they may be brought to justice.

Voted and resolved, that Col. John Cranston be, and he is hereby appointed captain of the colony sloop for the first cruise ; and that he immediately go on board said sloop, taking a sufficient number of hands with him, and take a cruise

as soon as may be, in order to detect any illegal traders, and take any of the King of Spain's subjects or interest ; and that he be commissioned by His Honor, the Governor.

Voted and resolved, that the account of Thomas Potter, amounting to £31 15s., being for the entertainment of the gentlemen that attended the solemnity of His Majesty's declaration of war against Spain, and likewise for the expense of a council of war, be allowed, and paid out of the general treasury.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the 15th day of July, 1740.

The Hon. Richard Ward, Deputy Governor.

With the assistants and deputies from the several towns.

Voted, that the Hon. Richard Ward, Esq., be chosen Governor of this colony, (in the room of the Hon. John Wanton, Esq., late Governor, deceased), and engaged.

Voted, that William Greene, Esq., be chosen deputy governor of this colony, in the room of the Hon. Richard Ward, Esq., late deputy governor (now chosen Governor), and engaged.

Voted and resolved, that the three colonels of this colony, together with the two captains that shall be commissioned, with the two lieutenants that came from home, immediately collect two companies, each consisting of one hundred men, out of all the soldiers that are enlisted in this colony, in order to go on an expedition against the Spaniards, and discharge the remainder upon the best terms they can ; each colonel acting in his own county only ; and that the committee appointed at the

May session last, provide, as soon as conveniently may be, transports and provisions for the aforesaid two companies, in order to convey them to the place of general rendezvous; and that they be ready to embark by the 15th day of August next.

And that His Honor, the Governor, draw sufficient money out of the general treasury, to pay off the soldiers of both companies to the 24th day of July instant; and that His Honor draw upon Col. William Blakeney, at New York, for said sum, to be remitted back again, and put into the general treasury; and that the said lieutenants, with the sergeants they brought with them from New York, be entertained in the same manner as the officers appointed here, at the charge of the colony, while in their duty.

Whereas, there was an information of a French schooner being upon this coast, on an illicit trade, and thereupon the colony sloop, named the Tartar, under the command of Col. John Cranston, was ordered out upon a cruise in quest of said schooner, and brought her into this port, where she was condemned by the judge of vice admiralty; and after His Majesty's part, and the charges upon the whole were deducted, there remained to the said sloop Tartar, and company on board, the sum of £153 1s.; and there being so many persons on board, that the sloop's share thereof, would come to but a small sum;—

Whereupon, It is voted and resolved, that the part or share belonging to the said sloop Tartar, be given to the captors on board, to be divided among them, in the same proportion that the other part would have been done.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Monday in August, 1740.

The Hon. Richard Ward, Governor.

The Hon. William Greene, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the attorney general put out advertisements, promising £10 per head reward, and all necessary charges paid to any person or persons that shall apprehend all or any of the soldiers that have deserted from Capt. Wm. Hopkins's company, and deliver them to the proper authority, in Newport, in order that they may be prosecuted.

Voted, that the account of William Pearce and Robert Sterry, amounting to £26 7s., for transporting a company of soldiers, under the command of Capt. William Hopkins, from Providence to Newport, and providing provisions for them, &c., be allowed, and paid out of the general treasury.

Whereas, Christopher Palmer did, by petition, represent to this Assembly, that in May last past, he being induced by the promise of a lieutenancy, from His Honor, the late deceased Governor, did enlist in the company then to be raised for His Majesty's service in the expedition against the Spaniards, under the command of Capt. Joseph Sheffield; and assisted afterwards in getting off and enlisting men for said service, and continued from that time to instruct them, as a lieutenant, till the latter end of July, when commissions came for two companies, and no more to be levied in this colony; whereupon, the said company was broke, and the soldiers were against enlisting under new officers.

But the petitioner, entering himself in the company commanded by Capt. William Hopkins (who promised to endeavor

his being appointed a lieutenant in said company), eighteen of the soldiers were thereby encouraged to re-enlist immediately under said Hopkins; and in said service, the said petitioner attended many days till the officers were appointed, and instead of your petitioner's being appointed, said Capt. Joseph Sheffield was chosen, and thereby your petitioner entirely defeated of reaping any advantage from his enlisting and services as aforesaid; and having devoted his whole time in the service aforesaid, and been at a considerable expense of money, prayed this honorable Assembly to make him a reasonable allowance for his service and expenses in the aforesaid affair;—

Whereupon, it is voted and resolved, that the sum of £20, be allowed and paid to the said Christopher Palmer, the petitioner, out of the general treasury.

Voted and resolved, that the commissioned officers of the two companies raised to go on an expedition against the Spaniards, be invited by the deputy governor and speaker, to dine with the court; and that the other officers, together with the soldiers, be treated by the sheriff with liquor, to the value of £15, both at the charge of the colony.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Newport, the third Tuesday in September, 1740.

The Hon. Richard Ward, Governor.

The Hon. William Greene, Deputy Governor.

With the assistants and deputies from the several towns.

An Act for emitting £20,000 in the new tenor, to be let upon loan, and for the striking off £10,000 of the old tenor, for the supply of the general treasury. [See public laws, Digest of 1744, p. 226.]

Protest.

We, the subscribers (being members of the council, and assistants in this colony), beg leave to dissent from the above act for emitting of £20,000 in bills of credit, equal to silver, at nine shillings per ounce, &c., for the following reasons :

1st. For that we judge the emitting this bank will be very injurious to the inhabitants of this colony, by increasing their debt, and adding a greater weight to their present load, which already seems almost intolerable ; it will also have a tendency to depreciate what is already out, and so oppress the creditor and all persons whose estates consist in money ; among which, there are many widows and orphans, whom the legislature, in an especial manner, ought to make the objects of their care and concern.

2d. We think it imprudent to make a bank of paper bills on loan, at this time, because we find that the honorable house of commons (as appears by their votes of the 25th of April last), are inspecting into the conduct of all the colonies in America, that have created paper money, a practice they seem not to approve of.

BENJAMIN ELLERY,
PETER BOURS.

We, the subscribers (being members of the house of deputies), beg leave to dissent from the above act for emitting of £20,000 in bills of credit, equal to silver, at nine shillings per ounce, &c., for the following reasons :

1st. Because the reason assigned in said act, is by no means just and conclusive, as we conceive ; for all the extraordinary charges we can reasonably expect from the present war, may be easily defrayed with the interest of the banks already made ; and the present debts of the colony may be soon paid by only anticipating some part of the interest money, or by borrowing a sum of the grand committee ; and no revenue will arise to the colony by this new bank, in much less than two years, by which time, we may expect the war will be over ; so that there is no real occasion or necessity to make any new emission at this juncture, and this present bank will not answer any present demand, or give us any other relief in this exigency, but what may be had a safer way.

2d. Because we look on the making this bank at this time, to be of pernicious consequence to the public interest of the colony. In respect to trade, this bank will probably so far depreciate the whole paper currency, that we shall have, in reality, a less medium of exchange, and all complaints of scarcity of money greatly increased ; and it will further greatly entangle the property of the good people of the colony, already too much encumbered, and will lay a load of debt on our posterity, which they will not be able to bear.

3d. Because we look upon it to be highly unjust to make an act that will naturally and necessarily depreciate the bills already extant (which we are well satisfied this bank will do, notwithstanding the new footing it is put upon), because thereby all creditors are defrauded of great part of their just dues, the widows and orphans are greatly oppressed, industry is discouraged, and idleness, extravagance and extortion are highly encouraged, to the manifest hurt and dishonor of the colony.

4th. Because we think it will be esteemed in our mother country, a most undu-

tiful and presumptuous conduct, to make so large an emission without any necessity, and of so pernicious a tendency at this juncture, when the Parliament has taken the affair of our paper currency into consideration, and have already expressed a disapprobation of such emissions, as appears by the votes of the honorable House of Commons of the 25th of April last, now on the table; from all which, we fear this act will endanger some of our most valuable charter privileges.

5th. Because the ruin of this flourishing colony will probably in a great measure be owing to this fatal act; we would have the whole colony and posterity know we have not deserved their imprecations on this occasion, but have endeavored to preserve and deliver down to posterity the privileges and the property which our ancestors earned with so much hazard, toil and expense.

WILLIAM ELLERY,
WILLIAM ANTHONY,
EZBON SANFORD,
GEORGE GOULDING,
GEORGE LAWTON.

Mr. George Goulding, one of the six trustees of the colony, prayed this Assembly for a dismissal from the said office, and that the same might be put upon record, which was accordingly granted.

Voted and resolved, that Messrs. Nicholas Easton, John Rice, Jr. and Immanuel Northup, be, and are hereby appointed a committee to consider in what manner the bank to be emitted, ought to be proportioned among the several towns, and make report to the next session of this Assembly.

Voted and resolved, that none of the committees for letting out the bank money for the future, take above ten shillings in bills of old tenor from any person that shall transfer his right in his present bank.

Voted, that the account of William Warner, amounting to £13 13s., being for victuals and drink to the pirates at Block Island, and their guards, &c., be allowed, and paid out of the general treasury.

Voted and resolved, that the Honorable Richard Ward, Esq., Governor, and Samuel Perry, Esq., be, and they are hereby appointed trustees to Ninegret, sachem, in the room of the Honorable John Wanton, Esq., late Governor, and Col. John Potter, both deceased.

Voted, that the account of Samuel Webb, amounting to £35 13s. 11d., being the expense of several councils of war; and

likewise for the entertainment of several gentlemen, upon His Majesty's declaration of war being published here, be allowed and paid out of the general treasury.

Voted, that the account of Col. Peter Mawny, amounting to £39 10s., for calling the companies together, in the county of Providence, in order to enlist soldiers for His Majesty's service, in the expedition against the Spaniards, and expenses on them, &c., be allowed, and paid out of the general treasury.

Voted and resolved, that Benjamin Ellery and Peter Bours, Esqs., Messrs. Joseph Whipple and Josias Lyndon, be, and they are hereby appointed a committee to audit the accounts of charges of billeting out the soldiers lately raised in this colony, to go against the Spaniards, and other charges relating to said soldiers, and make report to the next session of this Assembly.

Whereas, sundry of the soldiers that were enlisted in His Majesty's service, to go against the Spaniards, have deserted ;—

It is resolved, that each and every of said soldiers, that shall appear before Col. Peter Mawny and Capt. Jonathan Randall, and make satisfaction to them for the damages they have done the colony, that they be discharged from the crime of desertion ; and that the advertisements already put out against them, cease from the 20th day of September instant.

Voted and resolved, that the charges arising, by providing rugs, coverlids or blankets for the soldiers, that are embarked on board the transports, for the expedition against the Spaniards, be allowed, and paid out of the general treasury.

Voted and resolved, that a fair copy be transcribed of the representation drawn by the committee appointed for that purpose, and sent home to the lords commissioners for trade and plantations, respecting our paper emissions, in order to be laid before the honorable house of commons, and the same to be signed by His Honor, the Governor.

Whereas, Col. Peter Mawny and Mr. Thomas Frye, Jr., in behalf of the town of East Greenwich, did, by petition, set forth to this Assembly, that in pursuance of the laws of this colony,

and for the conveniency of the inhabitants thereof, the town of East Greenwich laid out two highways from the westernmost part of said town, through the same, to the east end thereof; the northernmost of said highways extend through the said town to the country road; the other of said highways extends eastward, through said town to the dividing line between said town and North Kingstown, which is about sixty or seventy rods from a great bridge, called Hunt's bridge, being on said country road;—

And whereas, the inhabitants of North Kingstown, as well as the inhabitants of East Greenwich, labor under a great deal of difficulty and trouble, for want of a highway from said country road to the east end of said highway, and that the petitioners, with some of the inhabitants of North Kingstown, applied to the town council of said North Kingstown to lay out a highway from said country road to meet with the said highway that butts on said dividing line; which request being denied, humbly prayed this Assembly for relief, &c. ;—

Upon consideration whereof, it is voted and enacted, that the town council of North Kingstown order a highway to be laid out in said town of North Kingstown, from said country road, to meet with the said highway that butts on the dividing line of said towns; and that if the same be neglected by the said town council for the space of two months after the rising of this Assembly, that then the secretary be, and he is hereby ordered to grant a precept to the sheriff of Kings county to empanel a jury, and lay out said highway, at the charge of said North Kingstown.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Providence, the last Wednesday of October, 1740.

The Hon. Richard Ward, Governor.

The Hon. William Greene, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that Messrs. James Honeyman, Jr., Daniel Updike and Thomas Ward, be, and they are hereby appointed a committee to draw up an answer to the queries from home, relating to our paper currency, as soon as may be, and present the same to His Honor, the Governor, to be examined and corrected by him and his council, or any four of them, and so many of the deputies as shall be present; and when it is completed, that His Honor, the Governor, sign the same, and send it immediately to the lords of trade and plantations, in order to be laid before the Parliament, at their next session; and that a copy of said answer be laid before the Assembly at their next meeting; and that the said committee signify in said answer, that a copy of our laws shall be sent home as soon as may be.

Voted and resolved, that the committee that built the colony sloop, immediately haul up said sloop in some convenient place, and take out all her stores and rigging, and secure the same, and take an inventory thereof, in order that nothing may be lost; and the same to remain in such manner until further orders from the General Assembly.

Voted and resolved, that Messrs. Joseph Whipple and Jahleel Brenton and Henry Tisdale, be a committee to receive the small arms, pistols and cartouch boxes, which were sent from London; and that they take care and see that what small arms, cutlasses and pistols were lent by the colony, be all forth

with returned, and the same to be secured in some safe place, and make report thereof, to the next session of this Assembly.

Voted and resolved, that the committee appointed at the last session of this Assembly, to audit the account of charges for billeting out the soldiers, and other charges of the expedition against the Spaniards, be still continued ; and that they, or the major part of them, audit what accounts have not yet been before them, and also the fort accounts, and make report to the next session of this Assembly.

Voted and resolved, that the captain and three persons, and no more, be continued at Fort George, until further orders from the General Assembly.

Voted, that Mr. William Jenckes draw out of the general treasury, the sum of £50, towards paying for the building of one-half of Pawtucket bridge.

Provided, he first give sufficient bond to the general treasurer to return said money into the general treasury, unless he procure a copy of a record, to the satisfaction of the General Assembly, of the laying out of an open highway from said bridge to the country road that leads from Seaconk to Boston, by the first Wednesday in May next.

Voted and resolved, that the secretary be, and he is hereby directed to copy out all the papers that came from home, relating to our paper currency, that have been before this Assembly, and attest them, and deliver copies thereof to any person being a freeman of the colony, that shall desire the same, by paying the lawful fees ; and that the said papers be lodged in the secretary's office, for that purpose.

God save the King.

Proceedings of the General Assembly, held for the Colony of Rhode Island and Providence Plantations, at Warwick, the 2d day of December, 1740.

The Hon. Richard Ward, Governor.

The Hon. William Greene, Deputy Governor.

With the assistants and deputies from the several towns.

Voted and resolved, that the secretary be, and he is hereby appointed to fetch from Boston, the commission and copies thereof, for settling the boundaries between this colony and the Province of the Massachusetts Bay, and deliver them to His Honor, Governor, the as soon as conveniently may be.*

** Letter from Whitehall to the Commissioners.*

Whitehall, August 1, 1740.

JOHN WANTON, ESQ., GOVERNOR OF RHODE ISLAND.

Sir: His Majesty's attorney and solicitor general, having received directions to prepare and lay before the lords justices a commission to be passed under the great seal of this kingdom, (the charges of which, and the execution thereof, the agents of the Massachusetts Bay and Rhode Island have agreed are reasonable, equally to be borne by both provinces), appointing Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy and James DeLancey, Esqs., of the Province of New York; John Hamilton, John Wells, John Reading, Cornelius Vanhorn and William Provost, Esqs., of the Province of New Jersey; and William Skene, Wm. Shirreff, Henry Cope, Erasmus James Phillips and Otho Hamilton, Esqs., of the Province of Nova Scotia, commissioners for marking out and settling the boundaries between the Province of the Massachusetts Bay and the colony of Rhode Island, eastward, care being taken that private property should not be affected thereby.

We are to acquaint you, that you are required to recommend to the assistants and house of representatives of Rhode Island to appoint two of their public officers residing in the said province, on either of whom, or at whose place of abode any notices, summons, or final judgment of the said commissioners may be served or left; and to send the names and places of abode of such officers to the said commissioners, at their first meeting, together with a plain and full state[ment] of their demands or pretensions, in writing, describing where and in what places the boun-

Voted and resolved, that His Honor, the Governor, appoint and send a proper person with the copies of the commission to the several commissioners in New York and the Jerseys, with a letter to each of those gentlemen, entreating them to attend

daries between the said Province and colony ought to begin, and what courses and how far the same ought to run, respectively.

You are likewise to acquaint the assistants and house of representatives of Rhode Island, that in case of their omission so to do, the said commissioners are empowered to proceed *ex parte*.

For your further information in this affair, we send you a copy of an order in council, dated the 10th of July last, and expect that you do take particular care, without any delay, to carry every particular thereof, so far as the same may be in your power, into execution.

So we bid you heartily farewell ; and are

Your very loving friends and humble servants,

MONSON,
M. BLADEN,

— CROFT,
JA: BRUDENELL.

August 19th, 1740.

P. S. Since we signed this letter, the lords of the committee of council, have changed the time of the first meeting of the commissioners, from the first Tuesday in March, to the first Tuesday in April, 1741.

MONSON,
M. BLADEN.

Royal Commission.

George the Second, by the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c.

To our trusty and well beloved Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy and James De Lancey, Esquires, of the Province of New York, our trusty and well beloved John Hamilton, John Wells, John Reading, Cornelius Vanhorn and William Provost, Esquires, of the Province of New Jersey ; and our trusty and well beloved William Skene, William Shirreff, Henry Cope, Erasmus James Philips and Otho Hamilton, Esquires, of the Province of Nova Scotia, greeting :

Whereas, we have been informed that a dispute hath long been subsisting between our Province of the Massachusetts Bay, and our colony of Rhode Island, in America, relating to the eastern boundaries of the said colony towards the said Province ;—

Know ye, therefore, that we, reposing especial trust and confidence in your abilities, discretions and integrities, have nominated, authorized and appointed, and by these presents do nominate, authorize and appoint you, the said Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy, James De Lancey, John Hamilton, John Wells, John Reading, Cornelius Vanhorn, William Provost,

the business at the time appointed; and that His Honor, the Governor, as soon as may be, write to the commissioners, at Annapolis, informing them of their appointment, and time, and place of meeting; entreating them also, to attend the business,

William Skene, William Shirreff, Henry Cope, Erasmus James Phillips and Otho Hamilton, or any five or more of you, be our commissioners, for settling, adjusting and determining the boundaries of our said colony of Rhode Island, in America, eastwards, in dispute, as aforesaid.

Our will and pleasure, therefore, is, that you repair by the first convenient opportunity to the town of Providence, within the said colony, as being the most conveniently situated for that purpose, and there hold your first meeting, on the first Tuesday in April, which shall be in the year of our Lord, one thousand seven hundred and forty-one, from which day, and any future days of adjournment, you may adjourn to such time and times as may be most convenient for you. And in case five of you shall not be present on the said first Tuesday of April, one thousand seven hundred and forty-one, or on any other day of adjournment, then such, or a majority of such of you, as shall be present, shall and may adjourn the further execution of this commission in manner aforesaid. And that at your first meeting, you do make choice of one or more clerk or clerks, to enter your minutes and proceedings. And at the first meeting, where five or more of you shall be present, that you do make choice of one or more skillful persons to prepare drafts of plans of the country or boundary, as there shall be from time to time occasion. And that you do administer to such clerks or other persons as you shall employ, an oath (or if they be of the people called Quakers, an affirmation), which oath or affirmation, you are hereby empowered to administer for the due and faithful execution of their trusts. And that of the commissioners present at any meeting, he who is first named in the list of commissioners, shall preside at such meeting, and shall issue out the necessary summons for such witnesses as either party shall require. And we do hereby direct and command that you, our said commissioners, do use all convenient dispatch in this affair; and that all determinations be made by a majority of the commissioners who shall be present at the respective meetings. Provided, there shall be then present five or more, of the said commissioners.

And our further will and pleasure is, that in case either the said Province of the Massachusetts Bay, or the said colony of Rhode Island, shall neglect to send to you at your first day of meeting, the names and places of abode of two of their public officers residing in their respective Province and colony, on either of whom, or at whose place of abode, any notice, summons or final judgment of you, our said commissioners, may be served or left; and in case either the said Province or the said colony shall neglect to send to you, our said commissioners, at your first day of meeting, a plain and full state[ment] in writing, of the demands or pretensions of the said Province and colony, respectively, describing where and in what places the boundaries of the said colony, eastwards, ought to begin, and what courses, and with what variation, and in what manner and how far the same ought to run to the and, that copies thereof may be mutually exchanged, in order to prevent any unnecessa-

and that a sloop, by order of the government, will wait upon them (with their copies of the commission), in order to conduct them into this colony, against the time of meeting, if they are disposed to attend upon the business.

ry delay, and that each party may come fully prepared : that then, in either of those cases, you, our said commissioners, or any five or more of you, do proceed *ex parte*.

And we do further direct and command, that no witness or witnesses be allowed of by you, to give evidence, but such as shall be sworn (or being of the people called Quakers, shall take a solemn affirmation before you in open court), which oath or affirmation, you, or any five or more of you, are hereby empowered to administer, and that all interrogatories and questions which shall be put to such witnesses before you, shall be set down in writing; and the whole of what such witnesses shall offer to you, shall also be set down in writing by the said clerk or clerks, in the presence of you, and of the respective witnesses; and that the same be read over to, and signed by the respective witnesses. And that you shall appoint such time as you shall find reasonable, within which, all the witnesses on each side, shall be produced, to be examined.

And we do further order and direct, that all entries be made of all charters, grants, deeds, evidences, proofs and plans, received by you in this affair; and also, of all your proceedings and resolutions throughout the same. And that such plans, maps or draughts of such boundary lines as shall be agreed upon by you, be annexed to, and made part of your determination.

And our further will and pleasure is, that when you shall have made your final determination, and signed the same, a copy thereof, shall be forthwith sent to such public officer or officers, as before mentioned, in the said Province and colony respectively, together with notice of another meeting to be held by you at the distance of two months, or at such further reasonable time, not exceeding three calendar months, as you shall appoint; at which future meeting, the said Province and the said colony, respectively, or either of them, who shall find themselves aggrieved, may enter their appeal to us, in our privy council, with a declaration [of] what parts of the determination of you, they respectively abide by, or appeal from.

But if the said Province or the said colony shall not enter their respective appeal or exception against such determination at such last meeting, our will is, that then no appeal or exception shall be afterwards received or admitted from such of the parties who shall omit to enter their respective appeals or exceptions at such last meeting of you: and in case neither the said Province nor the said colony shall enter any appeal or exceptions, the determination of you being confirmed by us in council, shall be final and conclusive, to both the said Province and colony.

And further, our will is, that the said Province and the said colony be permitted to take out, at their own respective expense, copies of the whole proceedings, proofs, exhibits, plans, and all other papers and writings in this affair, to be attested by three or more of you, our commissioners; and that you do return a fair copy of the whole record, attested by three or more of you, to us, in council.

And lastly, our will is, that the charge of this commission, and of the carrying it into execution, and of you, our commissioners, your clerks, surveyors, and offi-

Voted, that Peter Bours, Sam'l Clarke, Thos. Spenser, Wm. Jenckes, Stephen Hopkins, Daniel Abbott, Francis Willett, Henry Bull, Daniel Updike, James Honeyman, Jr. and Thomas Ward, Esqs., be, and they, or the major part of them, are hereby appointed a committee, to represent and manage the affairs of this colony, before the commissioners, to hear and determine the boundaries between this colony and the Province of the Massachusetts Bay ; and that they prepare and get the necessary requisites for that purpose, ready against the first meeting of said commissioners ; and that the said committee, or the major part of them, prepare proper houses for the reception and entertainment of the said commissioners, during their being upon said commission.

Voted and resolved, that the secretary send a copy of the last instructions from the lords justices at home, for observing the statute of the 6th of Queen Ann, relating to our paper currency, to each town clerk in the colony, to be made known to the inhabitants, as the respective towns think proper.

Voted and resolved, that Samuel Clarke, Esq., for the future, take ferriage for a man and horse, twelve pence ; and for a single person, sixpence ; and for all other things as the other ferry men take.

Whereas, Christopher Phillips, Esq., in behalf of the freemen of the town of North Kingstown, in Kings county, did, by petition, set forth to this Assembly, that the country road, in North Kingstown, aforesaid, was (as they understand) laid out by order of the General Assembly of said colony, divers years past ; but that the return of the jury or committee, that laid out the same, was never accepted by any authority, nor is the

cers, be borne and paid in equal moieties, by the said Province and the said colony.

In witness whereof, we have caused these our letters to be made patent : witnesses, John, Arch-Bishop of Canterbury, and other guardians and justices of the kingdom, at Westminster, the 4th day of September, in the fourteenth year of our reign.

By writ of privy seal,

Bisse.

With the great seal appending.

same placed on any record in this colony, to their knowledge, and that the said country road is fenced up in several places, so that there is not sufficient room for two carts to pass without great difficulty ; and conceiving that the law of this colony, empowering the town councils of the several towns, to lay out highways where there have been none laid out, is not sufficient to enable the said town council to renew the bounds of said highway, humbly prayed this Assembly to direct some way or method, whereby the bounds of said highway might be established, and at the charge of said town ;—

Upon consideration whereof, be it enacted by the General Assembly, and by the authority of the same it is enacted, that the town council of said North Kingstown, be, and they are hereby directed and authorized to appoint proper persons to revise and renew the bounds of the aforesaid country road in said North Kingstown (according to the first laying out, by order of Assembly), at the charge of said town.

Voted, that Ezekiel Warner and George Brown, Esqs., be, and they are hereby appointed and chosen the two public officers in this colony, pursuant to the commission for settling the boundaries between this colony and the Province of the Massachusetts Bay, &c.

Voted, that Mr. Resolved Waterman being so indisposed as not be able to attend this General Assembly, be therefore excused ; and that the secretary send out his warrant to collect the fines of the other absent members ; the New Shoreham deputies excepted, not being warned.

[The following public acts, passed during the year 1740, will be found in the printed Digest of the laws of 1744, except those designated as repealed.]

An Act for augmenting the bounty or premium for killing of wolves.

An Act obliging the respective sheriffs of each county in this colony, to give bond upon admission into that office, for the due performance thereof.

An Act for augmenting the fine for neglecting to watch in time of war.

An Act for the better encouragement of volunteers and soldiers to enlist in His Majesty's service. (Subsequently repealed).

An Act empowering the enlisting officers in this colony to punish the soldiers under their command for misbehaviour. (Repealed.)

An Act in addition to an act made and passed by the General Assembly, the 6th of May, 1690, entitled "An act establishing the proceedings and trials of actions, not exceeding forty shillings."

An Act augmenting the fee for writs issuing out from clerks of the several inferior courts of common pleas, in this colony.

An Act appointing an attorney general in each county, within this government. (Repealed.)

An Act made in addition to, and in amendment of an act made and passed the third Tuesday of September, A. D. 1740, for the emission of £20,000, in bills of public credit.

God save the King.

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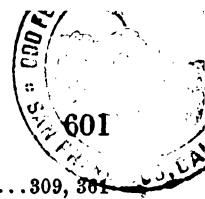
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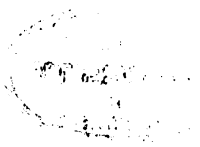
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