

ANDROS RECORDS.

BY ROBERT N. TOPPAN.

AMONG the historical papers of value in possession of the American Antiquarian Society are the Andros Records. They are the original minutes, in manuscript, of the early meetings of the Council during the administration of Sir Edmund Andros, who, as royal Governor, succeeded Joseph Dudley, appointed by the King temporary President of Massachusetts after the annulling of the Charter of the Colony by legal process. They cover a period of about four months, beginning with the first meeting, on December 20th, 1686, and ending on April 25th, 1687, when a new system of government was being, as was supposed, firmly and permanently established, the executive, law-making and judicial powers being conferred upon a Governor and Council, by the authority of the King, in place of a Governor, Council and House of Deputies selected by the freemen of the Colony—a viceroyalty, instead of a self-governing democracy.

Although these minutes were undoubtedly used in the preparation of the official records, covering the same period, sent to the authorities in England, a transcript of which is in the Department of Archives at the State House, the differences¹ are such as to make it desirable to publish the full text of the original manuscript.

Nearly forty years ago, Mr. Samuel F. Haven, the accomplished librarian, called the attention of the Society to the existence of the minutes in an interesting report,² in

¹ See *Edward Randolph*, Vol. II., pp. 8, 9. Publications of the Prince Society, 1898.

² See *Proceedings of the American Antiquarian Society*, 24 April, 1861, p. 31.

which he says, "While the learned American annalist, Rev. Dr. Holmes, was an officer of this Society, he received an anonymous letter from Newburyport, accompanying a parcel of ancient manuscripts for the Society, which the donor said he had rescued from the flames, and which, if useful for nothing else, he thought, might serve to light some antiquarian pipe; to which purpose they came very near being devoted by himself."

"Among these were several papers which are included in Hutchinson's collection; and a copy of the commission to Andros, as Governor of New England, which had then never been printed. It has since been published by the Massachusetts Historical Society, in the seventh volume of their third series of Collections. Another document, which appears not to have attracted particular attention, as it is not distinguished by a special entry upon our records, perhaps came with the same parcel. It proves to be the original minutes of proceedings at the meetings of Andros and his Council during the first four months of his administration,—the period of the organization and establishment of the new Government. It is in the handwriting of Randolph's clerk, with interlineations and additions by the Secretary himself. It commences with what may be regarded as an official list of the Council, and records the names of those present at each meeting. It shows that the records obtained from England by Mr. Felt are only an abstract of the doings of the Government, furnished in compliance with an order from the authorities at home. In that abstract, the votes and discussions are greatly abridged, some of them wholly omitted; while many meetings are passed by without a notice. These original minutes, as far as they go, were apparently used in the preparation of the abstract; for the word *stet* was written against many of the passages by the hand of the Secretary, implying a compilation from the contents of the manuscript."

In addition to these minutes, it is probable that the records of the Council meetings under President Dudley, the temporary predecessor of Andros, will be published in the near future by the Massachusetts Historical Society, and it is hoped that these, in turn, will be followed by the publication of the remaining meetings, under Andros, as far as their records have been preserved, subsequent to April 25th, 1687. Transcripts of these records, sent from England, are at the State House, while drafts, in manuscript, of various meetings are found scattered in different parts of the Massachusetts Archives.¹

The names of his Matys Council in his Territory and Dominion of New England.

His Excellence Sr Edmond Andros Kn^t Govern^r.

Joseph Dudley	William Stoughton	} Esqrs
Robert Mason	Thomas Hinckley Ply.	
Walter Clarke	John Fitz-Winthrope	
John Pinchon	Peter Buckley	
Wait Winthrope	Richard Wharton	
John Usher	Bartholomew Gedney	
Jonathan Tyng	John Hincks	
Edward Tyng	Barnaby Lathrop Ply.	
John Sandford	William Bradford Ply.	
Daniel Smith	John Walley Ply.	
Nathaniel Clarke Ply.	John Coggshall	
Walter Newberry	John Green	
Richard Arnold	John Alborough	
	Edward Randolph Secy	

¹ Mr. Samuel F. Haven has placed a memorandum, in his handwriting, with the original minutes, as follows: "Mem. of differences between the Andros Records at the State House and the original minutes in the library of the Am. Antiquarian Society."

"1. The list of Council is wanting at the State House.

"2. The record jumps from Jan'y 28 to Feb. 23. There were meetings Feb. 4 & Feb. 15.

"3. The whole record of Feb. 23 is in two lines, whereas, in the minutes it occupies four full pages.

"4. The record has no meetings of Feb. 24, Feb. 26, Feb. 28, Mar. 2, Mar. 5, Mar. 10, and none from Mar. 17 to May 4, whereas, in the minutes, besides the dates above mentioned, there are those of Mar. 19, Apl. 2, Apl. 6, Apl. 13, Apl. 20, Apl. 25.

"Some of the orders passed at those meetings are, however, given under other dates.

"5. In a vol. labelled 'Usurpation Papers,' are fragments of records or copies of records containing some of the same matter that is in the minutes, and in the same handwriting. . . . These fragments, on loose sheets, appear to be copies of orders passed, made for some distinct object. Some of these are attested by Randolph. They are evidently transcribed from the minutes in the A. A. S. Library. Some of them are printed in His. Soc. Coll. . . . From these minutes the

At a Councill held in Boston in his Matys Territory and Dominion of New England on Monday December the 20th 1686.

Present

His Exce Sr Edmond Andros Knt Governour

Joseph Dudley	Richard Wharton	} Esq ^{rs}
William Stoughton	John Usher	
Peter Buckley	Bartholomew Gedney	
Wait Winthrope	and	
	Edward Randolph Secry	

His Matys Commission for Government directed to his Excell: Sr Edmond Andros Knight was published and the Oath of Allegiance was administered to his Exce by Joseph Dudley and the members then present together with the Oath *for the due execution of Justice by his Matys said Commission enjoyned to be taken.*

His Exce gave the Oath of allegiance and the Oath for the due administration of Justice above mentioned to the Members of his Matys Councill then present.

His Exce produced his Matys Warrant bearing date at Winsor the 26th of Septemr 1686 appointing & authorizing a Great Seal for the use of this his matys Government with the Seal it Self.

Upon Mr Stoughton's Informing his Exce the Court *was the next day* to be holden at Charles towne being Tuesday the one and twentyeth Instant was Ordered to be adjourned till Tuesday the fourth of January next ensuing.

It being moved That 'twas necessary to pass a Temporary Order for confirming all officers etc. in their places It was accordingly Ordered that the following Declaration be forthwith passed and Published in these words

By his Exce the Governour and Councill,

these are to declare and Publish That all Officers Civill and Military and the Officers of his Matys Revenues together wth all Dutyes and Imposts as now Setled in this Town of Boston, and other parts of this Government are hereby Continued till further Order and all persons are required to Conform thereto accordingly

Upon Mr Stoughton's saying that Road Island was not mentioned in his Matys Commission to his Exce, his Exce produced an Order under his Matys Sign Manual upon the Surrender of the Charter to take the Colony of R. Island under his Government, and it being the Opinion of the Councill that Thursday the 30th of this Instant December would be the Soonest day for a Generall Councill to meet at Boston his Exce resolved to write to the Members of Road Island and New Plymouth, and that the Secry should write to the absent members of the Councill of this Government that they might all meet accordingly. Adjourned

Record now in England (of which a copy was obtained by Mr. Felt for the State) was made up by Randolph with such alterations and omissions as he thought proper, or as suited his purposes."

till Tuesday the 21st of this Instant at One of the Clock in the afternoon.¹

At a Councill held at Boston New England on Tuesday the 21st of Decembr 1686.

Present: His Exce Sr Edmond Andros Knight Gov^o

Joseph Dudley
William Stoughton
Peter Buckley
Wait Winthrop

Richard Wharton
John Usher
Barth^o Gedney
Jonathan Tyng } Esq^{rs}

Edward Randolph.

Jonathan Tyng one of the Members of his Matys Councill was Sworn and tooke his place.

Ordered that Copies of the Declaration made by his Exce and Councill on ye 20th Instant, be Sent to the Severall Clerks of the County Courts in this Governm^t for their Direction.

Ordered that the Castle on Castle Island be Speedily repaired, and that Mr Gibbs' house at Fort hill, be made fit for the accomodation of the ffoot Companies of Souldiers, and that Mr Treasurer Usher take Care and see it done accordingly.

Stet.

Ordered that Joseph Cowell or Some other fit person be sent wth his Exce's Letter to the Gov^r and Company of Connecticut, his Maty haveing likewise authorized and Impowered his Exce upon Submission and Surrender of their Charter to take that Colony under his Care and Government.

mr Treasurer Usher is directed to make ready and present to the Auditor his accounts of what mony hath been received and payd for the Support of this his Matys Government.

Adjourned till Thursday the 30th Instant.²

¹ In the *Council Records of Massachusetts*, Vol. II., is contained a transcript of the Records from the 20th of December, 1686, to the 29th of December, 1687, preserved in England, attested by Robert Lemon, chief clerk in Her Majesty's State Paper Office in London on 16th of September, 1846.

The record of 20th December, 1686, does not contain the name of Wait Winthrop as being present at the meeting, but contains the following not found in the original minutes: "His Exce Sr Edmond Andros Kn^t Governour being landed repaired forthwith to the Towne house attended thither by a great number of Merchants and others with all the Militia of Horse and Foot." "His Exce in a short speech acquainted the Councill that his Majtie by his letters Patents dated the third day of June in the second year of his Majty^s Reigne appointed him to be Captaine General Governour in Chief etc. of New England which was then published in a full Assembly." The rest of the record is not as full as the original minutes.

See *Massachusetts Archives*, vol. CXXVI., p. 164, in the handwriting of Edward Randolph.

²The record of this meeting in the *Council Records of Massachusetts*, vol. II., does not contain the names of those present, but only the orders about the Castle and Mr. Gibbs's house.

In *Massachusetts Archives*, vol. CXXVI., p. 176, under date of December 22d, which is evidently a clerical error, for December 21st is a draft, most of which is in the handwriting of Edward Randolph, giving the names of those present, and adding, "that summons be issued to the Members of the Councill in Rood Island

At a Councill held in Boston New England on Thursday the 30th of December 1686.

Present: his Exce Sr Edmond Andros Knight Governr

Joseph Dudley	Barnaby Lathrop	} Esqrs
William Stoughton	William Bradford	
Thomas Hinckley	Daniell Smith	
Walter Clarke	John Walley	
Peter Buckley	Nathaniel Clarke	
Wait Winthrop	John Coggsball	
Richard Wharton	Walter Newberry	
John Usher	Richard Arnold	
Bartho. Gedney	John Arborough	
Jonathan Tyng	Edwd Randolph	

Upon opening of the Councill His Excellence tooke the oath for observing y^e acts of trade & navigation, Commanded the Members thereof to be called over by their Names and take their places accordingly.

The Members of the Councill being Seated the Commission to his Exce for Government of this his Matys Territory and Dominion was read, and also the Instructions Given his Exce under his Matys Signet Impowering his Exce to receive the Surrender of Road Islands Charter.

His Exce demanded of Walter Clark and other Members of the Councill for Road Island the delivery of their Charter, they made answer 'Twas at their Governours house in Newport and That it should be forth Comeing when Sent for, but in regard to the teadiousnes & bad weather It could not then be brought; his Excellence then ordered it to be brought & that the Secry take charge of it accordingly.

His Exce proceeded to administer the oath of Allegiance and the oath also for the due Execution of their trust as Councillours to the Members of his Matys Councill, not formerly Sworn, and being desired to stand up and Answer to their Names Thomas Hinckley, Walter Clark, Barnaby Lathrop, William Bradford, Daniel Smith, John Walley, Nathaniel Clark, John Coggsball, Walter Newberry, Richard Arnold and John Alborough were Sworn accordingly.

'Twas moved That a Proclamation Should be made to Confirm Officers both Civill and Military in the late Colonyes of New Plymouth & Road Island in their plans till further order and thereupon

Ordered Proclamation should be drawn to that end and that Commissions for appointing Civill and Military officers to forth with be prepared for his Excellency.

Ordered that the names of fitt persons be returned and

Ordered by his Excellency That new Commissions for Civill &

& New plymouth to be present on Wednesday y^e 29th of this present December." . . .
 "A letter sent to Major Pincheon to attend." "A Councill to meet on thursday y^e 30th of the last instant Decembr; and yt all y^e members of y^e Councill be summoned to be present."

See also *Massachusetts Archives*, vol. CXXVI., p. 205.

Military officers throw the whole Dominion be forth with prepared & Sent to the Severall Colonyes & provinces accordingly:¹

At a Councill held in Boston N. England on Fryday the 31st of December 1686.

Present: His Exce Sr Edmond Andros Knt Governor.

Joseph Dudley	John Hinks	} Esqrs
William Stoughton	Barnaby Lathrop	
Thomas Hinckly	William Bradford	
Walter Clarke	Daniel Smith	
John Fitz-Winthrop	John Walley	
Peter Buckley	Nathaniel Clarke	
Wait Winthrop	John Coggs	
Richard Wharton	Walter Newberry	
John Usher	Richard Arnold	
Bartho. Gedney	John Alborough	
Jonathan Tyng	Edward Randolph	

Major John Winthrope and Mr John Hincks both members of the Councill were admitted and having taken the Oathes did accordingly take their places.

¹ The record in the *Council Records of Massachusetts*, vol. II., is substantially the same, but not so full as in the original minutes.

See *Massachusetts Archives*, vol. CXXVI., p. 186. In this draft the name of "John Alborough" is given correctly. In the original minutes it is written "John Arbrough." The word "Secry" is added to "Edward Randolph." The sentence in the original minutes "and also the Instructions Given his Exce under his Matys Signet Impowering his Exce to receive the Surrender of Road Islands Charter" reads as follows, "and also the Instructions under his Matys Signe Manuall Impowering his Exce to receive the Charter of Road Island and Providence plantation was likewise read." In the original minutes it is stated that all the Members of the Council, who had not previously taken the oaths, "were sworn," but in the draft it is said, "who (all of them) Walter Clark and Walter Newberry excepted, did take y^e Oath & showed assent thereto by holding up their right hands."

"Walter Clark & Walter Newberry gave also their express Consent to y^e s^d Oath of Alleg. and y^e Oath for y^e Adm. of Justice in y^e Governmt according as directed in his Matys late Comission to y^e President and Councill, professing themselves obliged in all good conscience before God so to do, and y^t under the utmost penaltys of perjury in all respects the members of the Councill being severally asked their opinion did allow of their protestation."

"His Exce in a short discourse encouraged the members to freedom in debate. Walter Clark & Walter Newberry acknowledge the Surrender of y^e Charter made to his Maty at Windsor but fearing y^t surrender was not effectual for avoiding all mistakes they had presented another humble address to his Maty under the publique Seal of their Colonyes and had sent over agents to pray his Matys favour towards them and W. Clarke further added that y^e Charter of R. I. was in his custody at Newport."

"It was moved That a Proclamacon should be made through all y^e Colonyes and provinces of this Gvt. That all officers both civill and military should be continued in their places of trust and y^t y^e lawes not repugnant to y^e lawes of England in y^e severall Colonyes should be observed during his Exce pleasure."

"Ordered that the Proclamacon be drawn up & presented to his Exce in Councill to morrow by nine of y^e Clock in y^e morning."

"Adjo. till fryday next y^e 31st of Dec. at 9 in y^e morning."

See also *Massachusetts Archives*, vol. CXXVI., p. 208. In this draft the name of Walter Newberry is omitted, but that of Edward Tyng is added.

A Comtee appointed Joseph Dudley, William Stoughton, Richard Wharton, Thomas Hinckley, John Walley, Walter Clarke and John Coggs shall Esqrs to Consider and Report to the next meeting of the Governour and Council as follows the methods of Administring Justice Courts, times and places of Courts, their Jurisdictions, formes and fees, and also whatsoever is at present necessary to be done. They or the Major part whereof one Member of every Colony to be a Quorum.

The Committee to begin and Set p'sently to Consider also of what standing Revenues are raised in each Colony for the Support of the Government, and what is at present necessary for that end.

Adjourned till two of the Clock in the afternoon on monday next 3^d of January.¹

At a Council held in Boston New Engl^d January the 3^d 1686.

Present: His Ex^{ce} Sr Edmond Andros Knt Governor
 William Stoughton
 Thomas Hinckley
 Walter Clarke
 John Fitz-Winthrop
 Peter Bulkely
 Wait Winthrop
 Richard Wharton
 John Usher
 Barth^e Gedney
 John Alborough
 &
 Jonathan Tyng
 John Hincks
 Barnaby Lathrop
 William Bradford
 Daniel Smith
 John Walley
 Nathaniel Clark
 John Coggs shall
 Richard Arnold
 Edward Randolph

Ordered that the Selectmen, Constables, Overseers of the poor and all other Town officers for managing the Prudentiall Affaires thereof be Continued and elected and are to act in all Town Affaires in their Severall bounds as formerly.

¹ In the *Council Records of Massachusetts*, vol. II., is found the following order, "The Records to be forthwith removed from Mr Rawson [former Secretary] to be delivered to Mr Randolph, present Secretary." The clause about John Winthrop and John Hincks taking the oath as Councillors is omitted.

In *Massachusetts Archives*, vol. CXXVI., p. 190, is an order for a Council of war to try and punish soldiers charged with theft.

See *Massachusetts Archives*, vol. CXXVI., pp. 208, 210.

In *Massachusetts Archives*, vol. CXXVI., p. 177, is the following draft in the handwriting of Edward Randolph, Times and Places for Courts. "That is to say for y^e County of Suffolk at Boston on y^e last Tuesdays in July Oct. Jan^y & Aprill; for the County of Middlesex at Cambridge the third tuesday in August; at Charles Town the third tuesday in December & May; ffor y^e County of Plymouth & Barnstable the last wednesdayer in Sept. & March; ffor the County of Bristol at Bristol the first tuesdays in Octbr & Aprill; ffor Road Island Kings province & Providence plantation at Newport the second tuesdays in Oct. & Aprill; ffor y^e County of Essex at Salem the second wednesday in May & November at Ipswich the first wednesday in Sept. & March; ffor the province of New Hampshire & y^e western part of y^e province of Main including y^e town of Wells: at Portsmouth the mundayer ffollowing each of the Courts of Ipswich; ffor y^e eastern part of y^e province of Main at ffalmouth the fryday ffollowing the Sept. Court at Portsmouth; ffor y^e County of Hampshire at Northhampton the third tuesday in October & at Springfield the third tuesday in Aprill ffollowing."

The report of the Comtee to consider the methods of Administration of Justice, Courts, and places of Courts &c. was read in Council and after debate upon the Sevrall Articles it was Ordered,

That Mr Wharton & the Secry draw up the Sundry heads then agreed upon and present them to the Council next morning.

An act for Raising a Revenue for Support of the Government by
Stet. Impost upon Rumm, Wine, Brandy &c. was read and Ordered to be further Considered.

Ordered that the late Dutyes and Imposts of twenty shillings per hoggshead upon Wine Rumm &c. now Payed in the Colony of the Massachusetts, be likewise Collected and paid in the Sevrall Late
Stet. Governments of New Plymouth, Road Island and Providence Plantation, and also Kings Province upon every hoggshead of Wine Rumm &c. Imported and Consumed there which Dutyes and Imposts are to commence from and after the Publication of this Order, and to be paid to Such officers as by his Exce the Governour shall be thereunto appointed.

Ordered that a Standing Committee be appointed to revise the Lawes
Stet. of the Sevrall late Governments of the Massathussets Bay, New Plymouth, Road Island &c. and to make a Collection of Such as are fit and necessary for the use of this Government.

Adjourned till nine tomorrow morning.¹

At a Council held in Boston, New England on Thursday the 4th of January 1686.

Present: His Exce Sr Edmond Andros, Knight, Governour.

William Stoughton	Jonathan Tyng
Thomas Hinckley	John Hinks
Walter Clarke	Barnaby Lathrop
John Fitz-Winthrop	William Bradford
Peter Buckley	John Walley
Wait Winthrope	Nathaniel Clark
Richard Wharton	John Coggshall
John Usher	Richard Arnold
Bartho Gedney	John Alborough
& Edward Randolph.	

In Pursuance of an Order of Governour and Council made yesterday appointing a Standing Comtee to revise the Lawes of the Sevrall late Governments etc.

¹ The *Council Records of Massachusetts*, vol. II., does not contain the order in regard to the election of Selectmen, Constables, etc. or the order of appointing Mr. Wharton and Secretary Randolph a committee to draw up sundry heads for administering justice. The clause relating to revenue in the original minutes which reads "to be paid to such officers as by his Exce the Governour shall be thereunto appointed" is changed to "to be paid to such persons as the Treasurer shall appoint to collect the same." To the order in the minutes appointing a standing Committee to revise the laws is added "the Secretary to nominate a clerk to attend them." Thursday is a clerical error for Tuesday.

See *Massachusetts Archives*, vol. CXXVI., p. 210, this draft is like the original minutes, except that the name of Edward Tyng is in the list of councillors present.

It is Ordered that Mr Dudley, Mr Stoughton, Mr Hinckley, Mr Winthrop, Mr Clarke, Mr Coggs shall and Major Walley be a Standing Comtee whereof the Major part to be a Quorum, and immediately to attend that Service, That Major Buckley & Mr Wharton be present as often as may be,

Stet.

That the Secretary do attend and provide a fitt Clerke.

Upon reading the Papers presented by Mr Wharton and the Secretary relating to an Impost and Dutyes to be Laid on Rumm, Tobacco &c.,

It was Ordered. That they should be further considered.

Stet.

Ordered that the Treasurer pay the arrears and Publick charges of the Forts and Castles.

Stet.

That the usuall times and places for holding Courts in the Colonies of New Plymouth and Road Island be as formerly and That all Marriages be Solemnized in this Governmt as of Late accustomed untill further Order,

Stet.

Ordered, That a single Country Rate of one Penny in the Pound be Levyed and Collected in all the Late Colonies and Provinces towards defraying the Publick charge of this Governmt according to former usage.

Adj. till the last Wednesday in February next.¹

At a meeting of the Councill In Boston New England on Thursday the 12th of Janry 1686.

Present: His Ex^{ce} Sr Edmond Andros Kn^t Govern^r

Joseph Dudley	Richard Wharton	} Esq ^s
William Stoughton	John Usher	
Wait Winthrop	Edward Tyng	

Edward Randolph.

Edward Tyng Esq^r one of the Members of the Councill tooke the Oaths enjoyned by his Matys Commission, and took his place in Councill.

A Letter received from Robert Treat Esq^r Governour of the Colony of Connecticut dated the 6th of January Instant in answer to his Ex^{ces} Leter of the 22^d of Decembr last Signifying to him his Matys pleasure, & Impowering his Ex^{ce} to receive the Surrender of the Charter of that Colony &c.

Stet.

Ordered That the Comtee for reviseing the Lawes of the Severall Colonies do Instantly meet and attend that business, and that the Secretary write to the Recorder of Road Island to send to the Comtee a Copie of their Lawes.

Mr Isaac Addington of Boston to be Clerke to the Comtee.

¹ In *Council Records of Massachusetts*, vol. II., the names of the Council present are not given. The names of the Committee to revise the laws are also omitted. The rest of the record is not as full as the original minutes.

In *Massachusetts Archives*, vol. CXXVI., p. 212, the day of the week is given correctly as "Tuesday." Edward Tyng is mentioned in the list of councillors present. An order is added "That the Treasurer pay the arrears and Publick Charges of the Forts and Castels."

Stet

Ordered, that the Secretary pursuant to an Order of Council made on the 4th of this Instant January do Send an Order to the Treasurer for collecting a Single Country rate to his Maty, And that the Treasurer do issue out his Warrants for collecting the Same accordingly.

Adjourned Sine die.¹

At a meeting of the Council at Boston in New England on Saturday the 22th of January 1686.

Present: His Ex^{ce} Sr Edmond Andros Knt Governour

Joseph Dudley	Wait Winthrop	} Esq ^{rs}
William Stoughton	Richard Wharton	
John Winthrop	John Usher	
	and Edward Randolph.	

His Ex^{ce} the Governour acquainted the Council of the arrivall of Ship Samuell and Thomas of Boston John Tebbet Master who had brought his Ex^{ce} from Whitehall a pacquett containeing Severall Letters of publick concern, which his Ex^{ce} Intended to Communicate, and assembled the Council to that purpose.

A Letter from his Most Ex^{nt} Maty dated at Whitehall the 9th of October 1686 in the Second year of his Matys Reigne countersigned by his matys Command Rochester directed to Our Trusty and well beloved Sr Edmond Andros Knight Our Capt^t Generall and Governour in Chief of Our Territory and Dominion of New Engl in America &c. at Boston, requireing a strict Inspection of his Matys Revenue there, was read in Council and Ordered to be Entred in the Council booke. A Letter from his most Sacred Maty dated at Whitehall the 31th of October 1686 in the Second Year of his Matys Reigne relating to the value and prices of pieces of eight and regulateing forraigne Coyn in New England directed to Our Trusty and well beloved Sr Edmond Andros Knight Our Capt^t Generall and Governour in Cheife of Our Territory and Dominion of New England in America, was likewise read and Ordered to be entred &c.

A Letter from the Right Hon^{ble} the Lords of the Comtee for Trade and forreign Plantations from the Council Chamber at Whitehall bearing date the 24th day of October 1686 directed to Our very loveing friend Sr Edmond Andros Knt Capt^t Generall and Gov^r in Cheife of his Matys Territory and Dominion of New England in America, and to his Matys Council there. Signifying his Matys Royall Pleasure that a Quarterly account of all matters of Importance whether Civill, Ecclesiasticall or Military be transmitted to their Lordships at four Severall times in the year, was read, and Ordered to be entred.

A Paper dated the 23^d of October 1686 containing an Answer of the

¹The *Council Records of Massachusetts*, vol. II., do not give the names of the Council present. The order that the Committee for revising the laws "do instantly meet and attend that business" is omitted, as well as the appointment of Isaac Addington to be clerk of that Committee.

officers of the Mint to the Reasons for a Mint in New England was also read.

And in regard the Matters contained in the Severall Letters above mentioned were of high Import It was

Ordered that the Consideration thereof be refer'd unto the next Generall meeting of the Councill.

A Petition of Peter Reverdee to his Maty for a Grant of fourteen years for making Salt in New England was read, and the methods therein layd down judged impracticable and also detrimentall to the fishery and Navigation of this place.

A Petition of the Inhabitants of Pullen Point shewing the great inconvenience of their being Seaven or Eight miles distant from a meeting house and praying liberty to assemble together in some convenient house for the Service of God was read and Ordered to be considered, the next meeting of the Councill.

Upon reading the Petition of Daniel Mackarty Setting forth that he has been a prisoner in his matys Goal in Boston and haveing been charged wth felony and Burglary was tryed and acquitted by his Jury, but kept still in prison for his fees 'twas

Ordered that upon payment of his fees he be forthwith discharged according to Law.

Adjourned till the 24th Instant.¹

January the 24th fell a great Storm and prevented the meeting of the Councill.²

At a meeting of the Councill in Boston on Thursday the 28th of January 1686.

Present: His Exce Sr Edmond Andros Kn^t Govr

Joseph Dudley

William Stoughton

John Winthrope

Wait Winthrop

Richard Wharton } Esqrs

Edward Randolph }

Upon debate about foreign Coyne and the mony of this Countrey his Exce proposed two Questions.

¹ In the *Council Records of Massachusetts*, vol. II., the names of the Council present are not given. The date of the King's letter in regard to the value of the pieces of eight is given as "October 21st" instead of "31st of October." The reading of the paper relating to a Mint in Boston, containing an answer from the officers of the Mint in London, is not mentioned. The petition of Peter Beyerdee is not given. The petition of the inhabitants of Pullen Point is omitted, as well as the petition of Daniel Mackarty. The following is found which is not contained in the original minutes: "Upon Mr. Randolph's proposing it very necessary for his Majties service that Ports be appointed for loading and unlivering shippes and Vessells in this Dominion; it was *Ordered* That the severall Towns of Boston, Salem, Piscataqua, New Bristol &c. Newport in Road Island be the only allowed Ports in this Dominion."

See *Massachusetts Archives*, vol. CXXVI., p. 220, in Randolph's handwriting. The date of the King's letter requiring a strict inspection of the revenues is given as October 19 instead of October 9.

See also *ibid.*, p. 223.

² In *Council Records of Massachusetts*, vol. II., there is no mention of a storm preventing the meeting.

First, Whether it was in the power of the Council to stopp the Shipping off mony from hence to England &c.

Secondly What prejudice the Shipping of mony will bring to this Country, both which Questions after some discourse were Referred till another meeting of the Council.

Stet. His Exce takinge notice of the great danger wch might ensue by permitting the use of Printing presses in Boston and the Town of Cambridge unless speedily taken care of and thereupon

Stet. Ordered that no Papers, books, or Pamphlets be henceforth printed either in Boston or Cambridge untill Licensed according to Law and that no Printer be admitted of and Licensed to Print untill he hath given five hundred pound bond to his Maty in the Secretary's office not to print any unlicensed papers, books or Pamphlets.

That Copies of Books &c. to be printed be first perused by Mr Dudley late Presid^t and upon his allowance of them for the Press, that one Copie thereof so allowed and attested by him be brought to the Secys Office to be left on Record, and receive from him an Imprimatur.

Adj. till Thursday next in the afternoon.¹

At a meeting of the Council on Thursday the 4th of February 1686.

Present: His Exce S^r Edmond Andros Knt^t Governour.

Joseph Dudley	Richard Wharton	} Esq ^{rs}
William Stoughton	John Usher	
Walter Clarke	John Walley	
Waite Winthrop	Edw Randolph	

His Exce then took the Oath for executing and performing all matters and things wch by the Statute made in the 12th year of his Late Matys Reigne Intituled an Act for the Encouraging and Increasing of Shipping and Navigacon and also by the Act made in the 15th year of his Said Matys reigne Intituled an Act for the Encouragem^t of trade required to be taken by all Governors and Comanders in Chief of his Matys fforeign Plantacons.

In answer to the Petition of the Inhabitants of Rumney Marsh and Pullen Point read In Council the 22th of January last, It is

Ordered that the Petitioners bring in the names of those who within their own bounds contribute to the maintenance of a minister and the Subscriptions of such persons or other means of maintenance proposed, and also return the name of the Minister they intend to call to their assistance.

His Exce Seeing the great necessities of haveing the Records of the Country removed from the dwelling house of Mr Rawson late Sec^ry

It was Ordered that the persons Impowered by an order of the late President and Council of the 8th of December last doe effectually

¹ In the *Council Records of Massachusetts*, vol. II., the names of the members of Council present are not given. The clause relating to foreign coin is omitted; that in regard to the licensing of books, etc. is much condensed. The following is not in the original minutes, "Adjourned till the 23^d of Feby next."

See *Massachusetts Archives*, vol. CXXVI., p. 224.

persue the same and that the Office in the Court House in Boston be forthwith enlarged and prepared to receive them accordingly.

It was also further Ordered that the Court where Civill and Criminal Causes are tryed be altered and made more Convenient for that purpose.

Adjourned till Thursday the 10th of this Instant.¹

Thursday ye 10th by extreame bad weather No Councill.²

At a meeting of the Councill Febry the 15th 1687.

Present: His Exce Sr Edmond Andros Knt Governor.

Joseph Dudley	Wait Winthrop	} Esqrs
William Stoughton	Richard Wharton	
Walter Clarke	John Usher	
John Winthrope	John Coggs	
	Edward Randolph	

&

His Exce acquainted the Councill that he had received a Letter from the Governor and Company of Connecticut dated at Hartford the 26th January in answer to his Exces Letter to them from Boston dated the of

The letter was read in Councill and debated whether fitting to write to them any more about the Surrender of their Charter,

His Exce concluded to write more at large.

A Commission for Justices of the peace in Road Island was read.

Upon the question whether the mem̄brs of Councill ought to be inserted in it, It was resolved in the Negative.

His Exce desired the Members of the Councill to nominate fit persons to be in the Commission of the peace in Road Island and Kings-province; and accordingly they nominated for Newport on Road Island

Peleg Sandford
and Francis Brinley

for Portsmouth { John Coggs &
Thomas Townsend

Canonicot Caleb Carr ye elder

¹ In the *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

See *Massachusetts Archives*, vol. CXXVI., p. 225, for a draft of a portion of the minutes. "Whereas by an Order of the late President and Councill dated the 8th day of December last It was ordered that Wait Winthrop, Simon Lynds, Esqrs Benjamin Bullivent Isaac Addington & Mr Daniel Allin be a Comtee with the Secretary to receive, sort and form the Records of the Country (now in the hands of Mr Rawson, late Secretary) that they may be ready for service, Enjoyning the sd Comtee to be sworn for the faithfull discharge of their trust, impowering, & ordering Mr Lynd & Mr Bullivent to take the same from Mr Rawson, the next day following, & to remove the same (in the posture they find them) into the Library Chamber. In pursuance whereof it is hereby Ordered That the sd Comtee do forthwith enter upon the effectual execution thereof bringing them to ye Office provided for them & Mr Rawson late Secry to be assisting in sorting & disposing them accordingly."

² In *Council Records of Massachusetts*, vol. II., there is no mention of the weather preventing a meeting of the Council.

for Block Island Symon Ray

for Kings province { Major Smith
John fones
James Pendleton

for Providence Arthur ffenner

for Warwick Randall Holden

Military Officers.

Newport } Isaac Bliss, Capt { Edward Pelham, Lt
1st Company } Jon Stanton, Lieut { Henry Tu:
Jas. fones, Ensigne } John Pebody

Portm^o Isaac Layton, Capt
Tho Cornell, Lieut
Jon Cone, Ensigne.

Conenicot. Josiah Arnold. Capt he to return ye names of his
Lieutenant and Ensigne.

Block Island. Capt Jn^o Sandys, Peleg Sandford to be major of the
Regiment.

Kings province } John fones, Capt
Rochester } Lodwick Updike, Lt
Henry Bull, Ens.

Feversham John Davitt, Captain
Peter Crandell, Lieutenant
Joseph Pendleton, Ens.

Deptford Clement Weaver, Capt
Samuel Bennet, Lieut.
Thomas fry, Ensigne.

Providence W^m Hopkins, Capt

Warwick Benja Groton, Capt
Jon Lo, Lieutenant

Richard Smith, Esq^{re} Major of the Regiment.

Adj. till ye 23^d instant to nine in the morning.¹

At a meeting of the Generall Councill by adjournment from ye
day of Janry to this Instant 23^d February.

Present: His Ex^{co} the Governour.

Joseph Dudley	John Hinks	} Esqrs
W ^m Stoughton	Barnaby Lathrop	
Tho Hinckley	W ^m Bradford	
Walter Clarke	Daniel Smith	
Jn ^o fltz-Winthrop	John Walley	
John Pincheon	Nat. Clarke	
Walt Winthrop	Walter Newberry	
Rich ^d Wharton	Richard Arnold	
John Usher	John Alborough	
Barth ^e Gedney	Edward Randolph	

Major Pincheon Sworn and tooke his place in Councill.

His Ex^{co} in a short Speech to the Councill acquainted them of Letters
received from his most Sacred Mat^{ie} and from the Right Hon^{ble} the

¹ In the *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

Lords of the Council, directing sending home quarterly accounts of their proceedings.

His Exce caused the letters from ye Govern^t and Company of Connecticut Colony of the 26 of January, to be read in Council, His Ma Letter to his Exce and Council of ye 31st of October relating to the raising of peices of Eight and ye Council entred into a Debate about it.

A paper was presented by Mr Wharton for an accomodcon of the Country and Supply of money to carry on trade.

Great Complaints were made that unless both the Coyne of New England and pieces of Eight were raised all the money would go out of the Country.

His Exce wholly declared against Setting any value upon the New England money further then the Intrinsic Value upon the New Engl^d and So used in trade and accounted as Bullion.

Mr Whartons paper ordered to be read and after a long debate about raising monys two Gold Smiths were sent for to give their opinion in the matter they Came to the Council Chamber and having heard Mr Whartons paper read they pray'd further time to give in their opinion of the p^oposall, and Ordered to be Considered. Many of the Council were very zealous for raising the Value of money Saying twould make money plenty in the Country and quicken Trade.

Twas objected it would bring in Light money only from the West Indies which would wholly at once destroy the Navigacon of this Country for the Lumber Trade and bring in return nothing but light pieces of Eight and So no Sugar Mellasses Rhum &c. would be Imported this Governm^t and consequently no returns to be made from hence to England.

Twas further argued that the Raising money would help only the Merchants and the Country Inhabitants, not be the better for they would not advance upon their goods and So would be a great Inequality in Trade and Suddainly the Country would be ruined.

His Exce shewed his readiness to p^omot the Interest of his Maytie and the benefit of the Country in getting money to be raised, but the whole morning was spent and nothing Concluded and that matter was reserved to another time.

The lawes titled actions pa: c: was read and disproved by his Exce from the unreasonableness and also because it seemed very Impracticable thing to carry a man by a Writt taken from ye Clerke of one County to bring a Debtor to any remote place of ye Government into a foreign County.

The law titled ag^t Vexatious Suites etc: Appearance, Non Appearance & Attorneys were allowed—but in regard they did relate to the practice and rules of courts his Exce was unwilling they should be drawn up into bills to be passed in Council.

The law about Town Contracts for Ministers maintendance was read & pressed very hard to have it passed.

A paper produced and read offering many reasons against it, a Copie of a paper from the Attourney Gen^l was read in which was contained his Maties pleasure that no Q: [Quaker] in New Eng^d should be kept in prison for not comeing to hear divine service &c. the debate was adjourned till another day.

Adj. till ye afternoon.¹

Thursday feb. 24. at four in ye afternoon :

Present: His Exce^e Sr Edmond Andros Kn^t Governour.

Joseph Dudley	Barth. Gedney
W ^m Stoughton	John Hinks
Tho. Hinckley	Barnaby Lathrop
Walter Clarke	Daniel Smith
John fltz-Winthrop	John Walley
John Pincheon	Nat. Clarke
Wait Winthrop	Walter Newberry
Richard Wharton	Richard Arnold
John Usher	John Alborough
	Ed: Randolph

A Law for Establishing Courts and the times for holding them was read and debated, his Exce^e declared his dissent, that any tryalls upon the title of Lands should be had in ye Kings province untill his Maties pleasure and determina^on thereupon be first had and received.

A long debate about Keeping Courts at Newport and Rochester at last concluded, that one Court be kept at Newport & another at Rochester.

The bill for a Court to try any cause under 40 sh^l before any Justice of the peace passed and Ordered to be Ingrossed.

The Bill for Establishing Courts of Judicature and publick Justice agreed and Committed.

Adjourned till next morning at nine of ye clock.²

At a meeting of the Councill at Boston in N. Eng^d feby 25, 1686.

Present: His Exce^e Sr Edmond Andros Kn^t Governour.

Joseph Dudley	John Hincks
W ^m Stoughton	Barnaby Lathrop
Thomas Hinckley	W ^m Bradford
Walter Clarke	Daniel Smith
John fltz-Winthrop	John Walley
John Pincheon	Nat. Clarke
Walt Winthrop	Walter Newberry
Richard Wharton	Richard Arnold
Jo: Usher	John Alborough
Barth ^o Gedney	Edward Randolph

The petition of Robert Earle prison keeper for payment of his Salary was read and referred to the Treasurer.

¹In the *Council Records of Massachusetts*, vol. II., the following entries only are found: "The Councill being met the raising of Spanish Coyne was debated but referred." "Adjourned till the 25th of this Inst: Feby."

²In the *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

The Goldsmiths attend the Council and report upon Mr Whartons paper that the raising pieces of Eight would bring them in plentifully but at the Same time occasion ye Shipping off New England mony.

It was demanded of them what advantage would be to raise pieces of Eight to 7^s & 6 they answer that unless N. Eng^d mony pass at the Same Value, twould be all gone out of ye Country before any mony would be brought in to supply the p^rsent occasions in trade.

Twas p^rposed that all whole pieces of Eight (peru excepted) 15 penny and upwards should pass currant at 6^s all other Bullion and plate of sterling alloy should pass currant at six & eight pence p^r ounce.

All other pieces 15 penny weight at 6^s.

Ordered That the four first tuesdays in March, June, Septemb^r and Decemb^r be the times of holding Quarterly Courts thro' the whole Territory.

Upon his Exce^e motion that all Writts should pass in his Maties name etc :

It was Ordered that all Writts should issue out of ye Clerks Office in ye Severall Courts wthin this Dom. in his Maties Name and under the Seal of the Office and Signed by the Clerke.

Adj. till ye afternoon at two a clock.¹

At a meeting of the Council at Boston in New England feb. 25th 1686, at two in ye afternoon.

Present: His Exce^e Sr Edmond Andros Kn^t Govern^r

Joseph Dudley
Wm Stoughton
Tho. Hinckley
Walter Clarke
Jno. fitz-Winthrop
John Pincheon
Wait Winthrop
Richard Wharton
John Usher
Bartho. Gedney

John Hincks
Barnaby Lathrop
Wm Bradford
Daniel Smith
John Walley
Nathaniel Clarke
Walter Newberry
Richard Arnold
John Alborough
Edward Randolph

A very long debate about Keeping of Courts of Assizes managed betwixt Road Island & Kings province his Exce^e declared it an unreasonable thing that Major Smith should beare the whole charge of that Court, besides that twas no place proper in regard there was not accomodacon for such a Number of people as must necessarily attend,

¹ The *Council Records of Massachusetts*, vol. II., do not contain the petition of Robert Earle or the report of the goldsmiths. The following, however, is found: "A Bill for continuing severall Rates, duties and Imposts was read & ordered to be committed." "A Bill for Impowring Justices of the Peace to decide differances not exceeding forty shillings was likewise read and Committed." "A Bill for establishing Courts of Judicature and publick Justice was likewise read and Committed with this proviso, that all Writts shall issue out of the Clerks Office of the severall County Courts within this Dominion in his Maties name and under the Seal of the Office." The order for holding courts on the first Tuesdays in March, June, September and December is omitted. The afternoon session is also omitted.

and therefore Newport the most convenient place untill Rochester was settled & built.

The bill for holding Courts of Assizes was read a second time and Ordered to be Engrossed.

Ordered that a bill for the Imposts be prepared & brought in tomorrow morning.

Adj. till tomorrow morning at 9 of ye Clock.

At a Councill held at Boston in New England Feb. ye 26, 1686.

Present: His Exce Sr Edmond Andrs Kut Governour

Joseph Dudley	John Hincks
Wm Stoughton	Barnaby Lathrop
Thos Hinckley	Wm Bradford
Walter Clarke	John Walley
John fitz-Winthrop	Nathaniel Clarke
Richard Wharton	Walter Newberry
John Usher	Richard Arnold
Bartho Gedney	John Alborough
	Edward Randolph

A bill of Impost on Merchants goods &c. was read but in regard it was deficient It was Ordered That a new bill be prepared and that the Excise upon Wine Strong Waters, &c. be put in yt bill and brought in to be Ordered.

Ordered That a bill appointing lawfull ports times and places for loading and unlivery of shippes and Vessells be prepared and brought in to be Read and brought in before the Councill adjourns.

Upon a question whether goods Landed and paying the Imposts in one port shall upon being removed pay dutyes in another port

Ordered that all masters producing a Certificate from the officers of the Customes That the dutyes were paid at ye port of unlivery such goods shall pay no other dutyes and that care be taken for Masters to know their duty therein.

A long debate betwixt the proprietors of the Narraganset County and ye Inhabitants of Rhoad Island about the place for holding Courts either party being unwilling to go from their own towns.

It was Ordered that in the first place Court houses and Goals be first built in Convenient places for holding Courts of Assizes otherwise it would be in the choice of ye Judges to remove ye Assizes.

Ordered that the bill for Erecting Courts of Judicature be Engrossed. Adj. till Monday next at 9 in ye morning.¹

At a meeting of the Councill at Boston in New England feb: 28th 1686.

Present: His Exce Sr Edmond Andros Knight Governour

Joseph Dudley	John Usher
Thos Hinckley	Barnaby Lathrop
Walter Clarke	Daniel Smith
John fitz-Winthrop	John Walley
John Pincheon	Nat. Clarke
Wait Winthrope	Richard Arnold
Richard Wharton	John Alborough
	Edward Randolph

¹The Council Records of Massachusetts, vol. II., do not mention this meeting.

His Exces Letter to the Governour of Connecticut read in Councill ordered to be sent.

The bill for continuieing and Setling the Revenue brought in but in regard Sev'll of ye Members were absent twas Ordered to be Read tomorrow morning the first of the Councill.

nothing done then.

Adj. till tomorrow morning 9 a Clock.¹

At a Councill held in Boston, N: England March the 1st 1686.

Present: His Exce Sr Edmond Andros Knight Governour

Joseph Dudley
Wm Stoughton
Walter Clarke
John fitz-Winthrop
John Pincheon
Peter Bulkeley
Wait Winthrop
Richard Wharton
John Usher

Bartho Gedney
John Hincks
Barnaby Lathrop
Wm Bradford
Daniel Smith
John Walley
Nat. Clarke
Richard Arnold
John Alborough
Edward Randolph

The bill for Continueing the duties of Impost and Excise read, a long discourse about the Rates set downe urged to be too high upon horses and Oxen answered twas according to the printed Law title publick Charges.

Twas alledged that the Rates for Land be ascertained an half penny an Acre on pasture Land but in regard it did not appear to be in the Law book twas not assented unto, however if there was any materiall Cause relating to defraying publick charges omitted it should be added to the bill of the Revenue.

Mr Stoughton, Mr Hinckley, Mr Wharton and Mr Whalley under Some pretence of haveing Some amendments made in the bill Were for delaying the passing the bill that morning, others objected it had not been read twice Since it was passed into a Bill.

Ordered That the bill for the Revenue be read a Second time.

The bill for the Revenue was read a Second time and then Ordered to be Engrossed with the addicon of the following proviso, (viz) That this Act of the Revenue and the Severall parts and branches thereof to Continue untill the Governour by and with the Advice and Consent of ye Councill agree on and Settle Such other Rates, Taxes and Impositions, as shall be Sufficient for his Maties Governmt here.

Upon his Exces insisting upon the whole Beaver trade to belong to his Matie It was Ordered

That Major Pincheon, Major Bulkeley, Mr Jonathan Tyng and the Treasurer be a Comtee for setting and Ordering the methods of the beaver trade wth the Indians, that they nominate fit places for tradeing houses &c. and that a Bill be prepared and brought in for that purpose.

¹In *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

Upon one of ye judges adviseing that a County Court was that day to be holden at Boston for ye County of Suffolk, It was Ordered That the following Order be forthwith published w^{ch} was accordingly done and affixed up in the Exchange in Boston and sent to all the Clerks of ye County Courts in ye Whole Governmt:

All persons concerned in any Action depending from the late Inferiour Courts of this Countey or other Countyes w^{thin} this his Maties Dominion, and appointed to be heard by the Grand Assize the first day of March at Boston, or other Inferiour Court in any part of this Territory are to take notice that the Said Causes as also all Originall processes that have been out to any further Courts wherein any freehold is Concerned or other acc^{on} above the Vallue of twenty pounds in the County of Suffolk or ten pounds in any other County or province are Continued to be heard by the Superiour Court of Judicature at their first Sessions in the Severall Countyes and p^{rc}ints, as the same are now limitted and appointed in an Act passed by the Govenor and Councill for that end.

God save the King.¹

At a Councill held in Boston on Thursday morning being the 2^d of March 1686.

Present: His Exce^{pt} Sr Edmond Andros Knt Governour.

Joseph Dudley	Bartho Gedney
William Stoughton	John Hincks
Thomas Hinckley	Barnaby Lathrop
Walter Clarke	William Bradford
John fitz-Winthrop	Daniel Smith
John Pincheon	John Whalley
Wait Winthrop	Nathaniel Clarke
Richard Wharton	Richard Arnold
John Usher	John Alborough
	Edward Randolph

&

The booke of the lawes of the late Government revised and amended by a Comtee of the Councill was called for and ordered to be read the lawes was read as Set downe alphabetically beginning at title Actions pa: 1.

Upon reading the clause in the law title bounds and power of Towns, ordering all Contracts and agreements made for minlsters and Schoole mast^{rs} maintenance to remaine and be good for the whole time they are or may be made for &c. Whereupon Walter Clarke desired to be heard to that Clause and objected against it in regard the Ministers of New England are as much dissenters from the Church of England as the Quakers and therefore ought to be left to the Voluntary Contribution of their hearers M^r Hinkley, M^r Whalley and others strongly opposed

¹ In *Council Records of Massachusetts*, vol. II., the names of those present are not mentioned; instead is given "Present as yesterday." The entries are substantially the same but not so full as those in the original minutes. After the words "God save the King" is added "Ordered That copies of the Proclamation be sent to the severall Clerks of the County Courts for their direction." "That a Bill against Pirates and for prevention of Piracy be prepared and brought in."

alleging their Townships when first granted amongst other things were Enjoined the maintenance of a Settled Minister and that to be the first and principal Condition &c.

His Exce at last desired the discourse to wate till another time.

In law title Brewers p: 15: where it is ordered that all Connors to be chosen by the freemen, to be altered and chosen by the Justices and at there Court of Sessions.

Law titled Conveyances p: 35: to be considered as also law title possession p: 37: Debts by book p: 45: to be considered, ferryes p: 47: to be Settled by the Justices of the peace of the County where Such ferryes are.

Adj: till ye afternoon.¹

March: 2d post meridiem.

Present: His Exce Sr Edmond Andros Knt Governr

Joseph Dudley	John Hincks
William Stoughton	Barnaby Lathrop
Tho. Hinckley.	William Bradford
Walter Clarke	Daniel Smith
John Pincheon	John Walley
Wait Winthrop	Nathaniel Clarke
Richard Wharton	Richard Arnold
John Usher	John Alborough
Bartho. Gedney	& Edward Randolph.

The lawes were read over, a long discourse about fish and fowling grounds.

Adj: till tomorrow morning.²

At a Councill held at Boston N. Engl^d March ye 3^d 1686.

Present: His Exce Sr Edmond Andros Knt Governr

Joseph Dudley	Bartho Gedney
Tho: Hinckley	John Hincks
Walter Clarke	W ^m Bradford
John Pincheon	John Walley
Peter Bulkeley	Nath: Clarke
Wait Winthrop	Richard Arnold
Jonath: Tyng	John Alborough
John Usher	& Edward Randolph

The Act for trying Small Causes under forty Shillings by Justices of ye peace was pass'd by his Exce and Signed by the Secry.

An Act for Continueing and Establishing Severall Rates, Dutyes and Imposts passed (nemine contradicente) by his Exce.³

An Act for Establishing Courts of Judicature and publick Justice passed by his Exce.⁴

¹ In *Council Records of Massachusetts*, vol II., there is no mention of this meeting.

² In *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

³ See *Massachusetts Archives*, CXXVI., p. 270.

⁴ See *Massachusetts Archives*, CXXVI., p. 245, printed in *Colonial Records of Connecticut*, vol. III., p. 411.

A Bill agst pirates and piracy haveing been read twice was ordered to be Ingrossed.¹

Ordered That a bill for settling the Trade of furs with the Indians be p^rpared, and that y^e Members of the Councill do propose methods for increaseing his Maj^{ties} Revenue by additionall Imposts Excise or otherwise as may raise a Sufficient and Speedy Supply to defray the charge of the Government.

Adj: till next morning nine a clock.²

At a Councill held in Boston in New Engl^d March 4th 1686.

Present: His Exce^s S^r Edmond Andros Knight Govern^r

William Stoughton
Thomas Hinckley
Walter Clarke
John Pincheon
Peter Bulkeley
Barth^o. Gedney

Jonathan Tyng
W^m Bradford
John Walley
Nathan^l Clarke
John Alborough
Edward Randolph.

&

An Act against pirates and for the preven^{ti}on passed by his Exce.³

Order That the Order about Marriage be passed into a bill.

The former Law titled Cornfields, fences &c. to be drawn up into a Bill in Order to be passed. M^r Hinckley late Govern^r of New plym^o produced a paper and read it in Councill, his Exce^s being dissatisfied at y^e Contents of it demanded it and M^r Clarke late Govern^r of Road Island finding that paper to promote the ministers maintenance he moved that all p^{er}sons, who had not actually obliged themselves in the Severall Townships of this Governm^t to maintain the Minister should be left at their Liberty and not be p^{er}ssed to pay against their Wills.

Upon the question how a rate for the support of y^e Government should be made up in the Towne where by death loss or removal of parties it falls short of y^e selectmens returne the Constables in Such Towne So circumstanced are to be Very circumspect in their duty who are to have perticular regard to it and rep^{er}sent the whole matter to y^e next County Courts who are to direct therein according to the matter required.

Severall Laws drawn up by the Comtee read over and referr'd to further Consideracon.

Adj: till to morrow morning at nine of the Clock.⁴

¹ See *Massachusetts Archives*, vol. CXXVI., p. 271, printed in *Colonial Records of Connecticut*, vol. III., p. 415.

² In *Council Records of Massachusetts*, vol. II., the names of those present are not given. The order for preparing a bill to settle the fur trade with the Indians, as well as the order to propose methods to increase the revenue, is omitted.

³ See *Massachusetts Archives*, vol. CXXVI., p. 232.

⁴ In *Council Records of Massachusetts*, vol. II., the names of those present are not given. The only entry is "The Bill against Piracy & Pirates passed."

See *Massachusetts Archives*, vol. CXXVI., p. 271.

At a Council held in Boston March 5th 1686. Saturday morning.

Present: His Exce^{pt} Sr Edmond Andros Knt Governor

Joseph Dudley	John Usher
Tho. Hinckley	John Walley
John Pincheon	Wm Bradford
Peter Bulkeley	Nat. Clarke
Wait Winthrop	John Alborough
Richard Wharton	Ed ^d Randolph

The Sec^{ry} presented a bill to be passed for a Gen^l Registry as in Jamaica and read his Maj^{ties} Commission appointeing him Sec^{ry} and Sole Reg^r of this his Maj^{ties} Territory and Dom. etc.

It was p^oposed that the Clerks of the Sevrall County Courts should Register all Deeds Mortgages etc. and be accountable to the Sec^{ry} but his Exce^{pt} say'd that was makeing the Sec^{ry} and Reg^r an inferior officer to ye Clerks of a County Courts and was besides the end of his Maj^{ties} Grant to the Sec^{ry}.

It was Ordered and Assented to That the Sec^{ry} is the Register of the Government, and do appoint his Deput^{ies} and to have fees according to his Commission.

That the bills for ordering ffences, pipe-staves and catle be p^opared.
Adj: till tuesday morning next.¹

At a Council held in Boston March ye 8th

Present: His Exce^{pt} Sr Edmond Andros Knt Governor

Joseph Dudley	Richard Wharton
William Stoughton	John Usher
Tho. Hinckley	Joseph Tyng
John Pincheon	John Walley
Wait Winthrop	John Alborough
	Edward Randolph

Ordered: That a bill Intituled an Act to revise and continue the Sevrall orders in ye returne of ye Comtee be p^opared and under Consideracon untill the next Setting of the Council, and that Mr Addington do in the mean time prepare the bill for the following^r orders,

Cask Gager and packer

Cattle, Cornffields & fences.

Constables, Conveyances and possessions Saveing to his Maj^{tie} his Rights whatsoever.

ffences, firing and Burning of Woods.

ffish and fishermen, fornicacon, Galloping in ye Streets, Houses and New buildings in Boston, Indians and Nigroes.

A clause to be added in ye order about Indians not to trust an Indian above ten shillings till he hath paid that Money.

Jurors, Marratime Laws. In ye addition to Marratime Lawes the two last Clauses of halfe pay to Sailers in ports and bearing up in bad Weather for the West Indies to be Considered.

¹ In *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

Estates of Intestates to be Considered before an Order made therein. Marriage, pipe heads and barrell Staves, porters, pounds, pedlars and petty chapmen, Records, Saboth, Saylers, Servants, Shippes, Shipp Carpenters, Strangers, Tyles, Bricks, Tolling of Cattle, Townships, Weights and Measures, Wharfage, Wolves, Witnesses, Wood, and to the End there may be no failure in ye Administracon of Justice the following order was Ordered to be published viz :

At a Councill held at Boston in New England on Tuesday the Eight of March 1686.

Present : His Exce the Governor etc.

Whereas there are the Severall Locall Laws and Orders not yet revised for wch bills are Order'd to be p^rpared against the next Session of ye Councill and that there be no defect for want thereof in ye mean time,

It is Ordered and Directed that the Severall Justices, Town officers and others p^rsons concerned do p^rceed in their Severall places and trusts according to former usage and direccions given by the late President and Councill and Such other Locall Lawes in the Severall parts of this Dominion as are not repugnant to the Laws of England, his Majties Commission for Governm^t and Indulgence in matters of Religion nor any law or order made or passed by the Governour and Councill untill further order, Saveing to his Majtie his Rights whatsoever.

Upon reading the humble petition of Benj^a: Church, John Rogers and Thomas Walker Selectmen of the Town of Bristol in behalf of themselves and the purchasers of Mount hope neck upon which is now built the Town of Bristol Setting forth that they purchased y^t land at a very dear Rate of the late Governo^r and Company of New plymouth, and to be free from all rates, taxes, and Impositions whatsoever for seaven years and praying the benefit thereof till the Expiracon of that term,

It's Ordered

That they should be exempted from paying the Rate now to be Collected for Support of the Government, being the Condiccon of their purchase and Settlement.

Ordered upon the Treasurers motion that M^r Monk bring in his bill and be paid by the Treasurer.

Ordered that the Generall Council be adjourned to the first Wednesday in May next.

Ordered That a Commission of Oyre and Terminer be passed for a Goal delivery in Boston

Ordered That Coples of ye orders of Councill made this meeting be sent to ye Severall Clerks of ye County Courts in this Government.

That M^r Addington prepare bills ag^t next meeting of ye Councill, & that he be paid for attending ye Comtee

Ordered ¹ That the Towns hereafter mentioned be the only allowed

¹ Given in *Massachusetts Archives*, vol. CXXVI., p. 242, under date of March 10.

ports of Entry and Clearing of Vessells Tradeing in this his Majties Territory and Dom. of new England in America, vizt: Boston, Salem, portsmouth, pemaquid, Bristoll & Newport, and no others in this Dom: be allowed for Masters of Vessells to unliver and Load.

Adj: till afternoon.¹

At a Councill held in Boston March ye 10th 1686.

Present: His Exce Sr Edmond Andros Knight Governour.

Joseph Dudley	Richard Wharton
Wm Stoughton	Jonathan Tyng
Tho. Hinckley	John Usher
John fitz-Winthrop	John Walley
John Pincheon	Nathaniel Clarke
Wait Winthrop	and Edward Randolph.

It being represented by Some Members of ye Councill that twas very necessary for the Town of Boston and ye Country in Generall that the Orders lately made relating to Butchers, Slaughter houses, pedlers, and petty chapmen be Declared before the next Generall meeting of the Councill.

Twas Ordered that the said Orders be made Temporary and pass and be published accordingly.

Upon shewing the Inconvenience which would ensue upon delaying the time of holding ye County Courts in Boston and Charlestowne till the times directed in the Act for Establishing Courts of Judicature Its Ordered

That the word July shall be altered to Aprill for Boston Court, and at Charlestowne May for December and was accordingly alter'd nemine contradicente.

His Majties gracious Letter of the 31st of October directed to his Exce was againe Communicated to the Councill and it was Order'd that the principall Merchants in Boston and Salem be Consulted wth about the Raising peeces of Eight²

The Merchants are called into the Councill house and discoursed withall, and pray short time to give their opinion in Writing w^{ch} they do accordingly and is as follows,

1st. That the New England money Continue still at same rate as now it is, and that all possible restriction be made that none may be trans-

¹ In *Council Records of Massachusetts*, vol. II., the names of those present are not given. The entry in regard to the laws is not as full as in the original minutes. The orders relating to Mr. Monk, to the adjournment of the General Council, to Goal delivery and to ports are omitted. The following, however, is given, "Ordered That all peeces of Eight Civill [Seville] Piller and Mexico at due weight shall pass in payment at six shillings per peece, that half peeces of Eight, Quarter peeces & Realls do pass pro rato, & that an order be prepared and passed accordingly." In this order there is no mention of the New England money already coined. Compare order of March 10th given in the original minutes.

See *Massachusetts Archives*, vol. CXXVI., p. 240, in handwriting of Edward Randolph. See also *ibid.*, p. 271.

² See *Massachusetts Archives*, Vol. CXXVI. p. 272.

ported or melted downe upon penalty of forfeiture of the Same to the Informer and Such further Severe penalty as the Governour and Councill Shall See meet and that all Commanders of shippes, Merchants, factors & others as any doubt or Suspition may be had of be examined upon Oath touching the Same.

2d. That all Spanish money of Mexico, Civill and piller may pass at 6s 10^d p^r ounce Troy.

3. That all Quarter peeces and reals, Mexico, Civill and piller may pass at 5s 4^d p^r piece.

4. That all former Contracts may be paid in the currant New-England mony or in Spanish mony of Mexico, Civill or pillar at 6s 10^d p^r oz. Troy.

The paper was p^resented to his Exce by Mr Symon Lynds, and after further discourse about money—adjourned till ye afternoon.¹

Thursday in the afternoon :

Present: His Exce Sr Edmond Andros Knight Governour.

Joseph Dudley	Richard Wharton	} Esqrs
William Stoughton	John Usher	
Thos. Hinckley	Jonathan Tyng	
John Pincheou	Nathan. Clarke	
Wait Winthrop	& Edward Randolph	

The Merchants and Goldsmiths attend, his Exce demanded of the Goldsmiths of what Standard a good piece of Eight ought to be, they agreed that a good peece of Eight should [have?] seaventeen penny half-penny the peice.

The Merchants and Goldsmiths are ordered to withdraw, -and after a long debate about mony his Exce found out the designe of the Merchants to [consider?] mony a Commodity, and not to make it Currant mony at a price, It was ordered

That all peices of Eight of Civill Piller and Mexico of 17^d weight shall pass in payment at Six shillings a peice and that the p^resent New Engl^d mony do passe for value as formerly, the half peeces of Eight quarters Royalls and half Royalls do pass pro rato (is meant in Coynd and Value) Spanish pistolls at 4 penny 6 grains at 22^d N. E. money.

Adj: till Saturday morning next.²

At a Councill held in Boston New England March 12th 1686. Saturday morning.

Present: His Exce Sr Edmond Andros Knight Governour

Joseph Dudley	Richard Wharton
William Stoughton	John Usher
John Pincheon	Barnaby Lathrop
John ffitz-Winthrop	and Edward Randolph
Wait Winthrop	

¹ In *Council Records of Massachusetts*, Vol. II., there is no mention of this meeting.

See *Massachusetts Archives*, Vol. CXXVI., p. 242, in the handwriting of Edward Randolph.

² In *Council Records of Massachusetts* there is no mention of this meeting.

The Acts made this session were this day ordered to be published vizt the Act for Justices trying Small Causes vizt 40s the Act for Establishing Courts of Judicature etc. the Act for the Revenue, the Act against pirates and the proclamacon for peeces of eight, and were accordingly published by beat of drum and Sound of trumpett, His Exce the Governour and Severall of the Members of ye Councill wth a great Number of people being present.¹

Memd to in cert.

At a Councill held at Boston ye 17th March 1686.

Present: His Exce Sr Edmond Andros Knight Governour
 Joseph Dudley
 William Stoughton
 John flitz-Winthrop
 Richard Wharton
 John Usher
 Barnaby Lathrop
 Edward Randolph

Upon the Treasurers informing That charges have arisen etc.

Ordered That the Treasurer bring in his accounts of the Incident charges ariseing upon the repair of the Castle and Mr Gibbs house and other things towards Supply of ye Souldiers and be accordingly allowed for it.

Upon reading the petition of Joseph Knight and Roger Courter relateing to Slate Island

Ordered That a copie of ye petition be sent to the Selectmen of Hull, and that they give their answer in Writeing.

A Church agreed upon in Boston for Such as hear divine service.²

At a Councill held at Boston in New England March 19th 1686.

Present: His Exce Sr Edmond Andros Kn^t Governour
 Joseph Dudley
 William Stoughton
 Walt Winthrop
 Richard Wharton
 John Usher
 Walter Newberry
 & Edward Randolph

Ordered that the Treasurers account of Incident charges amounting to above 140 £ be Examined by the Depty Auditor of his Mats Revenues in order for their allowance and Warrant for paymt

Ordered That the Treasurer issue out a Warrant to have all the Small

¹In *Council Records of Massachusetts*, vol. II., the names of those present are not given. After the words "Sound of trumpett" is added "published in the open street nere the Towne House at the hour of twelve in the morning."

See *Massachusetts Archives*, vol. CXXVI., p. 273.

The laws enacted by Andros and his Council are found in *Connecticut Colonial Records*, vol. III., pp. 402—436.

²In the *Council Records of Massachusetts*, vol. II., the names of those present are not given. After the order that the Treasurer's account be brought in is added "and that the Deputy Auditor of his Majties Revenues do examine and Report the same." The petition of Joseph Knight is omitted as well as the clause relating to the church in Boston. At the end is added "The foregoing are true copies.

Attested this 25 day of March 1687

Ed: Randolph Scrj."

See *Massachusetts Archives*, vol. CXXVI., p. 273.

armes, ammuniçon etc. wherever found to be brought to the Treasurer.

Marshall Winchcombs Petiçon read and agreed by Captⁿ White to returne the goods to sayd Winchcomb wch^h was accordingly done.

Giles Dyer Petiçon read and ordered accordingly.¹

At a Councill held at Boston in New England Aprill 2^d 1687. Saturday afternoon.

Present: His Ex^{ce} Sr Edmund Andros Kn^t Governour.

Joseph Dudley
W^m Stoughton
Wait Winthrop

Richard Wharton
John Usher
Barnaby Lathrop
Edward Randolph

His Ex^{ce} acquainted the Councill of ye necessity of setting Officers and their fees and appointed Wednesday at nine of ye Clock to meet at the Councill and agree upon the fees.

His Ex^{ce} sent for Captⁿ fairweather, Atkins the Carpenter and other Carpenters, who had been appointed to survey the Dock at Charles towne and make the report of ye Charge to fitt that Dock to receive the King fisher, his Ex^{ce} would have Ballard one of the owners of the Dock under take that Work at a price, he refusinge the Same was offered to Atkins who said would not cost above Eighty pound, but would not under take it at that rate, but assured his utmost dilligence to compleat it against the next high Spring Tyde, about the End of Aprill and not Sooner, If it was concluded that the Shipp should be dockt His Ex^{ce} directed that Collonel Shrimpton and Major Lidget should be present to give their advice where needfull Mr Grimsditch Lieut^t of ye King fisher was present, and after his Ex^{ce} had asked all the Carpenters their opinion of ye best and Safest way to repair that Shipp they all agreed that docking her was the only way, to havè her best repaired and p^rserve the Shipp from being 'straigned, Atkins the Carpenter p^rmitted to procure plank and timber, and Adams the Shipp Carpenter being appointed by Cap^t Hambleton to repair the Shipp, p^rmitted to gett his Tymber ready by that time the Dock was made fit, his Ex^{ce} promised Atkins a reward for his dilligence and encouraged him wth assurance that neither men nor materials should be wanting upon the least notice given, Elliot the Carpenter was appointed by his Ex^{ce} to enter upon the Worke under Atkins.

Cap^t Sprague and Cap^t fairweather persons well acquainted wth that worke were appointed to be over Seer's. The Treasurer directed to provide twelve Wheele Burroughs Spades & Mattocks etc.

Ordered That the Order against Butchers killing meat in the Cheif parts of ye Towns be Considered at the next meeting.

Adj: till Wednesday the 6th Instant at 9 in the morning.²

¹ In *Council Records of Massachusetts*, vol. II., there is no mention of this meeting.

² In *Council Records of Massachusetts*, Vol. II., there is no mention of this meeting.

April 6. 87.

Present: William Stoughton
Wait Winthrop

Richard Wharton
John Usher
& Edward Randolph

} Esqrs

No Councill.

The marshalls fees examined and a paper of fees prepared by Wm Stoughton, Esqre a Copie whereof follows: viz:

For Serving a Writt in Boston or Charlestown if within one mile or []	£	1	“
Every miles Travell out 3 ^d and home 3 ^d	£	“	“ 3
Levyng ffines and execucons not exceeding £20 12 ^d p ^r pound	£	“	1 “
For all Sums above 20 £ and under 100 £ 9 ^d p ^r pound	£	“	“ 9
All sums above 100 £ 2½ p ^r pound	£	“	“ 6
Every miles Travell above 20 miles out 2 ^d and home 2 ^d	£	“	“ 2
Executing Writts of possession, Escheat, Assignment of Dower and of possession	£	“	4 “
Attendance on a prison p ^r diem	£	“	3 “
Every bond w th Suretyes for appear	£	“	“ 6
Serveing a Sumons and Subpoena	£	“	“ 6
Every Verdict	£	“	1 “
Replevin Serveing ¹	£	“	1 “

At a Councill held at Boston in New England April 18th 1687.

Present: His Exce Sr Edmond Andros Kn^t Governour

Joseph Dudley
William Stoughton
Wait Winthrop

Richard Wharton
John Usher
Nathaneil Clarke
Edward Randolph

} Esqrs

The Names of the Justices of y^e peace Read.

Robert [Oalne?] proposed for a Justice of the peace for providence. His Exce discoursed about the arbitrary way of attaching goods and prison for debt.

Martialls to give Security.

Martiall Cox to be dismissed.

His Exce proposes what Number of Judges, w^t Assistants

Copie of Comission for the Judges of y^e Superiour Court read.

Attachments to be issued out of the Secry's Office wth Declaracons to be Entred wth the present Clerks appointed by the Secry.

Ordered That the Clerks of the Severall Courts make a fair Roll of all fines, estates [escheats?] and amerciam^{ls} due to his Matie and return it to the Treas. w^{thin} ten dayes after the raiseing of each Court.

Mr Sherlock appointed Sherriffe for the County of Suffolk.

¹ In *Council Records of Massachusetts*, Vol. II., there is no mention of the foregoing.

An order was [sent?] to the Justices to meet and Consult about a fitt place with the Selectmen of Boston for a Market house also to pvent the comon nuisance of Butchers Killing meat in the Town.

Councill to meet every Wednesday.

The petion of Cambridge Village to be heard next Council and Notice to be given to all parties Concerned

Mr Masters to prosecute fellows for Majtie

Dr Bullivant to draw up Indictm^{ts} and arrain the prisoners.

At a Council held at Boston in New England Wednesday April 20th 1687.

Present: His Ex^{ce} Sr Edmond Andros Knight Governour.

Joseph Dudley		Richard Wharton	} Esqrs
William Stoughton		John Usher	
Wait Winthrop	&	Edward Randolph	

The Inhabitants of the Town of Cambridge Village attended the Council and were called in and heard on both Sides their petitions read, and in regard the charge of the Bridge and the use of it is of considerable Import to the Country twas Ordered That the matter be refer'd till the first fryday in May next in Order to a final determinacon.

His Ex^{ce} acquainted the Councill that Capt Hambleton paid Some of the charge of the Dock for the Shipp King ffisher. It was Ordered that Mr Shrimpton and Mr Lidgett should see what was fit to be done from time to time about the Shipp, and that the President acquaint Capt Hambleton that all Care shall be taken for their Supply and the Treasurer to pay the Charge.

James English and Grants petition read & ordered that a Certificate be made for their freedome.

The Treasurers two accounts of 115. 19. 11.
and the other of £226. 1. 10.
were read and allowed of in Council.

The Petition of Charles Cosweight read, & ordered that a copie of it be sent to Mr Jonathan Tyng and he to answer it Speedily.

Mr James Sherlock Sworn and had his Commission delivered him to be Sherriffe of y^e County of Suffolk.

Adj: till munday next.¹

At a meeting of the Council held in Boston April 25th 1687.

Present: His Ex^{ce} Sr Edmond Andros Kn^t Governor

Joseph Dudley		Richard Wharton
William Stoughton		John Usher
Wait Winthrop	&	Edward Randolph.

The Commissions to Mr Dudley and Mr Stoughten to be Judges of the Superiour Court Read and the Oath of Allegiance and the Oath for the due Executing the office of a Judge was also taken by them in Council.

¹ In *Council Records of Massachusetts*, Vol. II., there is no mention of this meeting.

Upon reading a Scandelous Paper Sent to John Usher, Esq. bearing date the 16: of March 1686 Signed by Henry Woodis and four other persons Selectmen of the Town of Concord,

It is Ordered

That the said Henry Woodis and the other Selectmen of Concord be Summoned to appear before the Governour and Councill at the Council house in Boston on the fourth day of May next to answer their Contempt of his Maties Government.

That Mr Treasurer do write to the Severall Towns behind in paying their Rates that they forthwith bring in their mony or appear on the Second of May next.¹

[On a separate sheet, but now bound with the original minutes, is the following in the handwriting of Edward Randolph:]

“ June ye 9th 1687. Memd.

Mr Jo: West was Sworn in the Council Chamber his Excellency & Secry present & received from his Excellence a Commission under ye Seal of ye Govt to be Judge of ye Inferior Court of ye County of Suffolk.”²

¹ In *Council Records of Massachusetts*, Vol. II., there is no mention of this meeting.

² The Dudley Records, referred to in the introductory remarks, have, since the meeting of the American Antiquarian Society, been published in the Proceedings of the Massachusetts Historical Society for November, 1899.

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