

NOVA SCOTIA ARCHIVES IV

MINUTES OF HIS MAJESTY'S
COUNCIL AT ANNAPOLIS ROYAL
1736 – 1749

Edited by

CHARLES BRUCE FERGUSON

Provincial Archivist

PUBLIC ARCHIVES OF NOVA SCOTIA

HALIFAX, N. S.

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PREFACE

With a view to having in print the Minutes of His Majesty's Council at Annapolis Royal, *Nova Scotia Archives III* for the period 25 April, 1720 to 17 August, 1736 was edited by Archibald M. MacMechan and published in 1908. Now *Nova Scotia Archives IV*, containing the available Minutes of His Majesty's Council at Annapolis Royal, 1736-1749, is being published.

When Dr. MacMechan edited his volume he reproduced the original minutes for 1720 to 1736 which are available at the Public Archives of Nova Scotia. Unfortunately, however, the original minutes for the years 1736 to 1749 are not now available to me and I have had to rely upon copies of Minutes of Council obtained from several sources. There are obvious gaps in these copies.

The contents of this volume were taken from the following:

Public Archives of Nova Scotia, Manuscript Documents, Volumes 11, 24 and 25; Rev. Andrew Brown Manuscripts; C.O. 217/7, ff. 212-214; C.O. 217/8, ff. 14-17, 42, 60-61, 80, 82-86, 139-140, 153-154, 168, 181-182, 192; C.O. 217/9, ff. 15-16, 34-36; C.O. 217/31, ff. 117-124, 127-129, 150-151, 191-192; C.O. 217/40, ff. 36-37, 40-42.

Charles Bruce Fergusson.

At a Council held by order of the Honble Lawrence Armstrong Esq
Lieut Governor and Commander in Chief in and over his Majesty's Province
of Nova Scotia at his own house in His Majesty's Garrison at Annapolis
Royal on Friday the 27th of August 1736

P R E S E N T

His Honor the Lieut Governor of the Province

John Adams Esq

William Skene Esq

Henry Cope Esq

Erasmus James Philipps Esq

Otho Hamilton Secretary

A Memorial from the gentlemen of this place formerly nominated as proprietors in the mines and lands at Chiconecto and Piziquet shewing that as the Honble gentlemen in England had declined signifying their acceptance within the time limited and as they the memorialists were notwithstanding very desirous to accept of the said lands &c and to improve them they therefore humbly prayed that His Honor would please to order patents to be made out for them on the terms of His Majesty's instructions, Which being read.

His Honor acquainted the Board that he had no objection to the prayer of the Memorial and as he had nominated several Honble gentlemen in Great Britain as proprietors in conjunction with the memorialists who had declined being concerned therein, he thought proper to take in some other gentlemen who were desirous and had applied to him for shares in said grant which being agreed to by the Board His Honor laid before them a list of thirty four names vizt

		Shares
His Excellency Govr Philipps		1
Lieut Governor Cosby		1
Paul Mascarene		1
John Adams	Esquires and	1
William Skene	Members of	1
William Shirreff	the Council	1
Henry Cope		1
Eras: Jas Philipps	Ditto	1
Otho Hamilton	4—To each	
Edward How	1 Share	
		10
King Gould		1
Allured Popple		1
Henry Popple	— Esqrs —	1
Andrew Robinson		1
Henry Daniel		1
Mr. John Handfield		1
Mr. Donald MacQueen		1
Mr. Edward Amhurst		1
Mr. Archbald Rennie		1
Mr. Thomas Armstrong		1
Mr. James Gibson		1
Mr. Rowland Philipps		1
Mr. Charles Vane		1
Mr. Samuel Cottnam		1
Mr. John Hamilton		1
Mr. John Slater		1
Mr. John Dyson		1
		17
Mr. George Mitchell		1
Mr. William Winniet		1
Mr. Nathl Donnell)		1
)	Discoverers	
Mr. Peter Blin)		1
Mr. George Craddock		1
Mr. Robert Baden		1
John Forrest		1
		7
		17
		10
The Honble Govr Armstrong		2
		<u>Total 36</u>

Then the Board desired as there were two wanting to complete the list to thirty six as they were before that His Honor would please to accept of two shares for himself in consideration of the pains and trouble he had taken to encourage all profitable discoveries in the Province, which he having consented to, his name was added to the foregoing list for two shares.

Ordered that the Deputy Surveyor be directed to lay off fifty thousand acres from the lands on the south side of the Bason of Chignecto to be erected into a township hereafter to be called Norwich in the county of Norfolk, and likewise fifty thousand acres from the lands on the south side of the Bason of Menis to be erected into a township by the name of Harrington in the county of Southampton and the Secretary was directed to prepare a scrawl of each Patent to be laid before the Board.

Then His Honor moved that as the number of sitting Counsellors was diminished to five, by which they were obliged by a constant attendance to swear in another Member, and recommend Edward How Esq Commissary of the musters at Canso as a very proper person, having been serviceable to the Province on many occasions and had served many years the Government in several honorable employments as High Sheriff, Justice of the Peace, and Captain of Militia, which motion was unanimously agreed to by the Board and said Edward How was desired to take his place at the Board, after taking the several Oaths as by Law appointed making the declaration and the Oath as a Counsellor for the equal and impartial administration of justice in all causes come before the Council. Adjourned.

At a Council held at the Honble Lieut Governor Armstrong's house in the Garrison of Annapolis Royal on Saturday the 28th August 1736

Present

His Honor the Lieut Governor of the Province
John Adams Esq
William Skene Esq
Henry Cope Esq
Erasmus James Philipps Esq
Otho Hamilton Esq
Edward How Esq

The scrawl of a Patent for the lands and mines at Chiconecto being read the same after some amendments was approved of and the Secretary was directed to make out a Patent in form for said land against Monday. Then adjourned

Monday the 30th of August 1736 Met according to adjournment the same Members being present.

The Patent for the lands on the south side of the Bason of Chiconecto now called Norwich in the county of Norfolk fairly drawn out on parchment was read and approved of by the Council and signed and sealed in their presence.

Ordered that the said patent be recorded and an attested copy thereof be transmitted home to the Right Honble the Lord's Commissioners for Trade and Plantations.

Then the scrawl of the other Patent for a parcel of land on the south side of the Bason of Menis was read and approved of with this exception that Samuel Donnell as one of the discoverers should be inserted in the room of John Forrest in the list of names for the township of Harrington.

Ordered that a Patent be drawn out fair against next day for said land, and then adjourned till that time.

Tuesday August 31st 1736 met according to adjournment

P R E S E N T

The same Members as yesterday

His Honor laid before the Board the Patent for the lands on the south side of the Bason of Menis or the township of Harrington in the county of Southampton which was read and approved of signed and sealed in the presence of the Council.

Ordered that the said Patent be recorded and a Copy thereof be transmitted home to the Lord's Commissioners for Trade and Plantations
Otho Hamilton Secty

At a Council held by Order of the Honourable Lawr&e Armstrong Esq Lieut Governor & Commander in Chief in & Over His Majesty's Province of Nova Scotia. At his own House in his Majesty's Garrison of Annapolis Royal on Wednesday the 20th Oct. 1736.

P R E S E N T

His Honor the Lieut Govr of the Province

John Adams Esq

William Skene Esq

Lt Govr Cope Esq

Eras Jas Philipps Esqr

Otho Hamilton Secy.

His Honor acquainted the Board that he had received a Letter from the Governor of Cape Breton—Relating to Monsieur de St. Poncy One of the Missionary Priests whom he had sent away out of the Province with the Advice of Council, which Priest was again returned, & therefore desired there opinion & advice on the Subject.

Whereupon the Letter from the Governor aforesaid was read; which was unanimously voted to be highly presumptuous & injurious to his Majesty's Sovereign Authority in this Province, & the Board came to the following resolution. That no Priest shall be permitted for the future to Exercise his Ecclesiastical function untill such time as he or they shall take an Oath of fidelity to the Majesty during their Residence in this Province. And that all the Letters relating to that affair be transmitted

home to the Principal Secretary of State & the Lords Commissioner for trade & Plantations for his Majst directions thereupon—

Then adjourned till 4 O'Clock P.M.

Mett according to Adjournment the same Members being Present. The Council being again convened & Monsr de St. Poncy the Priest being also Arrived; His Honr desired their Opinion what was proper to be done— Whereupon a Motion was made that the Minute of Council bearing date the 18th of May last containing the reasons which moved this Board to order Monsieur de St. Poncy & the other Priest Chevereaux to Depart the Province; should be read—

Which being done accordingly Monsr de St. Poncy was called in & being asked how he came to return back into the Province contrary to the Order of the Government He replied, That he was remanded back by Monsr de St Ovide. This his Honour desired him to give in writing the reasons of his return & get it ready by next day, and then Adjourn'd.

Monday the 25th October, 1736, at 3 O'clock P. M. His Honour & the Same Members present Monsr de St. Poncy according to Yesterdays Minute gave in to the Board his reasons in writing for returning into the Province, which being read; And it therein appearing that the said St Poncy had been commanded back by the Governor of Cape Breton in the Kings name (as he explained the Passage Il m'a dit au Nom du Roy) to present himself to Governor Armstrong & to ask his leave to Continue in the Exercise of the Parochial function.

Then his Honour stated the Question, Whether after the resolution taken by this Board on the 18th May last to send the said St. Poncy away for disobeying His Majesty's authority Over the Missionaries of the Province &c, And as he was now returned by the Order of Monsr de St Ovide the Governor of Cape Breton without any permission from this Government for so doing, Whether he should be received or not—

The Council having duely considered the Reasons given by Mons. St. Poncy formerly Missionary Priest of Annapolis Royal contained in his Declaration dated the 5th Nov. N. S. as also there Alledged by the Gov. of Cape Breton justifying his return to this Province

Have come to the following resolution—

Resolved, That the aforesaid Mons. de St. Poncy should be sent out of the Province by the first convenient Opportunity; & that whilst he staid here he should not be allowed to Exercise his Priestly function, That he should give his Parole not to remove out of the Banlieu, and that in the meantime he should be treated civilly with Humanity & respect.

Ordered that the Secretary give him a Copy of the aforesaid Resolve; which being Explained to him, The said St Poncy gave his Word that he

would pay an entire Obedience thereto, & behave Himself so as not to give any Umbrage or Offence to the Government during his Stay in the Province.

Signed,

L. Armstrong

At a Council held at the same place on Wednesday the 10th Nov. 1736 at 10 O'clock A. M.

P R E S E N T

His Honor Lieut Governor Armstrong
John Adams Esq.
William Skene Esq.

Era Jas Philipps Esq.,
Otho Hamilton Secy

His Honour laid before the Board two Petitions from the Inhabitants of this River. The latter whereof signed by 107 heads of familys in behalf of themselves & the rest of the People, setting forth the Deplorable condition they are in for want of a Priest to exercise his ministerial functions, whereby they are debarr'd from the use & benefit of the Sacraments & thereby exposed to most evident dangers, and Praying that His Honour & the Gentlemen of his Majesty's Council will be pleased therefore to allow Mr De St. Poncy the Priest, to Exercise his Ministerial Office, if it be only for the Winter or during pleasure; which being read The said Petitions were Ordered to lye upon the Table to be further considered next Council day.

Then his Honour proposed that as the Council was diminished to four sitting members by Commissary How's return to Great Brittain & Major Cope's being appointed Lieut Governor of Placentia, That two or three Members more might be sworn in to compleat their number to five which being Agreed to by the Board; The Governor was pleased to Nominate for that Honour Lieut Handfield, Lieut Amhurst & Ensign Slater being Men of Sense & merit, who being Unanimously Approved of, they were required to attend next day. And then Adjourned to that time.

Thursday the 11th Nov. 1736. Met According to Adjournment, His Honour & the same Members present.

The three Gentn aforesaid being likewise Present Viz Lieut Handfield, Lieut Amhurst & Ensign Slater, The Oaths appointed to be taken Instead of the Oaths of Allegiance & Supremacy were administered & taken by each of them As also the Declaration & Oath of Abjuration, and having likewise taken the oath for the Equall and Imparshull Administration of Justice in all Causes which may come before the Council, They were desirous to take their Places as Members thereof.

L. Armstrong

A Copy
Otho Hamilton Secy

At a Council held by order of the Honble Lieut Governor Armstrong at his own house in His Majesty's Garrison of Annapolis Royal on Saturday the 4th December 1736 A.M.

P R E S E N T

His Honor the Lieut Governor of the Province
 John Adams Esq
 William Skene Esq
 Erasmus James Philipps Esq
 Otho Hamilton Secretary
 John Handfield Esq
 Edward Amhurst Esq
 John Slater Esq

His Honor laid before the Board the two Petitions of the inhabitants pursuant to a Minute of Council dated the 10th of November last and desired them to consider well what answer should be given them whereupon it was moved after the same were read that all the papers relating to the French Priest should be read.

Which being done accordingly after a long debate, His Honor put the question whether the prayer of the said Petition should be granted to the inhabitants for this winter or not.

Which being put to the vote it was carried by a majority in the affirmative of the seven members present, there were four yeas and three nays.

Then it was recommended to his Honor by the Board that he should not on any account allow the said Priest to say public mass any where but at the place appointed for that purpose in the Lower Town of Annapolis Royal.

Signed L. Armstrong

Otho Hamilton, Secretary

At a Council held by Order of the Honble Lawrence Armstrong Esq Lieut Governor and Commander in Chief in an over His Majesty's Province of Nova Scotia at his own house in the Garrison of Annapolis Royal on Wednesday the 20th April 1737

P R E S E N T

His Honor the Lieut Governor of the Province	
John Adams Esq	Otho Hamilton Secretary
William Skene Esq	John Handfield Esq
Erasmus James Philipps Esq	John Slater Esq

His Honour acquainted the Board that he had Conven'd them on the subject of Lieut Amhurst's misfortune, whose House was set on fire & Burnt to the Ground with most of his Household goods & Effects the preceding

day, by one Isaac Provender his Bound Servant, a Boy betwixt Ten & Eleven years of Age As he had confessed to him; That he desired they would take his Confession & Examine the People who were Witnesses to several Circumstances Relating thereto.

Whereup the Constable was Ordered to bring the said Isaac Provender before the Board, & to Summon the People aforesaid to Attend; which being done, They Proceeded to take his Confession as follows Vizt.

That he the Isaac Provender had it often in his Head to cut his Master's and Mistress's Throats, but that Thought went off again, That he had purposed to cut the Throat of his fellow Servant Mary Franks, & that he came down to the Kitchen which is close by the Room where she lay, with that Intent; but that his mind Chang'd. That the first time he thought of Burning his Master's House, was some days ago; That a person whom he had seen before on Hogg Island, mett him on the Road to the Town, near by Governor Cosby's Summer House & asked him how he liked his Master & whether he had not whipt him once or twice; To which the Prisoner answered, That was nothing; he was a good Master for all that, To which the other Replyed, That he had better Burn his house or it would be worse for him. That the same Person mett him in the Island with George Edwards (before he was Bound) & told him that Lieutenant Amhurst was a very bad Master & that it was the very same Person who mett him on the Road to the Town afterwards, & Advised him to burn his Masters House. The said Provender further Declares, that wanting his Pott yesterday about break of day he got up & went to the necessary house to fetch it. That then it came into his mind to burn ye House & that for that purpose he went into the Kitchen and laid wood upon the Fire, & then he took a live coal from thence & carried it up to the Hay loft which joins the house, with two Sticks, That he laid it upon the Top of the Hay, that so soon as it began to blaze, he tried to put it out again, but finding he could not Effect it he came into the Yard & returned thro' the window to his Bed again, where he lay, till he heard some People call out, Fire! & then he came out in his Shirt to prevent any Suspicion of his having any hand in 't.

Then George Edwards a Boy of thirteen years of Age was Examined touching what the Prisoner said of a Person that mett him in the Island; Who Declared that he remembered very well the time, & that William Green the Shoemaker was the Person that told Provender that he would be Bound to a very bad Master

William Green the Shoemaker being Present & being shewn to the Prisoner he was ask'd whether that was the same Person that mett him on the Island & afterwards upon the road to the Town & advised him to Burn his Master's house to which he Answered in ye Affirmative.

William Tracy a Soldier in the Garrison Declares, That about four days ago he saw the said Isaac Provender shake a Knife at Mary Franks for

having told him that he said that he the said Provender Said that he had mett a tall black man in the garret & another time one in the field with his Throat cut and all Bloody; & that he had told the said Mary Franks, that she should never hear anything more from him, because she told Tales.

his
William ✓ Tracy
mark

Sworn in Council
Otho Hamilton Secretary

Sergeant William Sanders declares That being down at his fishing lines over against Lieut Amhurst's House about an hour after day break with John Burrows; that they saw a great smoke whereupon they ran up to high water mark & then they Perceived Lieutenant Amhurst's Stable on Fire, that they made haste to the house, calling out Fire! & that he saw the said Isaac Provender with a Blew Coat on just as he came into the Yard.

his
Willm X Sanders
mark

Sworn in Council
Otho Hamilton Secretary

John Burrows, Mr Dyson the Storekeepers Servant, Declares That seeing Lieut Amhurst's stable on fire, he made all the haste he could to the house & out ran Saunders That he came first to the Gate, calling out Fire! & was lett in by the maid Mary Franks, that he saw his Boy Isaac Provender standing in his Shirt in the Kitchen & the Bed Chamber full of Smoke; that he afterwards, when the house was burning, mett him in the Yard & heard him tell some Body; See how merrily the house Burns

John Burrows

Sworn in Council
Otho Hamilton, Secretary

Isaac Lee a Sutler in the Town of Annapolis Royal Says, that he heard the Boy say while the House was Burning, That he was Sorry he did not turn out the Cow & Calf first.

Then the Governor desired the Opinion of the Board on the Boy's Confession & the Evidence of the Witnesses, Who all agreed, That the Boy was Guilty of the Execrable fact wherewith he charged himself & was truly the Incendiary.

Resolved, That Isaac Provender be Remitted back to Prison & William Green sent to the Guard till next meeting and then Adjourned till next day at 10 o'clock.

Mett according to adjournment

John Handfield Esq moved in behalf of His Brother in Law Lieutenant Amhurst who was Lame by a hurt he Received in his Foot while his house was Burning, That the Board would not come to any Resolution till such time as he could send to Boston to have the advice of some persons there learned in the Knowledge of the Law, after what manner he should proceed against & what could be legally done to such a Young Criminal, Which was agreed to.

Then His Honour desired the Opinion of the Board concerning Willm Green aforementioned whom the Boy in his Confession had accused of having Reflected upon Lieutenant Amhurst, but Especially for having advised & incited him to Burn his Master's house.

The said William Green was Brought before the Board & assured them that the said accusation was False, Groundless & malicious.

The Board is of Opinion, That the said Green is perfectly Innocent as to the latter part of the Accusation, but as there is some Reason to believe him guilty of the former part thereof, that he should be severely Repri-manded Ask Lieutenant Amhurst's Pardon & be afterwards set at Liberty.

Signed L. Armstrong

Copy attested by me
Otho Hamilton Secretary

At a Council held by order of the Honble Lieut Governor Lawrence Armstrong at his own house in His Majesty's Garrison of Annapolis Royal on Friday the 10th June 1737

P R E S E N T

His Honor the Lieut Govr of the Province
John Adams Esq
William Skene Esq
Erasmus James Philipps Esq
Otho Hamilton, Secretary
John Handfield Esq
Edward Amhurst Esq
John Slater Esq

A letter from Stephen Jones master of the sloop Friend's Adventure, dated from Menis the 4th June 1737, setting forth his having been robbed and plundered by some Indians of that place while he was peaceably trading in Piziquite River that they boarded his vessel on the first instant about midnight and forced him to come to sail and carry his vessel down that river and that on their arrival at Cape Tendue in the way to Coboquite they robbed him of all his English goods, silver money &c to the value of £800——Threatening his life by cocking and presenting their fire arms

to his breast—that the names of the said Indians were Thorna their Chief, Claude Nicoute, Francois Nicoute, Biscaroon and his son Paule, Bartlemy the Chief's wife's Son, Jacques Ashe and his son with several others, who divided with them as upon file. Which being read the Board is of opinion that as Capt Jones had referred his imparting some things till his arrival here, which he expected would be in a fortnight after the date of his letter the consideration thereof should be put off till that time.

At a Council held at the place aforesaid on Saturday, the 18th of June 1737. The same Members as above being present.

Captain Jones presented a Petition to the Board setting forth how he had been plundered and robbed on or about the second instant by six or seven Indians who boarded his vessel in a hostile manner and after having cut away her masts forced him to steer away to a place about three leagues distance—that after they had plundered some part of the cargo they came to sail again and carried the vessel about three leagues farther where they laid her ashore and carried away almost all the rest of his cargo, and praying that his Honor would use such means that he might have some redress for his losses and satisfaction for the violence offered him, as upon file.

Which was read

Then the said Jones gave in a particular account upon Oath with all the circumstances of the aforesaid robbery as likewise an estimate of his losses amounting in the whole to fifteen hundred and forty six pounds, New England money, including his books of account, the loss thereof valued at seven hundred pounds damage, which was also read as upon file. Several minutes of Council relating to a robbery committed thereabout formerly in the year 1720 upon an English vessel belonging to Capt John Alden being a parallel case to Mr. Jones's were read. Also the last articles of the Treaty of Peace with the Indians in the year 1725 with the ratification thereof by the several tribes of this Province wherein it appeared that on any robbery or outrage committed by any of the Indians the tribe or tribes to which they belong shall cause satisfaction and restitution to be made to the party injured.

Ordered that circular letters be sent to the several tribes of this Province requiring satisfaction according to the Treaty for the outrageous insult and loss sustained by the said Jones by the aforesaid robbery, and then adjourned till Monday at 9 O'clock A. M.

The Deposition of Stephen Jones Mariner Master of the Sloop Friends Adventure.

Declares, That on the first of June, Curr't, the said Jones on Board his said Vessel was peaceably trading in the River of Piziquite in this Province, that about one a clock next morning whilst the said Jones was asleep & having ordered no Watch, his Sloop was Boarded in a hostile manner by Ten or Eleven Indians armed with Guns, Hatchets & Knives &c. who De-

manded the Captain (meaning said Jones) and thereupon presented two or three Guns or Small Arms at the Cabin door which obliged the said Jones to retire back & shut the Cabin Door after him, but believing there could be no safety for him there, he came upon Deck and the Indians immediately ordered him forward & then giving three Huzzas at the same time, One or two more of the Indians coming on Board, they cutt away the fasts, hoisted sail & forced the said Jones to steer the Vessell about three Leagues down the said River to a place called Cape Piziquite that the Indians there cast anchor & began to Plunder the said Deponents Vessell & stock and some of his Cargoe & then Ordered said Jones on Shore with one of his hands to wait on the Governor, as they called him, after which the rest of his men came on shore (being two) to the said Jones who said they were sent by the Indians, but they soon after made their Escape, which the Indians Perceiving, one of them came up to the Deponent & presented a Pistoll to his Breast several times, Loaded with a brace of balls, as the said Indians have told him before, threatened to shoot him; to prevent which the said Jones clos'd in upon him, whereupon the said Indian clubbed the Pistoll & threatened to knock his Brains out or something to that purpose and afterwards offered many other Outrages & Violences towards him—— That about six hours after they came to an anchor At Cape Piziquite aforesaid This Deponent Declares That the said Indians ordered him on Board again & brought the aforesaid Vessell to Sail & forced him to steer her part of the way to a place called Cape Fourchu & there again they sent him ashore and at the same time brought a canoe full loaded with goods which they disposed of amongst themselves, and then they Plundered the said Jones Vessell of the rest of his Cargo except some Rum, Iron, Sadles Furs & other small goods to the value of about two hundred pounds New England money. That [then this] Deponent was put on shore at the afore said Cape Forchu & being detained there about nine hours & the Indians having plundered him of what they thought fitt, They gave leave to the Interpreter (as they said) to go & fetch his men from on Board Capt. Donnell who was then at Anchor about two leagues off at a place in the Gaspereaux River, in order to carry away his Vessell and at the same time the said Deponent stole away with him. And that he there mett Mons Maufils the Priest of Piziquit & about twenty of the Inhabitants who were all unarmed and that he Earnestly entreat them to go and assist him in the recovery of his goods from the Indians. It is true they went with him, but they seemed rather to joke & trifle with the Indians than to assist him either by persuasion or otherwise prevailing upon them to make him a Restitution of his Goods—— Which assistance he thinks might reasonably be Expected from them, being English Subjects, when Robb'd & Plundered by seven or eight Indians, in the midst of so great a Village, whose Inhabitants had lately Sworn Allegiance to his Majesty.

That this Deponent the same night having Carried his Sloop near to Capt. Donnells, He went on board of him & tarried there till morning, when he again mett with Mons. Maufils, & then Earnestly begged & Entreated of him to try again if the Indians would Restore him his Effects, & telling

him that he supposed the Indians were Drunk when he went last to them, & that probably they would be more reasonable the next morning when they were sober, with several other Arguments to persuade him to return to them. But the said Deponent could by no means prevail with him but Recd an Absolute Answ & Refusal from the said Mons Maufils.

The said Deponent further Declares that he has been Informed that the Indians names who Robb'd & Plundered him, were as follows, viz.,

Claude Nicoute
 Fran Nicoute
 Biscaron & his Paul
 Bartlemy the Chief & wife & son
 Jack Hishe & his Son

Gregorie Biscaroons Son and Honik the Chief was not on Board but the said Jones was Informed it was done by his Order & also that he assisted in dividing the Plunder. The said Deponent moreover Declares that to the best of his Knowledge, The Inventory of the Goods is a just Accot & Amounts to the Sum of £840 N. E. besides his Books of Accot, wherein he believes that he may be at the Damage of £700 more.

Signed Stephen Jones
 Nova Scotia
 July 8, 1737

Sworn the 18th June, 1737
 before the Honble The
 Lieut Gov, & Council

Otho Hamilton, Secty.

Met according to adjournment on Monday the 20th June 1737. The same Members present.

Captain Jones appeared again before the Board with his interpreter Francis Robisheau, Noah Jones and Edward Gillman, two of the sailors who were on Board when the aforesaid audacious attempt was made against him by the Indians who were examined on that head and their declarations taken of what they knew and then they severally made Oath to the same, as per their depositions upon file. Advised on and resolved

That an Order be sent forthwith to the Deputies of Menis and Piziquet to appear before His Honor and Council to give their reasons why they suffered the foresaid robbery to be committed and to assemble the Indians and to demand of them their reasons for such proceedings in a time of Peace and to require of them restitution of what they had stolen, ordering and commanding all the inhabitants of the places aforesaid to be aiding and assisting them towards the recovery of Captain Jones's goods, books or other effects; and to acquaint them that otherwise they will be liable themselves to make good his loss and damages and strictly to prohibit all persons

whatsoever from buying or receiving any of the aforesaid goods on pain of being guilty of piracy and robbery and to return back to the said Jones or his Attorney what goods they may have already received from the Indians and then the Deputies to make their appearance here at or upon the last day of July next.

That John Adams, William Skene and Erasmus James Philipps Esqrs, be a Committee to prepare the said order and that Otho Hamilton, John Handfield, Edward Amhurst, and John Slater, Esqrs, be a Committee to prepare the circular letter aforementioned to the Indians that to the St. John's tribe to be inclosed to Father Danilo the Missionary Priest there, and then adjourned till next day at 4 O'clock P.M.

Met according to adjournment the same Members present June the 21st, 1737.

The gentlemen appointed yesterday as a Committee presented to His Honor and the Board the papers they were ordered to prepare to be sent to the Deputies of Menis and Piziquite and to the St. John's and other tribes of Indians which were read and approved of. Ordered to be translated into French and forwarded by the first opportunity.

Signed L. Armstrong

Otho Hamilton, Secretary

At a Council held by Order of the Honourable Lieutenant Governor Lawrence Armstrong, Esq., At his Own House In his Majestys Garrison of Annapolis Royall on Saturday the first of April, 1738.

P R E S E N T

His Honour the Lieutenant Governor of the Province

John Adams, Esq.

Wm. Skene, Esq.

William Shirreff Secty

Eras Jas Philipps, Esq.

Otho Hamilton Esq

John Handfield Esq.

Edward Amhurst Esq

John Slater Esq

His Honour acquainted the Board that he had Received a Petition with a letter from Mr. Andrew LeMercier a French Minister in Boston Praying liberty to Settle on the Isle of Sables and so forth, as upon file.

The same being read and Considered & the Board were of opinion that as he in his letter seems not willing to accept thereof upon paying the penny Quit Rent Required by His Majesty's Instructions, That his said Petition and Letter should be recommended home to one of the Principal Secretaries of State and the Lords Commission of the Board of Trade to be laid before His Majesty for his Pleasure thereon And that in the meantime a Proclamation be made out forbidding all Persons from Killing or Destroying any of the Petitioners Cattle which now are or may be put upon said Island.

Wm. Sheriff Secty

L. Armstrong.

—2—

To the Honourable Colonel Armstrong Esq. Lieut Governor Commander in Chief in and over His Majesty's Province of Nova Scotia and to the Honourable Council of the said Province.

The Humble Petition of Andrew Le Mercier of Boston

Sheweth

That Whereas it might be a great service to his Majesty's Subjects who have the Unhappiness to Make Shipwreck upon or near the Isle of Sables; if the said Island was settled and a sufficient stock of cattle kept in it to support the Lives of the Persons who after a Shipwreck may get ashore, And whereas your Humble Petitioners with some Associates has bought a Schooner and has transported thither at several times already horn Cattle swine & sheep with a Considerable Charge and has built a house and maintain now upon the said Island several men to look after their stock. Your Petitioner in his own behalf and in the behalf of his associates Prays your Honour and the Honourable Council to give them leave to settle the Isle of Sables and to forbid any of His Majestys Subjects within your Government to Disturb the said settlement by killing their Cattle or any other way Discouraging their good Intentions and to Secure unto them as much as lyes in your power the Property of said Island, Cattle, &c. as according to your Wisdom and goodness you shall think fit, and your Petitioner shall every pray &c.

Wm. Shirriff, Secty

At a Council held by order of the Honble John Adams Esq President of the Council of this His Majesty's Province of Nova Scotia at his own house in the Lower Town of Annapolis Royal the seventh day of December 1739 at four of the clock in the afternoon.

P R E S E N T

John Adams Esq President
William Skene Esq
William Shirreff Esq
Otho Hamilton Esq
Edward Amhurst Esq
John Slater Esq

The President having presented to the Board what he had to say in writing and the same being as follows Gentlemen

"I am very sorry for the sudden and melancholy death of Governor Armstrong who yesterday departed this Life which is the reason at this time of my convening you to consult upon such proper methods to be taken for the Government of this Province and to have your advice in represent-

ing that melancholy affair home to the proper Offices with the present state of the Province in order to be laid before His Majesty.

You all know that upon the decease or absence of the Governor and Commander in Chief of the Province that (by His Majesty's Commission under the Great Seal of Great Britain and his other instructions) the Command of this Province in all others devolves upon the eldest counsellor who is always President which happening at this time to be myself I therefore judged it to be my duty in honor to His Majesty's service and these authorities with which he hath been pleased to invest the Council thus to apply myself to you for your assistance.

Wherefore as these instructions and other public letters are as I understand in the possession of his the said deceased executors I put the question whether it is not absolutely necessary that they be delivered up to me in order to be placed in the Secretaries Office that the Members of the Council may have recourse thereunto as occasion requires

The Board thereupon assured him they would give him all the assistance in their power and also were of the opinion that a demand should be made of the public papers and that a letter should be wrote to the Secretary of State and an other to the Board of Trade and then adjourned till these were prepared.

By order of his honor
the President

Sigd John Adams

By and with the advice
of the Council

Sig'd William Shirreff Secretary

At a Council Held by Order of the Honble John Adams Esq President at his own house in the Lower Town of Annapolis Royal on Monday the 14th Jan 1739/40

P R E S E N T

Wm Skene Esq.
Otho Hamilton Esq.

Wm. Shirreff Secy
John Slater, Esq.,

The President Enquiring for Mr. Amhurst and Answer being made That he had been Summon'd. He then sent the Constable to Enquire for him, Who Brought word that he was so afflicted with the Gout that he could not Attend and Desired to be Excused.

Then His Honour the President Presented to the Board a paper Containing what he had to say to them, which being Ordered to be Read is as follows, vizt.

Gentlemen:

Since the Last Time we mett in Council, I have frequently Reflected on the subject of His Majesty's Quit Rents In This Province which tho

But Perhaps a Trifle Yet Notwithstanding I think it behoves us to Enquire into the State and Annuelle Amount Thereof and how they have been Collected and to what Uses for his Majesty's Service they have Been Apply'd by the Receivers which Undoubtedly Ought from time to time have been Communicated to us for Several Reasons.

'Tis Very well Known by most all the members This Board how frequently They have been Call'd and Consulted Upon this Affair Before the Inhabitants would Consent to pay These their Seignioriall Rents to his Majesty.

And that it was by Virtue of The authority of The Board That they were at last Prevail'd Upon to Comply with the Governours Orders and thereby Acknowledge his Brittanic Majesty Our most Gracious King to be their Sole Sovereign and Lord Paramount, Well Knowing That all Affairs Especially of That nature in the Province were by Virtue of his Majesty's Commission under the Great Seal of Great Britain, and the Other Instructions to be Transacted in Council By and with Advice and Consent of the Members Thereof.

WHICH Opinion and Act of Council haveing taken Effect not only in this River But throw Almost The Whole Province and That as that Affair was Thus at first transacted and Brought to bear in Council By Virtue of The Aforesaid Authority.

I am therefore of Opinion, as it so much Relates & Effects his Majestys Interest, he haveing Purchased all the former Seigniors Rights, Claims and Pretentions That we Ought in [Justice] to his Majesty and in Honour to Our Selves to make this [Particular] Enquiry and Accordingly to Report the same in the Best [way] we Can, and that as soon as Possible to the Right Honble Walpole Receiver General of his Majestys Revenue in America, As Directed by the Right Honourable the Lords Commissioners for Trade and Plantations for farther Instructions and Advice How for the future said Rents and Other his Majestys Dues Arising in this Province shall be Apply'd.

This Proposed state of These Rents, If it can be made, will not only I hope Be Satisfactory at home but Indemnify our Selves by Removeing and Clearing all Suspicion that we the members of This Board, Ever Sheared or Participated of any Advantage thereby or anywise Consented to the Disposall Thereof, and Even Perhaps Prove a means to move his Most Gracious Majesty to Order that These Rents may be Apply'd Towards Paying the Members of the Council here Whereof Some Of us for these twenty years Past Diligently attended and serv'd for Nothing.

Upon the whole haveing thus Represented to you my Opinion, I also Recommend it to your Serious Consideration for Your Opinion and Advice how to proceed in the Affair for the Better Securing his Majesty's Interest here 'till his Royal Will and Pleasure be thereon Known.

John Adams

Which being taken into Consideration, it was Voted and Agreed that the Question Should be Put, Whether the Estate and Effects of the Late Lieut Governour Lawrence Armstrong Deceas'd Remaining After his funeral Charges and Quarters are Cleared should be Attached in the hands of his Executors Lieut John Handfield and Lieut Edward Amhurst for the Space of Eighteen months Or till his Majestys Pleasure be Signified To the Board, for the Security of the Quit Rents and his Majestys Other Dues ariseing in this Province and by him Received Dureing his Life time; It was Agreed to in the Affirmative nomine Contradicente And that this Attachment should Be Construed as any Impediment to the Executors in Disposing of the said Effects to the Best Advantage They only being Accountable for the Produce Thereof.

Noted and Agreed that the Secretary send Summons To the Rent Gatherers of Chiconecto and Mines to Appear Before the Board as soon as the Season will Conveniently Admit to Give Account of what Rents and Other Dues Received from the Inhabitants in Their Several Districts in the Province Dureing the Life time of Governour Armstrong and also that they Bring the Rent Roles Receipts Vouchers and Other Papers anyways Relating to the said Rents &c. and that the Rent Gatherers of This River to be Summon'd to appear Before the Board on Saturday Next at two of The Clock in the Afternoon till which time the Board adjourned.
Copy as of record

Wm. Shirreff, Secty.

At a Council Held by Order of the Honorable President John Adams Esq at his own home in the Lower Town of Annapolis Royal on Saturday the 19th Jan. 1739/40.

P R E S E N T

His Honor the President

Wm Skene Esq
Otho Hamilton

Wm Shirreff Secy
John Slater Esq

Being mett According to Adjournment, His Honour The President Acquainted the Board That he had Prepared the Attachment Agreed Upon the 14th Instant, which being Read it was Approved of, and Ordered, with the Copy of the minute of the 14th Instant to be sent to Edward Amhurst Esq By the Constable John Hanshold, which being Accordingly Sent the Constable Reported to the Board That he had Delivered it into Mr. Amhurst's Own hands.

Then was Read John Duon's (one of the Rent Gatherers Account which was Ordered to be Entered And is as follows—

Compte des Prentes et Lots et Vente que J ais Recu Pour le Roy Scavoir Pour L'annee 1732, et L'Annee 1733

81 Boisseau de Bled
 79 Poulettes
 13 Chelins 4 Sols pour Rente
 8 Pistolles Angloise 7 Chell & 6 Sols Lots et Vente
 Pour l'anne 1734 et L'annee 1735

81 Boisseau de Bled
 84 Chapons
 13 Chell 4 Sols pour Rente
 3 Pistolls 11 Chellins 8 Sols Pour Lots et Vente

Pour L'anne 1736

40 Boisseau et Demi De Bled
 42 Chapons
 6 Chellins et 8 sols pour Rente
 1 Pistollet Ol Sols pour sols et vente

Pour l'annee 1737

40 Boisseau et Demi De Bled
 42 Chapons
 6 Chellins et 7 Sols pour Rente

Pour l'anne 1738

40 Boisseau et Demi de Bled
 42 Chapons 6 Chellins et 8 sols pour Rente
 5 Pistolles et 10 Chill Pour Lots et Vente

Pour l'annee 1739

40 Boisseau de Bled
 42 Chapons
 6 Chellins et 8 Sols Pour Rente
 3 Chellins 4 Sols Pour lots et Vente

Veritable Compte Des Rentes Lots et Vents qui J'ai Reçu pour le Roy que je certifie Juste et Veritable, En foy de quoi Je-a Annapolis Royal Ce Dix Neuf Janvier Mille Sept Cent Trente Neuff au Quarante, J Duon Ayant Delivere, le même a L'Hon feu Gouverneur Armstrong

J. Duon

Then it was move'd whether the Minute of the 14th Instant Extended to Canso Which Being Considered, It was the Opinion of the Board That it Did, and that Enquiry should be made into the State and Amount of the Rents there; and as Mr Robichaux The Other Rent Gatherer of This River not being Present, The President Adjourned till Saturday next at 2 O'clock in the afternoon.

Copy as of Record.

Wm. Shirreff, Secy.

We Thereunto made Oath That it was Just and true and to the Best of his Knowledge.

Then was Agreed That they the said Robichaux and John Duon the Rent Gatherers Ought to be Paid for Every Days attendance at The Council for his Majesty's Service, five shill pr Diem Out of the Kings Quit Rents.

Then was Laid Before the Board a Petition for The Constable John Hanshole Praying Payment for Several Years Service in that Station Which the Deceased Governour Armstrong had frequently Promised him & a Little time Before his Death which Being Read It was Ordered to Ly upon the Table for further Consideration.

Then it was moved That the Constable for attending The Council Purely Conven'd for his Majesty's Service Ought to be Paid for the future, The Same Allowance as Granted to the Rent Gatherers Out of his Majestys Rents Which was Agreed to.

Copy as of Record

Wm. Shirreff Secty.

Saturday 26th Jany. 1739/40

Mett according to Adjournment the Same Members Present and Prudent Robicheau Being Also Present, Read Before The Board on Accot of The Rents he had Received from The Inhabitants Within The Banlieu, Which being as follows:

Etat De ce que Moy Prudent Robichaux au Livre au Defunt Honorable Laurent Armstrong &c. Pour les Rentes De Banlieu durant les huit Annees qui J'ai été Charge de les Recevoir:—

Chaque Annee J'ai Remis au Sus Nommé Governour Pour Rente Scavoir.

- 1° ---- 20 Boisseu et trois quart de Bled froment
- 2° ---- 30 Chapons
- 3° ---- 1 Poulett
- 4° ---- 2 Pardrix
- 5° ---- 2 Livers et 5 Sols etc Argent

Totall

En Bled	166	Boisseau
Chapons	240	
Pardrix	16	
Pouletts	8	
Argent	18	Livres

Pour Lots et Vente

De Major Philipps	6	liv
De Eason	2.5	
De Charles Martin	2.5	
De francois Mirant	6	
Total de lots et Vente en Argent	62	

Outre cela Alexis Docett, Hargrave et Saunders Doivent les lots et Ventes des Achapts quils Ont fait

Sworn To in Council The
26th Jan.1739/40 Wm. Shirreff

Prudent Robichaux

At a Council held at the house of John Adams Esq in the Lower Town of Annapolis Royal on Saturday the 22d of March 1739/40 By Order of The Honble Paul Mascarene Esq President and Commander in Chief of His Majestys Province of Nova Scotia

P R E S E N T

The Honble Paul Mascarene Esq President

John Adams Esq

Otho Hamilton Esq

William Skene Esq

John Handfield Esq

William Shirreff Esq

Edward Amhurst Esq

Erasmus James Philipps Esq

John Slater Esq

Upon the Meeting of the Council an Objection was made by John Adams Esq the Late President That Paul Mascarene Esq had forfeited his right as Eldest Counsellor By being Absent from the Council Two years but Upon Examination it was found that he had not forfeited his Right as President of the Council nor that any Objection had been Started on that head Since The year 1731, Which being Then Decided in his favor as pr Minute It was Therefore Unanimously Agreed that The Said Paul Mascarene was President of The Council Who took his Place Accordingly and also took the Oaths Appointed to be taken By His Majestys Commission and his Other Instructions Then was Proposed that a Proclamation Should be Issued out Through The Province that The Officers Appointed by the Late Governour Should Continue in the Execution of Their Respective Offices Till further Order, a Draught Thereof being Drawn up, it was Approved of and Ordered That the Secretary Prepare the Same.

Then the Secretary Moved to His Honor The President & The Council that he may be Permitted to Appoint Ensign John Hamilton to Assist him Taking the Minutes of This Board &c, Which was Agreed to.

Signed P. Mascarene

By His Hon. the Presidents Command by and
with the Advice & Consent of the Council

W. Shirreff Secy.

At a Council held by order of the Honble Paul Mascarene Esq at his own house in His Majesty's Garrison of Annapolis Royal on Wednesday the 26th of March 1740 at eleven of the clock A. M.

P R E S E N T

His Honor The President
William Shirreff Esq
Erasmus James Philipps Esq
Otho Hamilton Esq
John Handfield Esq
Edward Amhurst Esq
John Slater Esq

Then His Honor the President laid before the Board a letter from Mr. Andrew Le Mercier who had formerly Petitioned for the Isle of Sables praying that in case any person should Petition for the said Island (and take it upon the conditions of His Majesty's instructions) that he, as he has already been at a great expense upon the said Island, might have the preference not withstanding he hath petitioned His Majesty to make some abatement of the penny an acre, the same being also recommended home by the Governor and Council to the Secretary of State and to the Board of Trade in favor of him the said Le Mercier.

And thereupon being read the Minute of Council of the first of April 1738 upon his Petition praying a Patent for the said Island as also the Minute of the 26th of May 1738 upon the Petition of Mr. James Gibson on behalf of Messrs Stork and Gainsburgh.

The Board is of opinion that as Mr Le Mercier has been the first Petitioner and at a great expense in stocking and in making other improvement which may turn to the good of the public as well as to him and his associates' interest in the dangerous situation of the Isle of Sables that he should have the preference to the grant of the said Island on such terms as the same may be granted so far as the preference thereof may depend on this Board.

Then Otho Hamilton Esq one of the Members of the Council acquainted the Board that he was going to his duty at Canso. His Majesty having appointed him to be Captain of one of the Companies there and now being upon his departure for said place and desiring to be admitted to take the Oath of a Justice of the Peace that he may be thereby qualified to act as such throughout the Province which being agreed to the following Oath was accordingly ordered to be administered to him.

Signed P. Mascarene

Oath taken by Otho Hamilton Esq one of His Majesty's Council for Nova Scotia.

You swear that as Justice of the Peace in the Province aforesaid you shall do equal right to the poor and to the rich after your cunning will and power and after the Laws and customs and Statutes of the realm of Great Britain and you shall not be of Council of any quarrel hanging before you and that you hold your sessions after the form of Statutes thereon made.

You shall not let for gift or other causes but well and truly you shall do your Office of Justice of the Peace in that behalf and that you take nothing for your Office of Justice of the Peace to be done but of the King and fee accustomed and the costs limited by the statute and you shall not direct nor cause to be directed any warrant by you to be made to the parties but you shall direct to the proper Officers of the said Province or other the King's Ministers or other indifferent persons to do execution thereof.

Signed Otho Hamilton

Sworn before me at Annapolis Royal 28th of March 1940 in Council

Signed P Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President at his own house in His Majesty's Garrison of Annapolis Royal on Wednesday the 23rd of April 1740 at eleven o'clock A. M.

P R E S E N T

His Honor the President
John Adams Esq
William Skene Esq
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

The Board having approved of Mr. John Hamilton to act for and to assist Mr. Sherriff the Secretary in taking the Minutes and writing the transactions of the Council, took an Oath of secrecy as follows.

I. J. H. do swear that I will to the best of my skill and knowledge take the Minutes of Council as an assistant to Mr. Shirreff the Secretary and that I will not divulge nor make public the vote or opinion of any particular Member of the Council nor make known any affairs transacted in Council —So help me God.

John Hamilton

Then the President communicated to the Board a letter from Mr. St. Poncy late Missionary Priest for the French inhabitants of this river signifying his design of departing out of the Province by way of Mines and therefore praying a passport in case of a war with France, he asked the advice of the Council as to the space of time that should be allowed him, which being considered it was voted that he should have the space of three months from the date hereof to retire to the territories of France.

Then John Adams Esq desired that upon the dispute between him and Paul Mascarene Esq as President of this Board, that as he appealed to His

Majesty from the judgment of the Council on that affair as per Minute of the 22nd March last, the same might be entered.

Signed P. Mascarene

May the 8th [1740] Mett According to Adjournment The same Members present.

There was Presented to the Board The Accot of the King's Annuall Rents and Other Dues at Mines and the Places Adjoining Received for Six Years by Mr. Alexander Bourg Collector Thereof at Mines for their Consideration as also a General Discharge Signed by the late Lt Governour Armstrong With a Reserve in Case of Errors That may be found.

Signed P Mascarene

Annapolis Royal May the 12th 1740 Being mett According to Adjournment on the 8th Instant The same Members present.

Then was read a Scrall Proclamation In Regard to the Inhabitants Presuming to Possess Themselves of Lands of Their own Accord in this Province Without The Consent of This Government, Which being Considered it was Approved of and Agreed to be Published. And then Adjourned till tomorrow morning 13th instant.

Tuesday 13th May 1740 Being met according to adjournment and the same Members present.

His Honor the President having received a packet from His Grace the Duke of Newcastle one of His Majesty's principle Secretaries of State, containing His Majesty's declaration of war against the King of Spain which being read it was advised that a letter should be writ thereupon to the Honble Alexr Cosby Esq, Lieut Governor of His Majesty's Garrison and Commander of the Troops here, to proclaim the war against the King of Spain and his subjects tomorrow the 14th instant between the hours of ten and twelve in the morning, which was writ and sent accordingly.

Then was also read an order from the Right Honble the Lords of His Majesty's Privy Council dated at the Council Chambers Whitehall 26th November 1739 in relation to letters of mark and reprisals the postage of both packets amounting to £11-16-3 New England money.

Signed P. Mascarene

At a Council held by order of the Honble Paul Mascarene President of His Majesty's Council at the house of William Skene Esq in the Lower Town of Annapolis Royal on Tuesday the first of July 1740 at ten O'clock A. M.

P R E S E N T

His Honor the President
John Adams Esq
William Skene
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

His Honor The President Acquainted the Board that the cause of calling them together at this time was his being informed that Mr. Vauxlin Romish Missionary Priest had incroached upon the privilege granted the French inhabitants for the exercise of their religion by the Treaty of Utrecht by presuming to pronounce sentence of excommunication against one Mafils who thereupon complained that he was by virtue thereof deprived of all assistance and necessities of life which being without any legal process and consequently contrary to the Laws of Great Britain he had therefore drawn up a scrawl proclamation in order to prevent any such arbitrary proceedings of the Romish priests for the future, which being read it was agreed that the said Mr. Vauxlin should be sent for to appear before the Board who being come and interrogated by what authority he had excommunicated the said Mafils as aforesaid he thereunto replied that it was not he who excommunicated him but that he had received a letter from Mr. Degodaler his superior at Mines signifying to him that the said Mafils was excommunicated and that by virtue of such advice given him he in conscience judged it his duty to acquaint his parishioners thereof but that for the future he would do no such thing without first acquainting the Government.

Then was again read the aforesaid scrawl and after some amendments it was ordered to be published.

Then the Board desired His Honor to write a letter in very strong terms to the Deputies of the several districts of this Province when he sent to them the said proclamation to be published enjoying them strictly to observe the same and also that he should write to Mr. Degodaler and other Missionaries on the same subject.

Signed P. Mascarene

At a Council held at the place aforesaid on Thursday the 31st of July 1740. The same Members present.

Then was then Read the Petition of several inhabitants of this river praying leave to go and winter and settle at themselves at a place called Tibogue who not being present, it was ordered that they be summoned to attend the Council on Saturday the 2nd of August 1740 till which time the Board adjourned.

Signed P. Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President of His Majesty's Council at the house of John Adams Esq in the Lower Town of Annapolis Royal on Saturday the 2nd of August 1740 at nine of the clock A. M.

P R E S E N T

His Honor the President
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

Being met according to adjournment the President acquainted the Board that the Petition that was read last Thursday and referred to their further consideration was presented to him by two of the Petitioners to whom he gave for an answer that there was time enough to consider it before winter as their Petition related to that time and that he would accordingly lay it before the Council at their session in July—the two Petitioners saying that in the meantime they were going a fishing along the coast as they had done before to get something to support their families, he allowed of it, as indeed none were hindered from doing so, it being only a duty when any of them went a fishing to acquaint him with their intention but he was surprised to hear a day or two after that two shallops were gone carrying several families in order to settle at Tibogue and that it was given out that it was by the President's leave, that he therefore had immediately issued the order bearing date the 12th July 1740 to be published by the Deputies and it was given by the Secretary to one of the French inhabitants to carry to the place where their families were gone,—that having heard some of them were returned and seen them he had told them he would call them before the Council, and had accordingly ordered one of the Deputies to summons them and the rest of the Petitioners to be ready here this morning to answer for their conduct before the Board.

Whereupon such of them as were returned were called before the Board and being asked what moved them to go and settle themselves and their families at Tibogue before leave was first granted them by His Honor the President and His Majesty's Council as they desired in their Petition, to which the two people that presented the Petition owned that His Honor told them it was time enough to consider of it before winter and that he would lay their Petition before the Council for an answer and acknowledged that they did not acquaint the President of their intention of carrying their families and that they were going only a fishing as usual, which Petition of theirs and their above answer being considered and compared with what His Honor represented to the Board, it was judged that their removing their families before they got any answer to their Petition was very contemptuous and their whole conduct insolent and their answers prevaricating, because they might have gone there and fished without their

families and therefore it is the opinion of the Board that they be ordered to withdraw their families from off His Majesty's lands immediately but that afterwards they may continue fishing and fowling as usual and that the President give his orders accordingly, and then adjourned till Monday morning the 4th instant at 9 O'Clock A. M.

Signed P. Mascarene

Monday morning the 4th August [1740] 9 o'Clock met according to Saturday's adjournment The same Members present except Edward Amhurst Esq.

There was then read a scrawl order relating to those who had contemptuously gone and settled themselves at Tibogue, the Deputies and those it concerned being also present, it was with amendments approved of and ordered to be delivered to the Deputies to be further published to them and others. Then the Petitioners, Joseph Landry, Denis Petitot, Joseph Doucett, James Bertran, Michael Doucett, James Lavern, Peter Doucett and Germin Doucett moved to the Board that in case permission could not be granted them to winter with their families at Tibogue that the Board might be pleased to grant them a passport or permission in writing to withdraw themselves and families from His Majesty's Government to the dominions of France—the consideration of which was referred to another day.

At a Council held by order of the Honble Paul Mascarene Esq President of His Majesty's Council at the house of John Adams Esq in the Lower Town of Annapolis Royal on Thursday the 7th of August 1740 at 9 o'clock A.M.

P R E S E N T

His Honor the President
William Skene Esq
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

Being met according to adjournment to consider the motion made on Monday last by the Petitioners as appears by that day's Minute there was presented to the Board another Petition from the aforesaid Petitioners submissively confessing their fault and praying that in case they may not be permitted to winter at Tibogue, where they have only built some cabins to protect them from the inclemencies of the weather, that it may be permitted them to winter in some other place proper for fishing and fowling having no other means or visible manner to support their own numerous families their intenton being to remove and withdraw themselves upon the first notice or order given them from this His Majesty's Government as upon file—which said Petition being considered and the Board being acquainted with their poverty and miserable circumstances, were of opinion, that the said Petitioners might be permitted to winter at Tibogue but should

be restrained in the leave granted them by the President in writing, from dikeing any of these lands or any ways to pretend a right thereunto by this permission but that upon the first order or notice given by this Government they shall as they have represented in their said Petition withdraw themselves and families from thence to this place and that the Deputies of this river should be called in and acquainted upon what terms they are permitted to winter at Tibogue according to the prayer of their petition.

Signed P. Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President of His Majesty's Council at his own house in His Majesty's Garrison of Annapolis Royal on Wednesday the 18th September 1740 at eleven of the clock A M

P R E S E N T

His Honor the President
William Skene Esq
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

His Honor the President acquainted the Board he had received a letter from Mr. St. Poncy late Missionary Priest of the inhabitants of this river signifying his return from Lewisbourg to Chiconecto within this His Majesty's Province, to officiate as Missionary to the inhabitants there which being read, as also a letter from Governor Cosby, directed to Erasmus James Philipps Esq as Fort Major to be communicated to Major Mascarene which also relating to Mr. St. Poncy's return and some private intelligence he had of said St. Poncy's scheme to the prejudice of this Government and purporting that the Government of Lewisbourg expected a war with the English and that St. Poncy having acquainted them how much he gained over the minds of the inhabitants here in prejudice to the English Government, he was therefore dispatched back which he was not to own but to give such reasons as he thinks proper and that he is to hold correspondence with certain inhabitants of this place, and when a stroke is to be given it is to be against the Governor and this Garrison.

All which being considered it was the opinion of the Board that Mr St Poncy should have orders sent him immediately to depart this His Majesty's Province otherwise in case of disobedience to be at his risk and peril and also that an order be sent to the inhabitants of Chiconecto signifying their contempt to this His Majesty's Government in daring to receive the said St Poncy or any other Missionary Priest without first applying to this Government and obtaining leave for one and strictly enjoining them to send him immediately away and on no account whatsoever to entertain or support him there nor to permit him the liberty of the Church nor they to

attend him in this function, and that in case of their non compliance they should incur the displeasure of this Government for their contempt and disobedience and that two of their Deputies be summoned to appear here as soon as possibly they can by the first opportunity from thence

Signed P. Mascarene

Extract as pr Record
of Minutes

Signed W. Shirreff
Secretary

At a Council held by order of the Honble Paul Mascarene Esq President of His Majesty's Council in His Majesty's Garrison of Annapolis Royal on Friday the 3rd of April 1741 at his own house.

P R E S E N T

His Honor the President
William Skene Esq
William Shirreff Esq
Erasmus James Philipps Esq
John Handfield Esq
Edward Amhurst Esq

His Honor the President acquainted the Board that he had received a packet from the Right Honble the Lords Commissioners for Trade and Plantations containing their letter to the Commander in Chief of this Province naming the Commissioners appointed by His Majesty's Commission under the great seal of Great Britain for settling the boundaries between the Province of the Massachusetts Bay and the Colony of Rhode Island whereof one of the five nominated for this Province Henry Cope Esq is on the expedition now to the West Indies and another Otho Hamilton Esq at Canso, as also a Copy of an order from His Majesty's Privy Council for that purpose, which being read His Honor the President recommended to the other three gentlemen present to prepare for their voyage as vessels were sent from those parts to carry them to the place appointed for their meeting—whereupon it was advised to acquaint the Honble Lieut Col. Cosby Lieut Governor of the Garrison therewith and to that purpose the following letter was drawn up approved of and sent by the three gentlemen nominated in the Commission

Annapolis Royal
3rd of April 1741

Sir

The Lords Commissioners for Trade and Plantation in a littler directed to the Honble Richard Philipps Esq Captain General and Governor in Chief of this His Majesty's Province or to the Commander in Chief of said

Province for the time being having signified His Majesty's pleasure that five members of the Council for this Province should repair to Providence in Rhode Island Colony to settle the boundaries of the Province of the Massachusetts Bay and the said Colony and having also transmitted the heads of the Commission under the broad seal of Great Britain for the above purposes I have communicated the same this day in Council and exhorted them as I am commanded by the said Lords Commissioners to conform themselves to His Majesty's will and pleasure, and as by the Constitutions of the Civil Government at this time most of the Members of the Council are in Military Posts belonging to this Garrison it has been advised in Council that you should be acquainted with the purport of the said Lords Commissioners dispatches.

I am &c

Signed P. Mascarene

Alexander Cosby Esq
Lieut Govr of the Garrison,
Annapolis Royal

By the Honble Paul Mascarene Esq President of His Majesty's Council for the Province of Nova Scotia and Commander in Chief of said Province for the time being.

Proclamation

Whereas it has been represented particularly by the Honble Admiral Vernon to some of his Majesty's Governors in the British plantations that the exportation of provisions from any of His Majesty the King of Great Britain's Provinces, Colonies or Settlements in America, may be of great detriment to His Majesty's Service and the common weal of his subjects unless due care be taken to prevent the provisions that may be exported out of each Province, Colony, or Settlement, from being landed or imported unto any other ports or places than what belongs to his Britannic Majesty.

Which being laid before His Majesty's Council for this Province for consideration I do therefore by and with the advice and consent of His Majesty's said Council strictly prohibit the exportation of provisions of any kind or specie from His Majesty's said Province of Nova Scotia by any owner or masters of vessels or others whomsoever before bond is first given that the said provisions the dangers of the sea excepted shall be landed or imported without fraud unto some of His Majesty the King of Great Britain's Dominions to be vouched and duly proved by proper certificates from the Officers of His Majesty's Customs in these parts under penalty of being prosecuted for their said bond and obligation and such other penalties as the law in such cases may require. Given at Annapolis Royal in His Majesty's Province of Nova Scotia by and with the advice of His Majesty's said Council this fourth day of April one thousand seven hundred and forty one and in the fourteenth year of the reign of our Sovereign Lord George

the Second of Great Britain, France & Ireland King Defender of the Faith,
&c.

Signed P Mascarene

By His Honor's Command by and with the
advice and consent of the Council

W Shirreff
Secretary

God Save the King

His Honor also acquainted the Board that he had received two other packets vizt one from the Secretary's of State's Office and the other from the Admiralty Office directed in the manner aforesaid and containing duplicates of instructions for letters for mark and reprisals with proclamations of war the postage of both which amounted to £9-2-0 New England Money

Being met according to adjournment on Saturday the 11th of April 1741. The Same Members present.

His Honor the President acquainted the Board that he had received a letter from the Deputies of Chiconecto signifying that they had published the Government's Orders and also a Petition from the inhabitants praying that as they had formerly applied to the late Lieut Governor Armstrong for a Priest and that whereas one was accordingly sent for to supply Mr. Disclash who is superanuated but being by the said Governor Armstrong appointed to some other place that His Honor the President and Council would be pleased to permit Mr St Poncy to reside amongst them for their Priest till they could have another.

Which being considered the Board were of opinion and agreed that the inhabitants of Chiconecto might have a Priest agreeable to the method and regulations already prescribed by this His Majesty's Government and as to that other part of their Petition in regard to Mr St Poncy the Council stands by their former opinions and orders in consideration of his irregular return to that place.

Signed P Mascarene

Copy extracted from the Record of Minutes by His Honor the Presidents
Command

William Shirreff Secretary

At a Council Held by Order of the Honble Paul Mascarene Esq President
of His Majesty's Council in his Majestys Garrison of Annapolis Royal On
the 19th of Nov 1741 At his Own House at ten O'Clock A. M.

P R E S E N T

His Honour the President

Wm Skene Esq.,
 Wm Shirreff Esq
 Era Jas Philipps

Otho Hamilton Esq
 John Handfield Esq
 Edward Amhurst Esq

His Honour Acquainted the Board that the Cause of his Calling upon them at this time was upon account of Mr. Degodalier being Come hither to Make his Appearance Before his Majestys Council as he had Again Return'd into the Province as a Missionary Priest to the Inhabitants in Order to have the Governments Leave to Exercise his function in it and Submitt himself to the Orders thereof &ca which being Considered and Debated it was Agreed and Resolved that the following Questions and Resolutions of the Board should be put to him and that he should Give his Answer thereunto in Writing for the further Consideration of the Board which being Vizt

What motion induced him to Return into this province after his having Quitted his Mission at Mines to Another Without having first Apply'd to this Government for Permission there being when he Return'd no Vacancy for a Priest nor any Application made by the Inhabitants for one Except from Chignecto to succeed Mons Desclasse Upon Account of his Age.

What was the reason of Mr. Vauxlin's Removeing Out of this place and By Whose Authority he being at the time of his Withdrawing in very good Health.

That it is agreed upon and Expected by this Government that no Missionary Preist shall possess himself of any Parish nor Exercise any part of his Priestly function in it without the Governments Permission first had and obtained nor is any Preist so permitted by the Government to Remove himself from that Parish to another by Any Authority But by that of this Government and the same being Ordered to be sent to him in Writing the Board then Adjourned till Saturday the 21st instant at Ten O'clock A. M.

Saturday, Nov. 21, 1741, at Ten O'Clock A. M. Mett at the Same Place According to Adjournment the same Members being Present.

His Honour the President acquainted the Board that he had Mr. Degodaliers Answer to the Above Questions Sent to him as therein Directed, Which being Read, As upon file and Considered the Board Resolved that the Inhabitants of this River Might Send for Mr. Des Enclaves at Mines to officiate here as their Priest Instead of Mr. Vauxlin that Monsr Degodalier may remain at Mines and that Monsr Laboret may go to Chignecto in place of Messr Discloses Superanuated, The Inhabitants There having Requested one In his Stead and Mr. Degodalier being Sent for and the Resolution of the Board being communicated to him the President Told him that he was Just now Informed that there was a report that he had in Conversation at Mines Disown'd the Right of his Majesty KING GEORGE to be the lawfull Sovereign of GREAT BRITTAİN to which he answered that he had Never

said so but that he does acknowledge King George the Lawful Sovereign of Great Brittain and of this Province and of all the other Dominions Thereunto Belonging

By his Honour the Presidents Command

Wm Shirreff Secty

P. Mascarene

NOVA SCOTIA

Copy Minutes of Council, Tuesday The 16th March 1742

His Honour the President Laid before the Board an Account Dated the first of March 1741/2 of his Majesty's Seigniorial Rents with that of Fines of Alienation and some Arrearages of Rent Receiv'd By his Honour from ye 20th March One Thousand Seven Hundred Thirty nine forty To the 31st Decr 1741 Amounting to one thousd four hundred & ninety one Livres and Nineteen Sous which Reduc'd to Sterling According to the Exchange at four hundred & fifty Discount Amounts to the sum of Thirty Eight pounds fifteen Shillings and Eight pence Sterling Which being Examind Agreed with the Vouchers.

By his Honour the Presidents command

Wm Shirreff Secy

P. Mascarene

Province of Nova Scotia

Copy Minute of Council

At a Council Held by order of the Honble Paul Mascarene Esq President of His Majestys Council for Nova Scotia and Commander in Chief of His Majestys said Province for the time being On Friday The 9th April 1742 at ten o'clock A. M.

P R E S E N T

His Honor the President

William Skene Esq

Otho Hamilton Esq

William Shirreff Esq

John Handfield Esq

Erasmus James Philipps Esq

Edward Amhurst Esq

His Honor Acquainted the Board that as Mr. Trefry Master of a Trading Vessel was Returned hither from the Grand Pre at Mines and Reporting that he had been Robbed by a number of Indians and Otherwise very Ill Used by the said Indians whc surprised his Sloop and Cut her Cables; and as he had no Anchors Desired the Loan of the Anchors that Belong'd to the Brig Baltimore That was Some time ago Brought hither from Tibogue and had Lain so long under the fort for Want of a Claimer and that thereupon haveing Desired him to Attend the Council and there to Represent his Case which Should be Consider'd he had Therefore Called a Council for that Purpose.

And the said Trefry being Called in The President told him that he Could not take upon him to Lend any of the Anchors Belonging to that Unfortunate Brigt About Which he had Spoke to him But as Erasmus Jas Philipps Esq saying he was Empowered by Virtue of his Commission as Kings Advocate To the Court of Admiralty To take Such things under his Care his Honor therefore Told him that he might Apply To him the said Erasmus Jas Philipps.

Then his Honor the President Acquainted the Board that he had Received Some Letters from Mines vizt from Messrs Bourg and Mangeant and two of the chief Captains of the Indians Informing him that the Inhabitants of that Place as well as the said two Indians Missing Trefrys Sloop but finding her Anchors & Cables were thereupon much surprised & Suspecting that he had been Taken by some Indians They Thereupon Agreed to Send Out Some Canoes in Search of them But not finding them Mr Bourg fitted Out a small Vessell, and being accompanied with Mr. Mangeant, The two Deputies of the Grand Pre Bujeau & Bourg Together with about Sixteen more men They had the Good fortune to meet with and had Taken from them Part of the Goods They had Robb'd Whereupon it was Judged Necessary to Signify to Mr. Bourg This his Honour and the Gentlemen of The Council are Well Satisfied with the Behaviour of The Inhabitants and also With the Good Intention of these Honest and Well minded Indians.

Then Mr. Trefry and Wm Wyley Delivered in a Copy of his Journal With a Declaration of The Indians Treatment of him and a Computation of his Loss Which They Signed and made Oath to in Council upon which His Honour Communicated to them an Inventory of such things the People of Mines had Recover'd from the Indians and the Master Resolving to Return to Mines It was Agreed That his Honour the President should Write to the Deputys—The Indian Missionary and also to the two Indian Captains, vizt Jaques Momquaret and Thomas Wouito, for them to Use Their Endeavours that Satisfaction and Reparation may be made for Such Things as May be Wanting and also to send a copy of the Articles of the Treaty of Peace with the Indians to be kept in Mr Bourg's Office in order to be from time to time Communicated to them And then Adjourned.

Signed P. Mascarene

At a Council held by Order of the Honble Paul Mascarene Esqr President of His Majesty's Council for the Province of Nova Scotia & Commander in Chief of His Majestys said Province for the time being, on Wednesday the 28th April, 1742. At Ten O'Clock in the forenoon.

P R E S E N T

His Honor the President

Wm Skene Esq.,
Wm. Shirreff Esq.
Eras Jas Philipps Esq.

Otho Hamilton Esq.
John Handfield Esq.
Edw. Amhurst Esqr.

His Honor the President acquainted the Board that two french men from Mines had been to wait upon him at Noon in Relation to a Minute of Council abt their Civil Affairs upon which he had no sooner dismissed them than he observ'd that the Sergeant of the Guard took them into Custody and carried them to the Guard for which Reason he had called the Council to inform them thereof, as he designed to call the two Men tomorrow Morning to know for what crime they had been imprisoned & then adjd till tomorrow Morning at Ten o'clock in the Forenoon.

Thursday, the 29th April, 1742 met according to adjmt and the same Members being Present.

The two Men from Mines were Call'd in, Whose Names being John Terriot & his Brother Joseph, & being asked by the President whether they knew the Reason why they were confined to which John answered that being asked why in coming into the Garrison he went to the President before he had waited upon the Lieut. Govr of the Fort he told the Sergeant who ask'd him the Question, That he was informed at Mines that he was to wait upon the President first, & knows no other Reason than that for their Confinement.

Then the President told them that as soon as he had seen them carried to the Main Guard, he had ordered the Council to meet to take proper Measures to hinder any further Violence being used towards them but upon hearing they were released from their confinement, he had adjourned the council to this time, in order to enquire of them the cause they might have been told for their being confined, which he was glad to hear was for no great crime committed on their side, & to assure them that as long as the Inhabitants of this Province shall behave themselves according as they were bound to by their Duty and Allegiance to His Majesty and should obey the lawfull Orders & Regulations established by this Board, & signified to them by the President of the Council who as such in the absence of the Govr. & Lieut. Gov. of the Province is the Commdr in Chief of this Province, they should be maintained in their Propertys and Libertys which they were entitled to upon their Oaths of Allegiance to His Majesty and that they might acquaint the Inhabitants of their Parts with what the President had told them in Council.

Signed P. Mascarene

By His Honor the Presidents Command
Copy—Signed Wm. Shirreff Secty.

Extracts of A Minute of Council

Nov. 30, 1742

Then was read a letter from the Bishop of Quebec directed a Mons^r Mascarene in recommendation of Mons L'Abbé Miniac whom he had sent to assist Mons^r La Goudalie as grand Vicar and also a letter from the said Mons^r L'Abbé Miniac dated from Menis excusing himself on accot of the

badness of the Season from making his appearance here till the Spring, upon which his honour the President laid before the Board a Scroll of his Letter in answer to the Bishop of Quebecs on that Subject. All which being Considerd the Board is of Opinion that as the two priests (Viz!) Mons^r l'abbé Miniac and Mons^r Girard are come into this Province in a very irregular manner and contrary to the Rules & directions prescribd by the Governmt that they shall therefore not be allowd by the Government to exercise their functions as Priests or Missionaries within this His Majesty's Province, but that after the Severity of the winter is past they shall be ordered to depart & in the Answer to the Bishop of Quebecs letter his Honour the presidt is desired to Signifie to him the Rules prescribd by this Governmt. in regard to Missionary Priests with the Contents of this Minute. By his Honour the Presidents Command

by and with the Advice & Consent of
Council

P. Mascarene

Per W. Shirreff Secty.

At a Council held by order of the Honble Paul Mascarene Esqre Presidt of His Majesty's Council for the Provce of Nova Scotia at his own house in his Majesty's Fort of Annapolis Royal on Monday the 10th of Octbr 1743 at 10 O'Clock A. M.

P R E S E N T

His Honour the President

Wm. Skene Esqre

Wm. Shirreff Esqre

Eras J. Philipps Esqre

Otho Hamilton Esqre

John Handfield Esqre

His Honour the Presidt. Communicated to the Board Two Letters he had Received The one from Monsr de Louttre Missionary Priest to the Indians & the other from Francs Landry of Pizaaquit, writt at the Request of the Indians which last Signifying that the Inds. had no Intention to take or Pillage the Traders (till War is Declard between the two Crowns) as had been Reported for which false Report the Indians seem Displeased; And that of Monsr de Louttre's Acquainting his Honour that upon all the Enquiry he could make that the Report was Certainly false and that he had been Informed that the Inhabitants of this Place and the Traders by Giving the Indians Liquor were thereby the Cause of all their Mischief at any time done and Desiring his Honour would give his Necessary orders to Prevent any such abuses for the future &c.

Which being Counsidered it was agreed that a Proclamation should be Issued out Strictly forbidding the Inhabitants from aiding or Assisting the Indians in their Piracies and from buying or Receiving any Goods so Piratically taken by the Indians under the Penalty of being deemed Rebels And to Require them the Inhabitants by all means and even by force to Oppose and Prevent all Such Robberys; And that an Order should be sent

to the Deputys of each District to Impower them to Summon the Inhabitants to take up arms in Case the Case should Require it for the Protection of the Traders from All Robberys & Villanys and for Recovering all Goods Merchandise or Effects so taken that the same may be restor'd to the right Owners—

P. Mascarene

By his Honour the Presidts Command by & with
the Advice & Consent of Council.

Copy Minute of Council on Wednesday March 7th, 1743/4.

There was read a Petition of Anne Douglass Relict of the Deceas'd Saml Douglass Bombardier Praying Letters of Administration Whereby She May be Authoriz'd and Impower'd to Sell & Dispose of her Said Deceas'd Husbands Real & Personal Estate Consisting Chiefly of a House And Garden Wearing Apparell & House Hold Goods &ca (as her Petition and an Inventory thereof Taken by Lt. John Dyson of the Train of Artillery in the Presence of Erasmus James Philipps & William Shirreff Esq.) in Order to pay the Lawfull Debts of her Deceas'd Husband and to Enable Her to Maintain & Support herself Two Young Sons and a Daughter the Eldest under Eleven Besides a Daughter in Boston about fourteen years of Age the said Deceasds children by a former wife.

Which being Considered and that none Other would Accept of that Office It was Agreed by the Board that She the Petitioner should be Permitted to Administer and Empower'd, Her said Husband by all Appearance Here Dying Intestate, to Dispose of the sd Deceas'ds Real & Personal Estate for the Purposes Aforesaid and that Appraisers shall be Appointed to Estimate faithfully to the Best of Their Skill and Knowledge said Estate That the amount of the Value thereof, As she is only a Mother in Law may be the Better Known for that Effect and in order that Justice May be Done to the Partys Therein Concern'd.

And the Board further Consider'd That a Widow is only Intitled to the Enjoyment of the Thirds of the Interest of the Rent of a Real Estate During her life. It was therefore Agreed and Judged proper that in Case the Personal Estate, of which She is to keep an Exact & faithful account and of all Necessary Disbursements and Expenses, will not answer the Aforesd End and Design That if the House & Garden should be sold the money Receiv'd for the same should be Deposited in the Honble Paul Mascarene Esq. the President & Commander in Chiefs Hands in Trust till Properly Demanded and by Advice of Council to be Remitted to Boston in New England Whither she the widow Intends to Retire with the Children to be put out to Interest There by the Tutors or Guardians or Otherways Disposed of by them for the Childrens Use & Advantage according to Law which being the Greatest Precaution that can be Taken Here the Board Nominated Eras Jas Philipps, Edward How Esqrs and Mr. Richard Jones Artificer of the Board of Ordnance to be Appraisers of the Household

Goods Furniture & Wearing Apparell And in regard to the House & Garden as Edward How Esq Intends to be the Purchaser it was Agreed that he & the Administratrix Should Each of Them Chuse a Skillfull Person and that these two Thus Chosen Shall Chuse a Third to Judge and Determin the Difference between the Buyer & Seller and the House and Garden are thus left to Arbitration. But the Appraisers of the Personall Estate Nominated & Appointed by the Board are Accordingly upon Their Acceptance Authoriz'd & Impowered to Proceed and According to the Best of their Skill & knowledge faithfully to Appraise and Value the Same and to make Report Thereof in Writing to the Truth of which the said Appraisers are Requir'd to make Oath Before this Board.

A True Copy and Record

By His Honour the Presidents Command &
with the advice & Consent of Council

Wm. Sherriff Secty

Province Nova Scotia Minutes of Council. At a Council held by Order of the Honble Paul Mascarene Esqr President of his Majesty's Council for the Province of Nova Scotia &ca On Monday the 9th of April 1744, at Ten O Clock A. M.

P R E S E N T

His Honour the President

Wm Skene Esqr

Otho Hamilton Esqr

Wm Shirreff Esqr

Edward How Esqr

Eras Jas Philipps Esqr

John Handfield Esqr

Then was Read a memorial of Edward How Esqr Setting forth the state of Canso and Representing how Advantageous that place might prove to his Majesty and his Leige Subjects if it was Duely Encouraged by Establishing some Civil Power there for Deciding Differences in Regard to the fishery &ca And Inflicting Punishment for Petty crimes and Reffering the Consideration Thereof to the Board, his Honour Then Ask'd him what Particulars of Encouragement he had to propose in answer to which he Represented as follows,

To Witt

"A Commission to be made out as formerly for

"Holding a Court of Justice

"Two Justices who are Presidents to be Appointed

"No Inhabitant to Retail with a Licence from the

"Court of Justices Except upon the Hill of Canso Orders

"to be Sent to the Commanding Officer of the Troops to be

"Aiding and Assisting to the Court of Justices when Required

"That District to be form'd into a Township and

“To Hold Their Estates upon the terms of his Majesty’s Instructions

which Proposals being Thus Minuted the Consideration Thereof was Referred Till fryday Next Ten O’clock A. M.

Fryday the 13th of April 1744. Being Mett according on Monday the 9th Instant at Ten O clock A. M. the Same Members Present his Honour the President Acquainted the Board that in Considering Mr. How’s Proposals as minuted on Monday Last in Regard to Canso he had Order’d a Scrawl Commission of the peace for that place to be prepar’d for Their Consideration. And that as it Contain’d as he Apprehended what might contribute to the peace of that place as also almost all Mr How’s Proposals, Except That of forming Canso into a Township, Wherefore the Design is and may be Imply’d, and the Condition of their Holding Their Estates According to his Majesty’s Instructions, Concluding it Improper to alter the Terms by which They Already Hold, Till further Application be made and Advice Thereupon had from Great Britain and thereupon Desiring Their Opinion it was Read, and With Some Amendments, made it was Approv’d of and Pass’d by a Majority. The Gentlemen Thereby Appointed being Vizt The Commander of the Troops and Garrison at Canso, Edward How, Thomas Bell, John Tasker, John Eliott and John Trivett Esqrs all other Commissions of the peace for that Place being Thereby made Void.

By his Honours Command

by and with the Advice and Consent of the Council.

Wm. Shirreff, Secy.

Minutes of Council held on Saturday the 14th April 1744, in His Majestys Garrison of Annapolis Royal the same Members as on the 9th and 13th Present.

It was Order’d and Agreed that a Rough Draught of a Proclamation should be Prepare’d by the Secretary of the Better Regulations of Civil affairs and Inflicting fines and Penaltys &ca and Regulating fees here and at Canso with such variations as The Circumstances of Both places may be Judg’d Necessary to Require and Then Adjourn’d Till Thursday Ten o’clock A. M.

Thursday the 19th of April 1744, being mett according to the adjournment on Saturday the fourteenth Instant and the same Members being Present.

His Honour the President Acquainted the Board That Having Perused his Instructions, he had Therein found a Paragraph for Limitting all Commissions Granted to Judges and Justices of the peace to a Certain Period of Time in order to Prevent all Arbitrary Removals, which being Consider’d the Board Agreed that the Commission, Now Granted to the Justices at Canso, shall be accordingly Limited and Remain in force Till the 29th Sepr 1745.

Then was Read the Scrawl of the Intended Proclamation as Directed on Saturday Last which after Some Amendments was Order'd to be prepar'd and Issued Accordingly, and Monday in Every Week was Appointed for the Council To Meet and the Cost of fees and &ca were Regulated according to the following Table in Sterling vizt.

For a Warrant

For a Mitemus one shilling and Six pence.
 The Constable for Attendance Two shillings.
 Summoning Witnesses Each sixpence
 and for Each mile Three pence
 Witnesses Takeing an Oath Each six pence
 The Judgment of the Court to be paid out of the fines
 The Secretary Six shillings and Eight pence
 or more if the Case Requires
 The Justices Clerk at Canso Three Shillings and four pence
 Fines and Penaltys submitted to the Judgment of the Board
 to be Regulated According to the Nature of the Offence

Extract by his Honour the Presidents Command

Fryday the 4th of May 1744, at Ten O Clock A M Being Mett according to Adjournment the Same Members Present.

His Honour the President Acquainted the Board That he had Receiv'd Two Letters by one Antoine Gilbert alias "Clearemont" To witt one from Mr. Alexr Bourg and one from the Indians at Mines Representing Their Great Concern for the murder of an English Crew on the Eastern Coast Committed by Six of the Chickinakady Indians and Referring his Honour to said Clearemont for a more Particular Account Thereof which said Letters were Read as also said Clearemonts Declaration To which he then made Oath as upon file.

And he the said Clearemont Offering himself to Recover the Boy Therein mention'd and with the Assistance of The Indians to Bring all or as many of the said six Malefactors as he could Get, If he should be Warranted by the Government and his Honour. Thereupon Askd the opinion of The Board. It was Agreed That upon his Performing his Promise he should Have the Encouragement "he Demanded which was to be Admitted to Settle in the province "and be Accounted one of his Majesty's Subjects his Intention "Being to marry one of the inhabitants Daughters "And further to be Recompensed according to the Nature of his service and to be Reimbursed The Expenses he shall make Appear he may be at in Performing The Same And it was further Thought proper That his Honour the President should write to the Indians Inhabitants and Their Priests to be Assisting and contributing in the Apprehending and Takeing Renne Madagonuit, The Chief, and the Rest of the sd Malefactors, In Order to Bring Them Hither to Justice.

And that as the Said Clearemont had further Offer'd to be Assisting

in Saveing the Vessell and Cargo in which the said crew were killed he was Told That if he could so do and carry her to Canso with all That can be sav'd of the Cargo That upon his Applying to the owner or claimer, If there or in Their Absence to the Judge of the Admiralty, That he would certainly have all the Lawfull Satisfaction he could Require And a "Copy" of said Minute being Ordered to be Translated into french and Given to said Clearemont for his Present satisfaction his Honour the President by And with the Advice and consent of the Board Thereunto subjoin'd his following warrant for Said Clearemonts Proceeding and Acting as he had Promiss'd.

To wit. In consequence of the above Minute I do Hereby by and with the Advice and consent of his Majesty's said Council Authorize Empower and Warrant you the said Antoine Gilbert alias Clearemont to Act do and Perform to the Uttmost of your Power Everything Therein Contain'd and That with all Expedition you Bring hither, if you can Possibly Take and Apprehend all the Malefactors or any one or more of them mention'd in your Declaration, you shall for your So doing be Rewarded as therein Promiss'd Upon your so Bringing the Chief or any one or more of said Malefactors here to Justice. Given at his Majesty's fort of Annapolis Royal The fifth Day of May in the Seventeenth year of The Reign of his Majesty George the Second of Great Britain France and Ireland. King Defender of the Faith and so forth and in the year of our Lord one Thousand Seven Hundred and forty four.

Extract by his Honour the Presidents
Command

"Wm Shirreff, Secy.

The Declaration of one Antoine Gilbert Taken by an Interpreter who thereby Relates as follows, Vizt. Antoine Gilbert alias Claremont, from Louisbourg Winter'd Last fall at the Grand Pre of Mines from whence he Return'd to the Eastern Coast about Easter to see in what Condition The Effects he had Left There were in, That at Theodore he mett with six Indians Belonging to Chickabenakady Tribe, of whom the Chief Called Renne Madogonouit was one and Told him, The said Claremont That they had Taken an English Vessell, whereof the Masters Name was Rich or Ridge "Belonging to one Tasker, And that They had killed the whole Equipage Except a Boy, the Number killed being five and that the said Chief Told that he Took out his Commission and said to the Rest That were with him, That his Commission Order'd him to kill the Englishmen. Whereupon They Immediately fell upon Them and put Them to Death that the Boy who speaks french Told him to the Same purpose what the Chief and the other Savages had Done, And That he had Engrav'd upon a stone an account of what had Pass'd and Befallen him and the Vessell, That such English as might Come There might know their fate which the Indians suspecting They Broke the Stone in Peices and Threw it into the sea or River That being Thus Inform'd he made what Dispatch he could to Inform the Government here and Says That if the Government will Instruct and

Employ him he Doubts not of Recovering the Boy, and with the Assitance of the other Indians, who are much Enraged with the aforesaid Actors and to Whom he is Very well known Having Traded Amongst them for several years he will Bring the said Chief and these Others That were with him, Either to This place or to Canso as he may be Order'd and Directed, And he further Declares That the six Indians which Committed The murder were the above Named, Renne Madogonouit and his son in Law Bernard Bernard and La Martier, and his Two sons Which being "Again" Interpreted to him in french he sign'd the Same.

Sworn in Council Before me, P. Mascarene
This 4th of May 1744,

his
Antoine X Gilbert
mark

By his Honour the President's Command
The originall Translation being upon
file

Wm. Sheriff, Secy

President of the Council and
Commander in chief for the
time being, of his Majesty's
Province of Nova Scotia

A Conference Held at Annapolis Royal on Saturday the fifth day of May, Between the Honble Paul Mascarene Esqr President and Commander in chief of his Majesty's Province of Nova Scotia Attended by the members of his Majesty's Council and all the Officers Belonging to the Garrison of Annapolis Royal, And Joseph son of the Chief of the River St. John's, Francois De Sal, Francois and Guillaume Quatre Patts, all four Delegates from the Indians of said River, Prudent Robichaux being the Interpreter.

His Honour the President acquainted the above mentioned Delegates that as he understood They Presented Themselves to this Governmt in an amicable Disposition he Therefore Receiv'd Them as friends and Gave them his Hand as a Token of his Sincerity and Then Proceeded to confer as follows.

Comr in chief
Joseph the chiefs
son speaking
for the others
Present

What Particular Business Occasions your comeing Hither
at This Time?

We come in Behalf of all our Tribe of Indians Belonging to the River St. John, Sent by my father our chief, to Acquaint you that we have had News from Canady and from Boston by the Way of Penobscot that peace still continues between England and france but that at The River St. John's Things are Variously Reported Wherefore we Desire to Know from your self Howe matters Really are. We are as well Pleas'd to see the English Officers here assembled as if you were our own Chiefs, Conceiving from Thence that you Act in Behalf of his Majesty and that your Intentions are friendly Towards us. Therefore shall Depend upon what you Tell us the same as if The King Himself should speak to us. We Desire to be Dispatch'd as soon as Possible and to be Landed on the other Shore as near our Home as Conveniently Can the Reason for our Pressing to Depart so soon being Oweing to the Impatience of

our Brethren who are Purposely assembled at Mennaguash and are Very anxious to Know from us how matters are, whom They have sent here for no other Couse.

Commr in Chief We have had News from Europe of Great Commotions and Troubles several Princes being at War There, our master the King of Great Britain Sideing with one party and the King of France with another, but as yet we have no Account of war being actually Declared between the Two Crowns which Nevertheless may Probably Happen in which Case if you conform your selves to the Articles of Peace Passed Between us and you, and do not Enter into the Quarrell, our merchants will continue to supply you as Usual, Provided They may not be Lyable to Receive any Insults from you and as I know The french will Invite you to War I should be Glad to know your Intentions Thereupon.

Indian We are Sensible we Cannot Live without the assistance of the English and if They and the French do Go to war our Designs are to Lye Quiet and meddle on Neither side being as well Pleas'd with your Pacifick Proposals to us as you are to make Them.

Commr in Chief Do you speak this as your own Sentiments only or are you Empower'd from your Tribe thus to Declare your Peaceable Intentions?

Indians An Officer from Boston has been Sent to the Indians of Penobscott with the Same Proposals Acquainting Them That altho' the two Crowns might be at War They might Nevertheless continue in peace. And Thereupon Our Tribe of the River St. John's have Sent us hither with orders to accept of the Like conditions from you if Offer'd to us.

Commr in Chief Do you Remember the Conditions of the Treaty of Peace Between you and us.

Indians We Do!

Commr in Chief Then I must Acquaint you of a Horrible murder committed Last Winter by the Indians Resorting along the Eastern Coast and to Expect that the Indians in General should Join in bringing the Delinquents to Justice agreeable to the said Treaty.

Indians So soon as we heard of it, which was only since our arrival here, we were struck with Grief and Amazement. We do not Doubt but the Tribe to which They Belong will Deliver up the Malefactors to be punish'd according to his Majestys Laws which we Look upon to be but Justice and Conformable to the Treaty.

As to your Return Home I shall send you over in one of the Vessells Employd by the Honble Board of Ordnance in his Majesty's Service which is to be Loaded with Lime stone at Musquash Cove. And I do Expect that so far from Obstructing the Sd Business you will on the Contrary assist them as they will undoubtedly Give you some Allowance for your work. I would also Advise you to be Carefull How you Hearken to Reports of Consequence and Before you Give credit to them I would have you send to me to be Inform'd, and you may Depend upon my Telling you the Real Truth.

We are obliged to you for This kind Treatment and manner of sending us home which will be Regarded by our Brethren as if Personally Done to themselves, who upon our arrival will Despatch Two Canoes to Canada to Inform the Indians There of the friendly Reception you have Given us and the Kind Proposals of peace Offer'd us from the Government.

Commr in Chief Friends you may Retire for the Present I have Order'd you some Provisions and I Desire to see you again Before your Departure which at your Request shall be with the utmost Expedition and at furthest by Monday Next.

Monday the Seventh of May, 1744. His honour the President and Commander in chief Haveing Conven'd the Council who being Accordingly Mett and the aforesd Delegates with Prudent Robichaux There Interpreter also Present the Conference Continued as follows.

Commr in Chief My friends I have agreeable our Last conference on Saturday Last sent for you to Acquaint you that the Vessel was Ready for your Embarcation and to Take my Leave of you Before your Departure. And that if you have anything to Add or to complain of in Regard to your Treatment I may hear it and do you Justice.

Indians We thank you for Quick Dispatch and all your Other Civiltys with which we shall Acquaint our Chiefs who are assembled with the other Indians waiting our Return who will be much overjoyed to hear of our Treatment and your friendly Compliance with our Requests and Readiness to Redress our Grievances had we any to Lay Before you.

Commr. in Chief You Neved need Doubt of a kind Reception from me nor from His Majesty the King of Great Britains Subjects while you Behave your selves Peaceably and Friendly Towards them and his Majesty's Government and that I token of my Sincerity and Confidence in that of yours, I have Thought Proper to send along with you Edward How Esqr one of the Gentlemen of his Majesty's Council to see and Converse with your Chiefs and

the Rest of your Brethren at St. John's and to communicate to them Every Particular that Hath Passed in This our Conference.

Indians

We Esteem it an additional favour you should so do and do Promise him a Hearty wellcome as we are certain it will be a great Pleasure to our chiefs to see and hear one of you Talk to them, Personally, as to our Behaviour it shall as we have already said be Peaceable and friendly and we chuse Rather to Dye Than forfeit our Words and Take up arms against the English It being Impossible for us to Live without Their assistance as we have already Signified.

Commr. in Chief

As I have already Told you war was not as yet Proclaim'd Between the two Crowns of Great Britain and France yet Notwithstanding as it may Happen and as the Custom is upon The Advice Thereof to proclaim it in this as well as in his Majesty's other Provinces. I have thought Proper that you may not be Surprised at the Hearing of Such News to Acquaint and assure you that the Proclaiming of War here is not in the Least Intended against the friendly Indians and Inhabitants of this province but only for their Information to be upon Their Guard to Prevent any Damage that may Happen to them by those Whom we Esteeme and Proclaim Enemys.

Indians

We approve of your Method and promise as we have Already said to Live with you and all The English in friendship and we Thank you for your kind Information which we shall Duely observe.

The Conference being Thus Ended they took Their Lieve And Gave their Hands as a further Token of their Sincerity and Embark'd along with Edward How Esqr on Board the "Montague" Schooner Employed as aforesd in his Majesty's Service for the River St John.

Extract by his Honor the
Presidents Command

Wm. Shirreff, Secy.

END

At a Council held by order of the Honble Paul Mascarene Esq President and Commander in Chief &c at his own house in the fort of Annapolis Royal on Friday the 12th October 1744

P R E S E N T

His Honor the President
William Skene Esq
Erasmus James Philipps Esq
Otho Hamilton Esq
Edward How Esq
John Handfield Esq
Edward Amhurst Esq

His Honor desired the opinion of the Board in regard to the trade up the Bay—it was resolved to prohibit all kind of clothing peculiar to the Indians such as blanketing, strouds, and that whatever vessels trade up the Bay should be allowed only to carry what is for the consumption of the inhabitants themselves and that those of the French inhabitants up the Bay who have occasion for any necessaries for their own consumption may come to this port to fetch it and bring here whatever they have to dispose of according to the laws of trade

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present, Edward How Excepted, November 30th, 1744.

His Honor communicated to the Board a letter from Monsieur Bourg alias Bellehumeur wherein he endeavours to explain some parts of his conduct, upon which it was thought proper to defer any judgment thereon till answer was made by the Deputies to some letters written by the Commander in Chief to them and that in the meantime a summons should be to Amand Bajoe and Joseph LeBlanc ditte Le Maigre to come here and answer to some points laid to their charge.

Signed P. Mascarene

Copy of Minutes of Council

At a Council held at the fort of Annapolis Royal by order of the Honble Paul Mascarene Esq President of His Majesty's Council for the Province of Nova Scotia and Commander in Chief of said Province for the time being at his own house on Thursday the 6th December 1744.

P R E S E N T

His Honor the President

William Skene Esq

Edward How Esq

Erasmus James Philipps Esq

John Handfield Esq

Otho Hamilton Esq

Edward Amhurst Esq

His Honour the President acquainted the board that as Capt Gorham was very well Inclined to do anything that might tend to the distressing the Indian Enemy but wanted several Necessaries such as sails for a Schooner he has which cannot be bought here (his own being too old for the Season of the Year) Snow Shoes Guides by land & Pilots by sea, He therefore desired the Opinion of the Board whether it would not be proper to issue out his Warrant to take such sails as may suit his Vessell in Case the Owner should not be willing to hire them out to him in making that Satisfaction which should be thought Reasonable, as also taking such snow shoes as he may find amongst the French Inhabitants paying for them and also to take Guides by land & pilots by sea from amongst the inhabitants such as His Majesty's Service may require in any part of this Province The Commander in Chief observing that as the Province of the Massachusetts Bay has very

much Contributed by the timely Succours we have received from thence to the Preservation of this Place and the Province in General, The Governor of that Province would not but take it very much amiss if this Company of Indians sent on the Public Service by him should meet with any baulk in any thing that should be necessary & in our power to procure for the Carrying on His Majestys Service, The Board having Considered of what His Honour proposed were of Opinion that the Commander in Chief may Issue out his orders authorizing & Impowering Capt Gorham or any other to take Racketts, sails Vessels Pilots Guides or any thing else that is necessary for His Majesty's service making such Satisfaction as shall be judged reasonable & allowing for the damages which shall be made appear before this Board to be justly incurred by those concerned.

Signed P. Mascarene.

At a Council held at the fort of Annapolis Royal by order of the Honble Paul Mascarene Esq President and Commander in Chief &c at his own house on Saturday the 8th of December 1744.

P R E S E N T

His Honor the President
William Skene Esq
Erasmus James Philipps Esq
Otho Hamilton Esq
Edward How Esq
John Handfield Esq
Edward Amhurst Esq

His Honor the President laid before the Board a Petition of Captain Gorham's setting forth that there was intelligence of a great body of Indians being assembled at Menis and Chicanecto (who are supported by the assistance of the French inhabitants) which if not cut off and routed this winter will in all probability endeavour to annoy this garrison in the spring, —that therefore as his own vessel is too small and as there is vessels now in the harbor belonging to New England fit for their purpose to transport himself and Company up the Bay with the Company of Volunteers who are come here upon Governor's Shirley's proclamation to pursue the Indians and has desired him and his Company to join with them (they not thinking themselves sufficient to proceed without them), he therefore pray's His Honor and the Board that they'd please (as his vessel is not big enough) to procure a vessel for the above reasons for which he is willing to pay what this Board shall think fit by the month while in their service or if the owners of said vessel choose to run the same risk with them they shall have an eighth part of what is obtained—the Board having considered the above Petition was of opinion that the Commander in Chief should issue out his warrant to take a proper vessel according to the conditions proposed by Capt Gorham in his said Petition his said undertaking being judged very much for his Majesty's service and it having been represented that Mr.

Joseph Young's sloop was fit for his purpose His Honor was advised to issue out his order for taking the said vessel.

Also another Petition of Captain Jones's Commander of the armed sloop Speedwell in behalf of himself and Company, praying that as they had the misfortune to loose his three boats in his passage hither and that as there was a proper boat for their purpose belonging to the Honorable Board of Ordnance, he therefore prayed His Honor to procure said boat for him as also an inventory of materials wanted by them in this their enterprise as follows vizt. a cable belonging to the King's schooner and some small rigging if wanted, boards for platfordms, a 1000 double board nails about deck nails and shackles if to be had, whereupon the Commander in Chief having sent for Mr. Cowley to ask him if he had any material objection against Capt Jones's Petition, he answered that as it was for promoting His Majesty's service he would conform to the orders he should receive from him (the Commander in Chief) as well in relation to the barge as to tackling, rigging, and other things required.

At a Council held by order of the Honble Paul Mascarene Esq President and Commander in Chief &c at his own house in the fort of Annapolis Royal on Tuesday the 11th December 1744

P R E S E N T

His Honor the President
William Skene Esq
Erasmus James Philipps Esq
Otho Hamilton Esq
Edward How Esq
John Handfield Esq
Edward Amhurst Esq

His Honor the President laid before the Board a letter he had received from the inhabitants of Cobequid brought by two Deputies Pierre Terriot and Claude Pectre sent from that district, who in behalf of their said district signified their having not interfered in the last troubles (none of their inhabitants having joined the enemy nor given them any assistance but as force obliged them to it) and acknowledging their submission and fidelity to His Majesty the King of Great Britain their lawful Sovereign, being asked by the President whether there had not been cattle conveyed to Lewisbourg by way of Chiconecto and Tadmigouch, they said there had been two droves of black cattle and sheep from Menis and being asked who drove them they answered Joseph LeBlanc alias LeMaigre and Joseph Dugas—they were further asked where Joseph Dugas was, they answered at Tadmigoush being come from Lewisbourg in a shallop—as to the Indians they said they were all dispersed, and Mr DeLoutre was at Chipnacady, but they did not know of any number of Indians with him, they were then bid to withdraw but not to depart and to return on Monday the 17th instant.

Monday December 17th 1744 met according to adjournment the same Members present.

His Honor the President acquainted the Board that by the intelligence he had from Mines that things were pretty much in disorder, there being no new Deputies chosen nor answers made to the letter he writ to the old Deputies by Peter Allain and Jacque Terriot which he understands is occasioned by the notary public neglecting to act by reason of some check he has received for some past misbehavior, which hitherto he has not cleared himself of to the satisfaction of this Board and therefore he stops all business on pretence of nobodys having any right to transact any public affair but himself—it is therefore resolved that His Honor the President shall suspend the said Alexander Bourg from the execution of his office as notary public till farther orders and to appoint in the meantime Renny LeBlanc to execute that Office.

The Cobequid Deputies appeared this day as directed and were told that as it was of absolute necessity for His Majesty's service that the Indian enemy should not be apprised of any designs formed for their chastisement they the said Deputies should remain here for some time longer, that in the meantime the President would assist them and pay for their lodging and diet.

Signed P. Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President and Commander in Chief & and in the fort of Annapolis Royal at his own house on Friday the 21st of December 1744

P R E S E N T

His Honor the President

William Skene Esq

Edward How Esq

Erasmus James Philipps Esq

John Handfield Esq

Otho Hamilton Esq

Edward Amhurst Esq

The Deputies of this river having presented a Petition wherein they prayed to be discharg'd from giving Pilots & Guides to go against the Indian Enemy they were told that their Petition contained what might make them appear not Inclined to assist the Government; which they answer'd was not their Intention, they being always ready except in this Point which they desired to be discharg'd from & some Motion being made to return their Petition to amend it they were bid to appear on Fryday the 28th Inst. & then adjourned till said day.

Fryday the 28th of December 1744 met according to adjournment the same Members present.

The Deputys appeared again & being asked for their Petition they said that seeing their demand would not be granted they Chose to withdraw it —The Comma in Chief repeated to them in Substance what he had told

them before that it was ye Custom allowed in all Nations when the Publick service required it to take Pilots & Guides, that he could not grant them an Exemption from that Service since he should not be able to answer it, if the Publick service should suffer by his not giving leave to take Pilots & Guides when they were to be had, that all he could do, was to leave it to their choice either to furnish one when demanded or that such should be pressed when the Service should require it. (To which they answered that they rather Chose the last of these, as being more adapted to their Case by giving less reason to the Indian Enemy for their resentment) But as on a rumour spread, that several of the Inhabitants were to be pressed to serve on board the New Engd Privateers most of the Inhabitants down ye river had left their Habitations, the Comma in Chief told ye Deputys that such piece of news was without foundation there being no Intention to oblige them to take up Arms and that all that was required was a Pilot or a guide when the Service should require it and that therefore if on such an Occasion the People should leave their houses it would be taken amiss & they must expect to be called to an accot, and be punished for it The Deputys were further told that several people of this River made a practise of going to Mines & some came from thence without ye Comma in Chiefs knowledge, which at this time was improper, as it often was requisite to send orders or directions thither, and it was always necessary to get Intelligence of the State of that & other settlements, by all Oppor and therefore it was expected, that none should go without acquainting the Commander in Chief, who would give them a Passeport for their Security against our Rangers, and that when any person came from Mines, notice should be given of it as soon as possible —That no Inhabitant of the Cape should entertain any belonging to the Garrison & that if they would force themselves on them, they should come to the fort & give notice of it to the Comma in Chief & that none of the Inhabitants should stay after the Retreat, in the Fort or in the lower town, to prevent disorders that such Communications might occasion.

It was further remarked, that Contrary to express orders given, the Inhabitants bought Clothing and other things of the Soldiers by which they might buy their regimental Clothing or Accountrements, or stollen goods, as it had happend a few days ago, that therefore, no trafic should be held by the Inhabitants with the Soldiers for any such kind of Goods without special leave from their Officers & that those who had bought from the soldier under Confinement, goods stolen by him should return them forthwith & that the Deputys should tell the Inhabitants to stop all soldiers that should be found Straggling and bring them back or give timely notice of their having stopt such unless those soldiers should have a written order or leave or be with an Officer.

P. Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President & Commander in Chief &c at his own house in the fort of Annapolis Royal on Friday the 4th of Jany 1744/5

PRESENT

William Skene Esq	Otho Hamilton Esq	John Handfield Esq
Erasmus James Philipps Esq	Edwd How Esq	Edward Amhurst Esq

His Honour laid before the Board 2 letters he had received from the Inhabitants of Mines & Pizziquid acquainting him of their having Chosen their Deputys according to his Orders, making many excuses for their not having done it before & Promising for the future to pay an Exact obedience to ye orders of the Government.

Another Letter from the Inhabitants of Grand Prée River Canard & Pizziquid in Conjunction assuring him of their intention to Continue faithfull subjects to His Majesty King George & having that Confidence in him as children towards their father they have a favour to ask having learnt by Indirect means that several armd Vessells were arrived from New Engd & that they had pressed by Violence the Inhabitants of Annapolis Royal to go against the Indians & to serve them as Pilots & hearing they were coming up the bay to do ye same & to destroy all the Inhabitants that had any Indian blood in them & Scalp them,—That as there was a great number of Mulattoes amongst them who had taken the Oath & who were allied to the greatest familys it had Caused a terrible Alarm which made many put themselves on their Guard being very much frightend for which Reason all ye Inhabitants being assembled of each District had sent to him to Submit themselves to his Mercy & to represent that in Case they were Obliged to make any sortys or go against the Indians that Barbarous & Inhuman nation would assassinate them every day while they were at their Work & separated from one another without being able to have any succor from the Government as it was so remote which they had well foreseen when they reserved in taking the oaths of fidelity a Dispensation from every thing that related to War—The favour therefore that they demand is to know whether the People of Boston have a right to force them & expose them to such danger.

Another Letter from Amand Bugaud Inhabitant of Mines giving an Accot of his Voyage to Lewisbourg & being detained there & afterwards obliged to accompany the french in their Expedition acquainting him of the many threatnings which has hindered him from Coming here as summoned to do being afraid after such great Menaces.

Another from Joseph Leblanc alias le Maigre Informg him that he had nothing against the Kings Interest since the beginning of the War but by pure force hoping his honour would not be Surprised that he did not Come (as Summoned) to justifie himself as so many things were falsely Imputed to him which made him afraid.

Another from Alexr Bourg containing many excuses for his negligence to act in his office.

The three Inhabitants who were Chosen by the three districts of the Grand Prée Pizziquid & river Canard, to bring the letter above mentioned

were called in His Honr thereupon Signified to them his resolution to give the Inhabitants his protection provided they Continued steadfast in ye Promises they had made not to do anything against His Majestys Interest and behaved like faithful subjects to his Majesty King George & that to prevent any disorders which might happen by the New Engd peoples going up the Bay to pursue ye Indian Enemy he had given positive Instructions to them not to Molest any of the Inhabitants who had behaved themselves well and in regard to the Notion the Inhabitants had amongst them that all who had any Indian blood in them would be treated as Enemys, it was a very great Mistake since if that had been the design of the New Engd Armed Vessells it might very well be Supposed that the Inhabitants of this River many of whom have Indian blood in them & some even who live within reach of the Canon would not be sufferd to live peaceably as they do if that ever had been resolved upon.

His Honour further told the three Inhabitants that what the three Districts had desired to know about the New England people making the Inhabitants take up arms to pursue the Indians & go as guides & Pilots to find them out; the first was never intended nor so much as ever thought of but yt the latter of taking Pilots & Guides from amongst them was not in his power to hinder since it was practiced by all Nations & agreeable to the Laws of War that therefore they must rest satisfied & whenever they were called upon or forced to go on said Service they were to be faithfull to them & not to quit them without leave.

P. Mascarene

At a Council held by order of the Honble Paul Mascarene Esq President & Commander in Chief &c at his own house in the fort of Annapolis Royal on Monday the 21st of January 1744/5

P R E S E N T

His Honor the President

William Skene Esq

Otho Hamilton Esq

John Handfield Esq

Erasmus James Philipps Esq

Edward How Esq

Edward Amhurst Esq

His Honour the President acquainted the Board that Monsr Alexr Bourg, Joseph Leblanc dit LeMaigre & Amand Bugaud were come from Mines; The two last having been Summond to appear here before the board That all three had declared they came here to answer to such points of Accusation as should be laid to their Charge that therefore he had drawn up such questions as he thought ought to be laid to them Severally which were Read & approved of and then adjourned till Wednesday ye 23d Instant at 10 a Clock.

Wednesday January 23rd, 1744/5. Met according to adjournment the same Members Present.

Monsr Alexr Bourg, Joseph Leblanc & Amand Bugaud appearing this day before the Board as directed His Honour the President deliverd to

each several Interrogatory Questions as mentioned in the Minute of Monday last as upon file to which they answered in Council and they were ordered to give their answers in writing against Friday next. Joseph Le Blanc & Amand Bugaud produced several Orders of Monsr du Vivier the French **Commander & the Intendant at Lewisbourg with Certificates** in behalf of the latter Certifying that he (Amand Bugaud) did not bear arms against the fort as accused.

Tre Deputys being come as orderd His Honour delivered to them the Engineers demand for timber Pallisades &c for the Service of the Works as also a Computation of what wood is wanted for the use of the Garrison for the Ensuing Winter which they were ordered to get ready as agreed to (when that matter was last talked of) as soon as possible to be paid for according to the stated price Then adjournd till Friday next.

Friday the 25th January 1744/5 Met according to adjournment the same Members present.

Monsieur Bourg, Joseph Leblanc, and Amand Bugaud, deliverd their Answers in Writing as orderd to the Interrogatory Questions which being Read & Considered they were judged not satisfactory & thereupon they were ordered to appear before the Board in the Afternoon and then Adjourned.

Then met according to adjournment.

Monsieur Bourg, Joseph Leblanc and Amand Bugaud were each further Examind upon the Answers they had made to the Interrogatorys and being ordered to withdraw; It was resolved that Monsieur Alexr Bourg for his neglect in not using his best Endeavors to prevent the Exportation of Cattle in which those of his family were mostly Concerned as well as for other neglects in the way of the Duty of his Office should be dismissd from his Office of Notary at Mines That Joseph Leblanc & Amand Bugaud should each of them be bound with two Substantial Inhabitants as securitys in the sum of one hundred pounds sterling for their appearance before the Commander in Chief or President & Council whenever called thereto within the space of a year & a day.

Then the partys being called in & the Commander in Chief having animadverted upon their several neglects, breaches of trust & of the Duty and fidelity they owed to His Majesty acquainted them with the Resolve passed in Council to which they Submitted & thanked the Commander in Chief & Council for their favourable treatment of them, promising to behave in such a Manner as not to give any Subject of Complaint against them for the future.

Copys of the Interrogatory Questions put to Monsr Alexr Bourg, Joseph Leblanc & Amand Bugaud with their Answers also some orders of Monsieur du Viviers & the Intendant at Louisbourg produced by said Leblanc & Bugaud with some Certificates in their own Justification To

which are added the Copys of some orders of Monsr du Viviers the Commander of the French & Indians then before this Place to the French Inhabitants of this River.

Interrogatorys for Monsr Alex Bourg

1. Did you Publish the orders sent to you to declare War against France & for Prohibiting trade & Commerce with the Subjects of yt Crown & with their Allies.
2. Why had not all the Departments of Mines those orders signified to them.
3. Why did you refuse to write for those of the Inhabitants who wanted to associate themselves to hinder the Conveying of Cattle & other Provisions to Lewisbourg.
4. Why did you not join with & support them with the authority you were Vested wth & especially why did you not use it towards those of your family who were concernd in this Unlawful Commerce.
5. Why did you not come & give an Accot of your Conduct when you knew you lay under Suspicion of not having acted According to the duty of your Office & had accordingly sent word you would not write but would come to justify your self of what might be laid to your Charge, instead of which you writt a letter which in Council appeard trifling & only a put off.
6. Why did you neglect to call the Deputys & prompt them to Summon the People for the Choice of new Deps. on the time appointed & why did you not return the names of those who had been Chosen at Cobequid & had been sent to you.
7. Had you any Commission given or offerd to you by Monsr du Vivier or any other french Officer.
8. What was the reason the Community did not send intelligence of the arrival of the Enemy at Mines.

Response des Interrogations aux Sre Alexdre Bourg cotte aux nombre des huit articles

1. Les Ordres qui me furent adressé defendant le Commerce d'aucune assistance aux Enemis du Roy d'Angleterre nôtre Souveraine ont été publié dans la Grand Prée et ensuite, enlevé a Pizziquid par un Officer accompagnée des Sauvages Miquemak.
2. Les dittes ordres étant saisy et Enlevé ont esté les causes qui j'ai esté ors d'état de les faire Publier en les différent Departement de mon office.
3. Le Refus que j'ay fait aux habitants estoient une Grace de delay Demandé aux Sujets d'une grande affliction en faisant mes ofres sur le Champ de tous ce qui pourroient Dependre de moi.

4. Les Raisons qui ont Rouson de Societé a ne vouloir se servir de moy ont été fondé sur les Menaces de me faire casser de mon Office esperant entre en Charge comme ils l'ont fait paroistre par esclat publique sans que j'ay jamais en d'autres sentiment qui pus estre Contraire aux Interest de sa Majesté comme aussy du Gouvernement.

5. Ce qui ma Empeché de Venir rendre Compte de ma Conduite les mauvais temps Continuelle la Saison avancé comme aussy mon age ma fait Craindre quelque bonne Volonté que je puisse avoir.

6. Les Raisons que je n'ay pas assembler les Habitants pour faire Election des nouveaux Deputer Suivant mes ordres, Ils me regardaient entierement dégradé c'est pourquoi j'étoient fort peut Ecouté comme aussy ceux de Cobequid m'ayant donné les Noms de Ceux de leur lieux se disant sy pressé de monter en le haut de la Riviere qui ne me donnant pas le temps de pouvoir Ecrire je les pria dans donner les Noms par aux mesme.

7. Monsieur du Vivier arrivant a le Decharge me dit qu'il avoient appris que j'estoys Notaire Des Minne qu'il esperoient que sy seray soutenu.

8. Les Ennemis de sa Majesté arrivant, publiere sur peines de Mort que qui que ce soit n'eussent a faire aucune demarche ny avertissement contraire a leur Enterprise me faisant Connaitre que J'estaient plus suspect qu'aucune autres Rapart a mon Emploi; fait a Annapolis Royal le 25ne Janvier 1744/5

Alex Bourg

Interrogatorys for Joseph Leblanc dit le Maigre

1. What made you go to Lewisbourg after you found Canso had been taken and burnt by the French.

2. What detained you at Lewisbourg when you found War was declared between the English & French.

3. What Prompted you to bring your Sloop to Bay Verte & to come to Mines & drive Cattle to Transport to Lewisbourg when you were not ignorant of the french were declared Enemys to His Majesty & that orders had been sent to prohibit any Commerce or Correspondence with them.

4. What reason had you to persist in Conveying that Cattle notwithstanding some of the Inhabitants who were well Inclined to keep to their fidelity to the Govt. did what in them lay to hinder you.

5. How durst you return to Lewisbourg with ye Provs you had procured when you knew that Contrary to Law & the orders given you were Providing for his Majestys Enemys.

6. What made you employ yourself in the Service of the Enemy when they were actually besieging this Place & be their Messenger with packetts

to & from Lewisbourg which had you had no Inclination to do you might have easily avoided on acct of the length of the Journey & ye great fatigue of it.

7. What made you make use of a Clearing you had before War was declared for your Trade to Canso & the Eastern Coast when bound to Lewisbourg for the Service of the Enemy, you shewed it to an English Privateer to delude him & get out of his hands.

8. Where did you leave your Sloop & why did you not return with it to this Port for the discharge of your Clearings.

Response des Interrogations a Joseph Leblanc dit le Maigre cotté de huit article Savoir.

1. Arrivant a Cansaux autour de midy Cansaux estoient pry le matin, Ils me fut ordonné par Monsieur DuVivier d'aller a Louisbourg sur quoy l'ou ma assuré que Cansaux fut brulé le Lendemain.

2. Arrivant a Louisbourg je fut Retenu avec Defense de ne point revenir par la Coste de l'est en m'engagent de venir par la Baye Verte ce qui ma falu faire.

3. Arrivant aux Mines fort embarrassé Engagé Chargé d'une debte j'ai Cru pouvoir payé en me bornant d'aucune autres commerce lesquels Boeufs estoient payé par eux une partie de deux année les autres d'une ans et de quinze mois sur quel j'en ay perdu en pure perte sur mon Conte.

4. Je n'avoient pas aucune Entreprise que de m'aquitter et d'estre borné a mon devoir, Sy en Cas J'ai blessé la loy sa esté purement par Ignorance n'étant pas eclairey a faire Distinction de temps de Guerre d'avec ceux d'une paix paisible comme nous avons pratiqué cy devant, d'ailleurs Ils ont fait entendre aux Sauvages que c'estoit des vivres pour eux sur quoy les dits Sauvages voulant se saisir des dits boeufs les ont mis a discretion des moutons sur leur voisins ce qui est connu avec preuve.

5. Ayant esté Commandé par Monsr du Vivier de par le Roi de retourné a Louisbourg et bien recommandé en Cas de trouvé dans ma Route des Ennemis de la france de jetté ces lettres a la mer, ce que J'ay fait pour luy obeir Crainte de quelque mauvais retours qu'il auraient exercé sur moy.

6. Je n'ay fait aucume Service a ces Messieurs pendant le Siege puisque ils m'ont Commandé de partir Suivant les raisons precedentes.

7. Touts ce qu'y m'est imputé je ne peut le déclaré que d'estre mal Informé et le toute faussement dit.

8. Les Raisons qu'y m'ont empeché de amrener mon batiment a toujours esté sur les raison de Plusieurs menaces joint a ces Messieurs qui m'en ont empesché par leur forces et l'autorité. Fait a Annapolis Royal le 26 Janvier 1744/5

Joseph Leblanc

Interrogatorys for Amand Bugand

1. When after your departure hence before the War was declared & you met the Province of the Massachusetts Galley at Grand Passage by which you understood we were on ye point of declaring war against France which occasioned your putting back to Menis; Why did you afterwards proceed on your voyage for ye Eastern Coast & finding Canso destroyed did you go to Lewisbourg.
2. What detained you there & when let go who did you come with & where did you have your Vessell.
3. What made you come here with the Enemy to besiege this fort & Carry arms as it is given out you did against your lawfull Sovereign the King of Great Britain.
4. What were you Employed in by the French Commander when about this Place.
5. How were you dismissed that Service when returned to Menis.
6. Where did you leave your Vessell & why did you not come here with her to discharge your Clearings.
7. How came you to intreat or Sollicit our Officers who were prisoners at Lewisbourg to give you letters to bring to this Place which you afterwards of your own Accord treacherously delivered up to the Enemy whereby you caused some of those Officers to be put under greater restraint.
8. Did you not attend the Enemy in their design of Surprising Thos Donnell & the Ordnance Schooner when you Shewed your self very alert in procuring Shallops & hands to sail them for that Service at Bourgs Village amongs Bourgs, Doucets & Grangers where you frequently were afterwards, dancing & making merry in Company wth ye Enemy.
9. What others of His Majesty's Subjects were with you on that expedition & under what Character were they employed.
10. Why did you not make use of the first Oppo after you were dismissed by the Enemy to come & give an Accot of your Conduct to this Government on the above transactions since you knew how severely you were Censur'd for the Same.

Response des Interrogations D'Amand Bugaud cotté sur dix articles Savoir

- 1 Ayant partie d'Annapolis Royal j'ay fait rencontre de la Gallere qui ma fait aller a son Bord apres m'avoir examiné et mon passeport estant lui ils me renvoyer estant aux Metesquesne l'on me dit que Monsr. Morpin estoient aux Mines se quy m'engageas de relaché aux Mines ou l'on m'assure que les Choses estoit fausse, sur le Champ je poursuit mon voyage je fut de cape par les Brusme aux St Esprit on J'apris que Canso estoient prys je poursuit mon voyage a Louisburg.
- 2 Arrivant a Louisbourg Monsieur Bigot ma denfendu de non partir sans

estre escorté pour venire a la Baye Verte ce que J'ay esté obligé de laisser mon batiment a mon grand Prejudice.

3 Je declare que je n'ay pas porté les armes contre ce Gouvernement, j'estois Chargé de lettre des Messieurs de Canso pour le Messieurs de ce fort sur lequel Monsr du Vivier m'assura que je les remettray en main propres ce quy voulu pas permettre estant ravisé pour des raisons a luy Connu.

4 Ils me renvoya aux Mines avec un ordre pour faire Detaché des Chevaux pour serts provisions et amunitions adressé aux differents paroisses.

5 Ils me fut ordonné d'aller a baubassin, sur le depart le Sre bily Ouinette arrivant, je demanda mon Congé ce quy ils mon Refusé estant obligé de faire les Voyage de baubassin de la m'on renvoyé.

6 Estant Commandé de le laisser a la Baye Verte ils m'on obligé de la laisser la exposé a la rigueur des temps et d'y passer l'hiver plus en perdition qu'autrement.

7 Messieurs les Officers de Cansaux m'engagere de porter leurs lettres avec des instructions que j'ay fait de bonne foy j eu ay esté repris par ces Messieurs ne scachant escrire ny lire sy j'avoient esté trompé de brulé l'une pour l'autre cela est ors de ma Connaissance.

8 Mr du Vivier me voulut envoyé aux devant les vaisseaux qu'ils Esperoient je le supplia de m'en dispensé ce qu'il fit Employa d'autres gens a l'égard des danses j'ay esté prié avec parens et amis j'ay fay quelque tours sans consequence.

9 Me declarant Estrange pour les Chemins des bourgs & Doucet ils prirent Banlieu en ma place.

10 Les raisons quy ma Empeché de venir rendre Conte de mes actions Ceux quy en Revenoient m'assuroient que j'estoient menacé d'un Grand Suplice mesme jusque a mettre ma tete a pry Fait a Annapolis Royale le 26 e de Janvier 1744/45

Marque X D'Amand Bugaud

See Monsieur du Viviers Order below and Certificates of several in said Amand Bugauds favor as also the Intendant of Lewisbourgs order to detain him at Lewisbourg.

Two of Monsieur du Viviers Orders to Jsoeph LeBlanc dit le Maigre et Amand Bugand.

Nous Capitaine D'infanterie Commandant les troupes francaise detachéz a l'Accadie pour l'Entreprise du Port Royal

De par le Roy

Il Est Ordonné au nommé Joseph LeBlanc dit le Maigre habitant des Mines

de s'embaquer sur la premier Voiture qu'il trouvera avec le Monde neces-
saire pour aller en dilligence a Louisbourg et suivre ce quy luy sera ordonné
pour le Service du Roi de France, sous peine a luy Refusant d'obeir au
present ordre d'estre Livrez à la discretion des Sauvages pour y estre punie
de mort, fait au Camp Francoise a Bellair le 22e 7 bre 1744

Du Vivier

De Par Le Roi

Il Est Ordonné aux nommé Amand Bugaud et Le Maigre de Suivre le de-
tachement francoise au Port Royal et autre Endroits dans L'Accadie, pour
fair et Executer ce qui leur sera ordonné pour le Service du Roi sous peine
à eux refusant d'obeir au present ordre d'estre punie de Mort et Livrez a
la discretion des Sauvages fait au Camp francoise a la Grand Pré le 24e
Aoust. 1744

Du Vivier

Nous Commissaire Ordannateur a L'isle Royale

Il est defendu au nommé Amand Bugaud de partir de ce Port dans
son Batiment sans l'escorte de la goilette l-Succes qui doit le Convoyer
Jusqu'au Port Toulouse sons peine de desobeissance et de six mois de prison
a luy a son Capitaine a Louisbourg le 26 me Juillet 1744.

Bigot

Je sousigné prêtre Missionnaire de la riviere d'Annapolis declare que le
nommé Amand Bugaud de la grand prée des Mines lorsqu'il a passé ou
repassé du temps que les françois estoient dans la riviere na jamais esté
armé ni rien porté pour les dits françois qu'il na donné aucun ordre et que
meme il a protesté devant un Officier françois coute tout Port d'armes et
qu'il n'avoient rien fait qu'autant qu'il avait esté forcé fait ce 26 Janvier
1745

Des Enclaves pretre

Je sousigné Certify avoir esté present lors qu'il etoient accompagné de
Monsieur de la Valliere venait des Mines et Amand Bugaud qu'il declara au
dit Sre de la Valliere qu'il ne touchant aucun armes qui peut j'assure de
aucune personnes du Gouvernemt d'Annapolis Royal ce que j'assure de
Verité fait ce 27 e Janvier N. S. 1745—Monsieur Dernon present quy
demanda au dit Bugaud de porter son armes ce qu'il refusa en ma Connais-
sance.

J. Bourgeois

Je Joseph Leblanc Confesse Certify que j'ay vu Amand Bugaud passé et
repassé dans le temps du parties francais ny avoir point veu aucune Armes
offensives quy peut fair mal a qui que se soit ce que J'assure de Verite ce
28 e Janvier 1745.

Joseph LeBlanc

Copy of Monsieur du Viviers orders to the French Inhabitants of this River.

Nous Capitaine D'Infanterie Commandant les troupes françoise pour l'Enterprise du Port Royal.

De par le Roi

Il est ordonné a tous les habitants de la riviere du Port Royal, qui ont des Canots de les rendre tout presentement au Ruisseau fourchu et bien Equipés de leur avirons gouvernail et voiles fils enont sous peine a ceux qui refuseront d'obeir au present ordre d'etre punie de mort, fait au Camp françois a Bellair ce 2e 8bre 1744—Les Deputes et aucien habitants viendront aux mesmes dans les dits Canots et ce dans la marée de cette nuit le 2 e 8 bre 1744.

Du Vivier

De Par Le Roi

Il est ordonné a tous le deputies des village de la riviere du Port Royal, d'envoyer deux Paire de Bouef avec les gens pour le conduire Camp Francois a Bellair et ce aussitot que le present ordre leur sera signifié pour estre employer a faire ce qu'il leur sera ordonné pour le service sous peine a ceux qui contreviendront au present ordre d'etre punie corporellement suivant la Rigueur de l'Ordonnance fait au Camp françois a Bellair ce 22 e 7 bre 1744.

Du Vivier

Nous Capitaine d'Infanterie Commandant les Troupes detaché pour l'entreprise du Port Royal

De par le Roi

Il est ordonné a tous les habitants de la riviere du Port Royal, de n'acheter ny recevoir tant des Troupes françoise Volontaires que Sauvages, Aucunes Armes offensive ny deffensive de quelque nature que ce puissent estre non plus qu'aucune amunition comme Poudre, Balles Plomb &c sous peine a ceux que contreviendront au present ordre d'etre punie de mort-fait au Camp françois a Bellair ce 23 e 7 bre 1744.

Du Vivier

Nous Capitaine d'Infanterie Commandant les Troupes detaché pour l'entreprise du Port Royal

Il est ordonné a tous les habitant de la Riviere du Port Royal de fournir une bonne Chemise par Chaque Maison pour les besoin du Service et ce des aujourd'hui ou demain tout au plus tard estre apportez au Camp françoise a Bellair, sous peine a ceux qui ne satisferont pas a la presentes ordonnances, d'etre punie corporellement suivant le Rigueur de l'ordonnance, fait au Camp françois ce 24th 7 bre 1744.

Du Vivier

Nous Capitaine d'Infanterie Commandant les Troupes detachez pour l'Entreprise du Port Royal.

De Par le Roi

Il est ordonné au Sre Jean Mouton Chirurgien de suivre l'armée françoise envoyer a l'Accadie pour l'Entreprise du Port Royal, et ce pour y traiter et medicamenter les malades ou Blessez qu'il pourra y avoir suivant leur besoin en y aportant tons ses soins, sous peine a luy desobeissance au present ordre d'etre punie de mort, fait au Camp françoise a Bellair ce 12 e 7 bre 1744.

Du Vivier

Nous Capitaine d'Infanterie Commandant les Troupes detachez pour l'entreprise du Port Royal.

De par le Roi

Il est ordonne a tous les habitants de la riviere du Port Royal, de faire deux Eschelles par maison de vingt deux pied de long, legere, qui ayant seulement la force suffisante pour Supporter deux hommes pour monter pareillement les dits habitants me fourniront une pioche et une pelle de bois chacun, le tout en bon etat et etre apporté au Camp pour les pelles et les pioches aussitot que le present ordre leur sera signifié, et pour les Echelles etre appartez icy mardi 15 du present mois comme aussy les dits habitants seront tenu de m'appaorter deux Boisseaux de Bled au Moulin de Monsr Gautier a Bellair et de mettre les dits grain au Soleil pour les presser et le mettre en etat de mondre a peine a celui quy refusera d'obeir au present ordre d'etre punie de mort,—Fait au Camp a Bellair le 10 e 7 bre 1744.

Du Vivier

Et pour ce qui est des grain il sera Remit aux habitants par celui que je feray venir des Mines s'ils en manquent

Du Vivier

De Par Le Roi

Il est ordonné a tous les habitants de la riviere du Port Royal de Ramasser leur mouton et Bestiaux Ainsy que ceux qui appartient aux Anglois faute a eux de la faire incessamment je le feray prendre Indistinctement et n'en feray payer aucun et ce pour satisfaire a l'ordre qui j'ay donné cy devant pour cet Effet fait au Camp Françoise a Bellair le 19 e 7 bre 1744

Du Vivier

Seront tenus les dits habitants d'ammener au Camp Françoise tous les dits Bestiaux Anglois Conformement a L'ordre que j'ai donné cy devant, faute

a eux de la faire seront punies corporeillement suivant toute les Rigueur de l'ordonnance.

Du Vivier

De Par Le Roi

Il est ordonné aux habitants du haut de la riviere du Port Royal, de porter les grain qu'ils doivent fournir pour les besoin du Service aux Moulin de nommé Claude Thibaud et Charles Martin a la pré Ronde, qu'ils soyent bien net et sec pour etre moulue et Convertir en farine, pour estre ensuite distribuer dans les maisons de la ditte pré Ronde ou il y aura de bons fours ou il est pareillement ordonné a ces habitants de travailler a mettre les dittes farine en pain frai ayant soin de le bien Boulanger et faire Cuire comme il faut, et l'apporter au Camp francoise a Bellair bien fidellement pour l'arméé francoise qui y'est que la ditte ordonnance soit Executer par tous les dits habitants sous peine à ceux qui y manqueront d'etre punie Suivant, l'ordonnance fait au Camp francoise le 23 e 7 bre 1744.

Du Vivier

De Par Le Roi

Il est ordonné au nommé Alexandre Hebert de trouver dans le District dont il est Deputé Scavoir trois bete a Corne a Cinq Moutons a Peine aux Contrevenant d'etre punie Corporeillement et de les amener sans differ au Camp francoise a Bellair fait chez Gautier le 16 e 7 bre 1744

G. Laimé

Monsieu Du Viviers order to the Inhabitants of Mines, Pizziquid, River Canard and Cobequid

Nous Capitaine d'Infanterie Commandant les Troupes detachez pour l'Entreprise du Port Royal par ordre de Monsieur du Quenel Capitaine de Vaisseau, Chevalier de l'ordre Royale et Militaire de St Louis Commandant à l'isle Royale et adjacentes.

A Monsieur le Chevaliere
de de Ganne Chevaliere
Capitaine d'Infanterie
Commandant les Troupes
et les Sauvages y joint
de present au pays

Vous representes tres humblement les habitants des Mines, Riviere de Canards, Pizziquid et riviera Circonvoisins qu'ils vous plaire Considere qu'il ne ferais aucume difficulté on Vertu des forces majeurs que vous faite agir de vous fournir la quantité de grains et viande que vous Monsieur du Vivier avies ordonné mais qu'il est impossible dans fournir cette quantité mais une biens plus petite puisque les Recolte non pas esté aussy bonne comme l'on l'avoit esperé ce qui seront nous mettre dans un perils Visible qu'il ne se

pour est faire quand tuans tous les bestiaux et Consommant tous les grains et Semences et de pouvoir fournir toutes la subsistance que l'on Demande nous Espironts Messieurs que vous ne vondré point nous plongé dans une Mines de perte totale de nous et nos famille et quand cette Considération vous ferez retirez les Sauvages et troupes de nos Cantons. Nous sommes sous un Gouvernement doux et tranquille et duquel nous avons tous lieux d'estre Constants nous Esperont que vous Voudré bien nous accordé la grace de ne nous pas plongé dans la derniere misere C'est ce que nous Esperonts de vous bonté vous assurant que nous sommes avec bien du Respect Messieurs

Vos tres humble et tres Obeissant Serviteurs mentionné cy dessus les Soussigné faisant pour la Communauté

De Par Le Roi

Il est ordonné aux habitants des Mines dans lesquelles sout Compris les paroisses de la Grand Pré, Riviere des Canards et Pizziquid et Cobequid de Reconnoître l'obeissance qu'ils doivent au Roy de France et en Consequence les deputez des dittes paroisses me feront fournir.

Scavoir

Celle de la Grande Pré huit Cheveaux et deux hommes pour les Conduire Celle de la riviere des Canards huit Cheveaux et deux hommes pour les Conduire. et Celle de Pizziquid douze Cheveaux et 3 hommes pour les Conduire Comme aussy les Cornes a poudre qui se trouveront chez les dits habitants excepté une qu'ils reserveront a par chaque maison de tenir le tout pret pour m'être amenez samedy a 10 heures du matin au Pavillon françois que j'ay fait arborer au pied duquel les deputez de chacune de ditte paroisses seront tenu de prestre foy de fedilité pour eux et tous les habitants de la banlieu ne Voulant pas detourner tous les dits habitants des travaux de leur Recoltes, qui ne seront pas pour cela pas moins tenu a garder la ditte fidelité qui sera promises par leur deputez à peine à ceux qui contreveindront au present ordre d'être punie comme sujets Rebelles et Livrez entre les Mains des sauvages comme Ennemis de l'état ne pouvant refuser aux dits Sauvages ainsy qu'ils le demandent tous ceux qui ne se soumettront pas, Enjoignons aux dits habitants qui ont Reconnu l'obeissance du Roy de France de nous faire promptement connoître tous Ceux qui veulent se Soustraire de la ditte Obeissance pour que les fidelles Sujets ne souffrent d'aucune Incursions que les dits Sauvages pourroient faire, a la Grand Pré le 27 Aoust 1744

Du Vivier

Jacques Le blanc
Pierre Leblanc
Francois Leblanc
Renné X Granger l'ancien
Claude Leblanc
Jacques Terriot

Antoine Landry
Pierre X Richard ancien
Joseph X Granger
R LeBlanc

Des Mines

le 10 d'Octobre 1744

A Bourg Notaire des Mines Je Veut bien Messieur en Vostre Consideration satisfaire a vos demande ce 13 e 8 bre 1744

Le Che de Ganne

At a Council held at the place aforesaid May 2nd, 1745, The Same Members present Otho Hamilton Esq excepted.

His Honor acquainted the Board that on information given him that some intelligence was come from Mines and known by several of the inhabitants without any of them having come to give any notice of it he sent out in the night a party of 50 men with the fort Major and two officers to bring those of the inhabitants of the Cape whom he should find could make a discovery of the aforesaid intelligence, who accordingly brought Mrs. Mary Gautier, Francis Raymond, James Raymond, Joseph Raymond, Peter and Joseph Landry and Paul Suratt, who being kept apart and severally examined upon Oath (all but Paul Suratt) deposed as by their several depositions upon file will appear, the substance whereof is that Pierre Le Prince son of John Le Prince, an inhabitant up this river, came to Nicholas Gautier's about a week ago and asked Peter Gautier to go up the river with him pretending he wanted him to assist in making a canoe of a tree they had fallen on said Gautier's father's ground—that the said Le Prince had reported at Gautiers that Charles Raymond and Peter Landry were at Le Basques who were informed that there were 300 Canadians and 300 Indians at Mines Commanded by several Officers with an Engineer and Surgeon—that old Suratt either died their or was killed by the Indians—that Renne LeBlanc was also killed—that Gautier's schooner had been employed in transporting the said Canadians from Chignecto across the Bason of Mines—that a fleet of English vessels had been seen standing to the eastward along the Cape Sable shore about a month ago—that it was near a month since the enemy up the Bay had received any news from Lewisbourg—and that by their last accounts they daily expected a fleet from France—that the two lads beforementioned had privately made three several journeys this spring from Mines into this river—that Peter Gautier had cautioned said deponents from publishing the arrival of the aforesaid lads and what they reported.

After some consultation it was resolved that Paul Suratt who had not ingenuously declared what he knew but appeared by having been prompted to it by ill advice, to have receded from what he had in the morning declared to the fort Major, should be kept in prison as well as Mrs. Gautier

who was exhorted to send for her son unless she chose to see him outlawed—and that the others who had ingenuously confessed what they knew, should be released with a reprimand from the Commander in Chief, which was accordingly done, and then adjourned to Saturday 11 O'clock.

Saturday May the 4th 1745, Met again according to adjournment the same Members present.

His Honor acquainted the Board that soon after the Council broke up on Thursday last Pierre Gautier came and declared before him and Erasmus James Philipps a Member of this Board that what had been deposed by those who were examined on Thursday last was true and was committed to prison by the Commander in Chief for further examination.

Then his Honor acquainted the Board that the Deputies of this river were attending without whom he had sent for to speak with, in relation to Mrs Gautier and her son's behaviour, and the other inhabitants that the fort Major with the party had brought into the fort the other morning, and who had been already examined—that he also wanted to speak to the Deputies concerning the timbers &c that were bespoke last fall and this Spring for the use of the Board of Ordnance, which contract as appears by Mr. Bastide's letter of yesterday's date has not yet been fully completed. The Deputies being thereupon sent for His Honor told them that notwithstanding his many friendly admonitions to the inhabitants to continue in their duty to his Britannic Majesty their lawful Sovereign, under whose dominion they had always been so tenderly treated and that in contempt to his repeated orders several amongst them had been guilty of carrying on a private correspondence with the enemy by the means of Charles Raymond and Landry, the two lads who had absconded for fear of punishment for their former misbehaviour here and who made it a constant practice of going and coming between Annapolis and the settlements up the Bay without presenting themselves to the Government—that the said lads had a few days ago made their appearance in this river and had conversed with Gautiers family on affairs much interesting this Government, and that many others whom he had sent for with said Gautier's family had been acquainted with the aforesaid correspondence and had endeavored to conceal it in contempt of their duty to their lawful Sovereign and His Honor's aforesaid orders, to which the said Deputies unanimously answered, that they were very much concerned at what had happened that they could assure His Honor that the people in general were ignorant of it and very much averse to any such proceedings—that they hoped the Government would continue its tenderness for them and make a distinction between the many who hitherto had continued and were resolved to do their duty to their lawful Sovereign the King of Great Britain tho' a few designing people amongst them who without doubt had taken too much pains to disturb it and put the whole body in danger of suffering for their wicked conduct.

His Honor then put the question how he should proceed in regard to the prisoners Mrs. Gautier and her son and Paul Suratt, and the Board

unanimously was of opinion that they should be kept till further examination.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present Friday the 10th of May 1745.

His Honor the President acquainted the Board that as the enemy was now once more about us and it behoved us to provide in the best manner we could for our defence he found by what he had observed himself and the Engineers had made him observe that several houses, fences, and other places, which might shelter the enemy in their approaches, or are an hindrance to the mutual defence of our posts, should be pulled down or levelled, that as the wasting any man's property was a tender point and might renew an uneasiness in those who were proprietors, he therefore required their advice how to provide for the defence of the place in regard to the premises against an enemy ready to attach us—that they were sensible no fund was in this Province to answer any contingencies of that kind and that tho' upon any sudden attack he should think himself impowered to provide for the safety of the place under his command by pulling down or otherways destroying any place that might be of advantage to the enemy yet as he was sensible it might cause an uneasiness as in the like case it had already done in those of this Garrison who are proprietors of houses in the lower town, he chose to bring it before the Council for their advice and concurrence and for finding the best means to be used to obtain a compensation for the losses of the sufferers in such times of danger.

It is the opinion of the Board that the two houses pointed at particularly by the Lieut Governor of this garrison, which are a blind betwixt the block-house in the Lower Town and the Company of Rangers quarters and hinders their mutual defence, should be appraised and the appraisement shewn to the Chief Engineer and if he doth not think himself sufficiently impowered to charge that expence to the office of Ordnance account a representation shall be made to His Majesty by this Council in behalf of those now under consideration and any others who may have suffered in ther properties in the several attacks made on this place, most humbly praying His Majesty will be graciously pleased to make a compensation to the said sufferers, and that as the pulling down of the house of the late Mr. Oliver and that of Sergeant Davis seems to be necessary as mentioned no time should be lost.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present. Monday May the 13th, 1745.

On a representation made to the Commander in Chief by Mr. Bastide Chief Engineer proposing to demolish the several houses in Town belonging to Mr. Adams, Mr. Ross, Mr. Hutchinson and Mr. Oliver.

Which are in danger of being fired by the enemy who last night attempted to do it and as the consequence of which may be fatal not only to all the neighbouring buildings that are contiguous but even to this garrison (as by Mr. Bastide's letter of this date will farther appear) which is judged to be so near the Town that it may catch flame as the wind blows strongly at North East.

It was resolved that without loss of time appraisement shall be made of the above mentioned houses which on consultation are found necessary to be pulled down to avoid the foresaid consequences and in order for obtaining a compensation to the proprietors who suffer on this occasion it is the opinion of the Board that the same method be used as was proposed in last Council of 10th instant for same end to which this is referred.

Signed P. Mascarene

At a Council held at the place aforesaid, the same Members present, on May Saturday 25th 1745.

Five of the Deputies only appearing His Honor asked them why the rest had not also made their appearance &c, to which they answered that two were sick and the other, Lawrence Grandyer must have been detained by some impediment having promised to be here and having been here on the Saturday before being the first time any of the inhabitants came to the fort since the enemy went away.

They were then asked concerning the enemy's behaviour towards the inhabitants, to which they answered it had been very harsh, that the enemy coming in the night sent men to every house whilst they were buried in sleep and threatened to put any to death that should stir out or come near the fort, that they had been ordered to furnish weekly a certain quantity of cattle to bring their carts and teams the orders being most of them on pain of death.

His Honor then required the Deputies and other inhabitants to produce to the Board what orders they may have received in writing from the Commanding Officer of the French and Indian enemy and they accordingly delivered in those hereafter mentioned all signed Marin Vitz.

An order to Bastist Pelrine requiring him to bring to the enemy all the bullocks he could procure on pain of corporal punishment dated 20th May 1745 N stile.

An order to Mr. William Winniet to repair to the enemy's camp to serve as English interpreter dated 20th May 1745 N Stile.

Seven separate orders to the Deputies of seven districts in this river Commanding each of them on pain of corporal punishment to furnish out of their proper districts for the use of the enemy three bullocks per week, requiring them to acquaint the inhabitants of their said districts that if they do not comply with the said order the Indians will be sent to burn their houses and destroy their cattle, dated 22nd May 1745.

An order to the inhabitants to whom shall be presented to supply the bearer with a guide provisions and all necessities required and enjoining Joseph Depuis to be aiding and assisting in the execution of this order, the whole on pain of corporal punishment, dated 25th May 1745 N Stile.

An order to the inhabitants on the North side of the river lying between the Grangers and Melansons to carry in the night tide to the south side of the river all their canoes with twenty oars and on their disobedience to be treated as enemies and delivered over to the discretion of the savages—requiring John Melanson on pain of death to be aiding and assisting in the execution of said order dated 24th May 1745 N.S.

An order to said inhabitants to transport their Canoes to Dugas's and lay them in safety on pain of being delivered up to the Indians to be put to death 24th May 1745.

A defence—to all the inhabitants of Annapolis Royal to go to the English fort on pain of death enjoining the Deputies on pain of corporal punishment of this order and so acquaint the said inhabitants that they will be fallen upon if they act contrary thereto, dated 27th May 1745.

An order—to the four Deputies up the river to collect all the flour they possibly can in their districts and to carry it immediately to the camp 28th May 1745 N.S.

A defence—on pain of death to all the Deputies to obey the Commander in Chief's order of 27th May requiring them to repair to the fort.

An order to Francis Dugas to ship himself a Captain on board a schooner in the enemies hands to carry her to Menis and lay her up their in a safe place on pain of death to disobey, 29th May 1745 N.S.

An order to all the inhabitants to repair forthwith to the enemies camp bringing each of them a bag on pain of corporal punishment and of having the Indians quartered on them at discretion in case of disobedience and the Deputies are required on the same penalties to see the said order executed, 30th May 1745.

An order to the Deputies down the river to acquaint the inhabitants of their districts to gather again all their horses at their houses and in case of disobedience to be delivered up to the discretion of the Indians.

An order—to all the inhabitants up the river to gather again their horses to their houses or be delivered up to the Indians dated 31st May 1745, N. S.

An order—to all the inhabitants to carry to the camp all their cod lines and leads or to be delivered to the discretion of the Indians 31st May 1745.

An order—to all the inhabitants up the river on pain of death to carry their horses saddles and bridles immediately to the camp and the inhabitants on the north side of the river to carry them as far as Joseph Lannous and

the Deputies are required to see this order complied with on pain of being delivered to the discretion of the Indians 2nd June, 1745.

An order—to all the inhabitants (on pain of corporal punishment) on both sides of the river upwards to carry their Canoes immediately over against Joseph Lannous and the Deputies under the same penalty to see this order obeyed, 2nd June 1745.

An order to all the inhabitants down the river on the south side to carry their horses immediately to the camp but those of the north side to carry theirs to Joseph Lannous and the Deputies to see this order obeyed and all to suffer death who disobeys, 2nd June 1745, N. S.

An order to the Deputies to provide six bullocks immediately which are to be ready at Baptist Nordests by the time the enemy passes by, the Deputies to see this order executed on pain of being delivered over to the discretion of the Indians as well as the inhabitants who shall disobey this order, June 3rd 1745.

At a Council held at the aforementioned place the same Members present on Wednesday 19th June 1745.

One of the Deputies of Pisaquid Pierre Landry appeared before the Council and Joseph LeBlanc in behalf of the Grand Pree but not a Deputy, with one of the Deputies of the river Canards Joseph Hebert with Melanson not a Deputy, and all the Deputies of this river, to whom after the Commander in Chief had taken notice of some of the districts not sending the proper persons they ought to have done (as being no Deputies) represented that it was notorious that there were several among them that had been officious towards the enemy and had gone so far as to discover even all the effects that belonged to the English by which means the enemy were enabled to possess themselves of these said effects and by giving them intelligence of the circumstances of the garrison and other means whereby the enemy had been encouraged on some attempts to the prejudice of the garrison, especially surprising some of the Company of Rangers on Goat Island, it was of absolute necessity that those of the inhabitants who had not entered into any of those practices and had a mind to secure to themselves the good will of the Government should join in discovering those who had misbehaved, that by exemplary punishment being made upon the guilty the innocent might expect to be preserved and that it behoved them to consider seriously of what was now proposed to them, that it besides was known that all the plunder the enemy had made by seizing the two schooners which came from Boston (the property of His Majesty's British subjects) was dispersed and bought up by the inhabitants of Mines, upon which Joseph LeBlanc said that what was bought up by the inhabitants of Mines was in order to be returned to the British proprietors, as well as the three prisoners they had redeemed out of the hands of the enemy, which they offered to bring and surrender here.

The Council then resolved that they should be ordered to bring the

three prisoners forthwith and that what charges they should make appear to have been at in their redemption should be reimbursed and upon their bringing the goods which they say they have bought with an authentic account which they shall be liable to swear to the same should be considered here in Council and that the Deputies of the Grand Pree (or at least four of them) shall repair here and bring the prisoners immediately and send the above mentioned effects in a vessel and bring satisfaction to the Government in what is expected from them, bringing along with them Terriot son of Jacques Terriot who is hereby summoned to appear with them—that one of the Deputies of river Canards with Francois Landry come and appear here also at the same time, and that the Deputies of this river shall have a fortnight longer allowed them to make the discoveries of those who have been delinquents amongst the inhabitants.

Signed P. Mascarene

At a Council at the place aforesaid the same Members present on Thursday 27th June 1745.

Appeared before the Commander in Chief and His Majesty's Council for this Province Jean Terriot and Jean Potier Deputies of Chignecto bringing a letter signed by several of the inhabitants of said place imparting in substance that as they prepared themselves according to the orders received last fall to come here the beginning of this year they were hindered by the arrival of a detachment of Canadians and Indians Commanded by the Sieur Marin who forbid them to come on pain of corporal punishment.

After several questions on the time of the arrival of said Sieur Marin of his stay amongst them and that when the inhabitants sent to fetch some grain at Mines they did not send advice that the enemy was amongst them, it was enjoined by His Honor (with the advice and consent of the Council) to the said inhabitants of Chignecto by means of their said Deputies Jean Terriot and Jean Potier to discover those amongst the inhabitants of the said place who contrary to the fidelity they owe to the Government have favoured and assisted the enemy in their undertakings, that those who are innocent may be acquitted, that the effects appertaining to His Majesty's British subjects seized by the enemy and left amongst the said inhabitants, be returned—not to suffer any person to reside amongst them but such as by the Oath of fidelity taken by them or their fathers, are become subjects to the King of Great Britain, to make use of all the means in their power to make Monsieur Dugay speedily to quit the country and to send here within a month two Deputies to give notice of the state in which the said place of Chignecto shall be at that time and to bring the wife of one of the carpenters of the Garrison taken by the enemy who is now in the hands of one of the inhabitants there.

Signed P. Mascarene

As a Council held at the place aforesaid the same Members present on Monday July 15th 1745.

Joseph Granger an inhabitant of the river Canards at Mines also appeared and declared his having been obliged to attend Monsieur Marin with his vessel and acknowledging his having bought some of the goods of the two prizes made by the enemy, he was ordered to render an account of the said goods with the price he had paid for the same to be considered in Council which he said he was willing to do and submit himself to what His Honor and the Council should determine thereon.

At a Council held at the place aforesaid the same Members present on Monday August 5th, 1745.

Joseph Le Blanc appeared and produced an order of Mr. Marin's directed to one named Joseph St. Louis (which he says was by mistake) for him to repair hither to enquire wither the inhabitants wanted provisions, the Commander in Chief asking him if he had spoke with the Priest and how far he came down this river, he denied his having conversed with the Priest and said he only came to the first houses up the river and there spoke only to two men named Baptist Nordest and Pierre Pelerince. But it appearing that he was sent for the service of the enemy and to procure their intelligence, the question was put whether he should be kept in the same manner as Pierre Gautier for his farther examination and trial, which was carried in the affirmative.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present on Wednesday the 7th August 1745.

Jacques Terriot and his son appearing in consequence of the Commander in Chief's orders for that effect, the latter was examined in regard to some particulars to Mr. Marin's expedition to this place and being sworn declares that being on the road coming from Mines to Annapolis with Mr. Marin's detachment they met near Mines Raymond and Landry—that coming nearer the river of Annapolis they heard two guns fired—that Mr. Marin sent his brother with some Indians to fetch those that fired—that Francois LeBasque and his son in law came—that at their arrival in this river Marin sent for two men more in the night—and that the next morning he saw Jean Pierre Briton go to the detachment with another whom he does not so well know who he supposes to be the two men that were sent for—that he heard it discoursed among the party that the news they had gathered both from LeBasque and his son in law aforesaid and from Jean Pierre Briton and the other men above mentioned that the English were at work on Goat Island and that if Mr. Marin would keep his expedition secret it would be proper for him to guard well Robechaux's village.

Then the Commander in Chief acquainted the Board that he had several intimations of the Indians having a strong inclination to obtain a Peace which he had communicated to Governor Shirley without whose guidance and concurrence he would not conclude any Treaty with those people—that in the meantime he thought since the Indians were pressing for leave to

make some overtures it would not be amiss to intimate to some substantial inhabitants to receive the proposals of the said Indians and communicate them to the Government in which nothing should be ventured on our side but what might be made agreeable to the advice expected from Governor Shirley, to which the Board concurred.

Signed P. Mascarene

At a Council held at the place aforesaid on Friday August 9th, 1745 the same Members present.

Upon an information given that Monsieur Desenclaves Missionary Priest of this river had spoken to Joseph LeBlanc who was sent by the enemy from Mines the said Monsieur Desenclaves being questioned thereupon by the Commander in Chief, requested the said information might be canvassed.

The parties who were said to be concerned in the information were accordingly summoned to appear and Mr. Gautier was first examined, who declared he heard it of Charles Doucett and his wife, who declared they heard it from a girl daughter to Charles Landry of Prerond, who being also examined (she being 13 years of age) owned her saying she had seen Joseph LeBlanc and Monsieur Desenclaves speak to him but that she told a lie and she never had seen the said Joseph LeBlanc and denied her having seen him upon her mother's charging her for saying so which the mother herself acknowledged she had done because of her daughter's reporting a falsity and being asked her why she (the daughter) said so said she was drawn in by the said Doucett's telling news which likewise encouraged her to tell news but owned they were false.

It was then proposed by the Council that six of the eldest of those young people who were said to be present there at that time should be ordered to appear here on Tuesday the 13th instant for the Board's further satisfaction in regard to the above mentioned affair, and then adjourned to Tuesday 13th instant.

Tuesday 13th August 1745 Met again the same Members present.

Appeared before the Council one young man and five young women in consequence of the foregoing orders, who being examined upon oath in relation to the forementioned affair of Monsieur Desenclaves being suspected of speaking with said LeBlanc they knew nothing of the matter.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present on Tuesday August 20th, 1745.

Joseph Dugas appeared before the Council and produced a paper from Commodore Warren and General Pepperel containing an invitation to the inhabitants up the Bay to carry cattle and other provisions to Louisbourg and said he left the vessel in which he came at Tagmagouch and proceeded

to Cobequid and that in the meantime the French Indians belonging to Cape Breton plundered some part of the goods belonging to his vessel and left word to those that guard the vessel that if they pretended to carry any cattle they would kill them—he says further that he met with some of the Indians belonging to Cobequid and Mines to whom he proposed the errand he came about of carrying cattle to Louisbourg and that they told him they would not oppose it as they were inclined to come to a peace with the English if they could obtain it, since they could not pretend to live in this country without it, and could not carry their families to Canada and besides had no relations there.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present August 24th 1745.

The Commander in Chief communicated to the Board a letter from Pierre Landry at the instance of the Indians of this Province wherein they make some proposals towards a peace as follows.

“That if a hearing may be allowed them they will endeavour to give their reasons but that they cannot answer for the strangers Indians and if any French ships arrives in the Bason of Port Royal they cannot answer for themselves and until that time if we wont make war against them they wont against us but if they are obliged to make war will give us notice and desires we may do the same to them.”

Landry further acquainted His Honor that the Indians gave him to understand “they were well inclined to make Peace but desired the favor of having time to consult the rest of their people that they might be able to give a further answer.”

It was then resolved that Mr. Landry should be told to acquaint the Indians not to expect any peace unless such a security could be obtained from them as would be satisfactory that the Peace shall be lasting.

It was further resolved that no vessel shall be allowed to go up the Bay until the Indians be brought to terms that shall be satisfactory as the inhabitants not having it in their power to furnish them with the necessaries may be a means the sooner to bring them thereto and that if an express can be got to be sent to Louisbourg to acquaint Governor Shirley or the Commander in Chief to desire advice upon that affair and if it is necessary to treat with the Indians what terms they will think proper to grant them. Adjourned to Thursday 29th instant.

Thursday August 29th, 1745. Met again according to adjournment the same Members present likewise William Shirreff Esq Secretary.

The Commander in Chief communicated to the Board a letter from His Excellency Governor Shirley in consequence of having asked his advice

with regard to the prisoners now in this garrison and the inhabitants of this Province in general.

It was then resolved that a Committee of Council vizt William Shirreff, Erasmus James Philipps and Edward How Esq be appointed for that purpose in order to be transmitted to His Majesty and that the prisoners before-mentioned remain in the state they are now in till His Majesty's pleasure is known concerning them.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present on Tuesday September 24th, 1745.

His Honor the President acquainted the Board that having further considered the purport of his letters from Louisbourg that he had desired Erasmus James Philipps and Edward How Esqrs to speak to Joseph LeBlanc prisoner now in irons and to sift him whether he would undertake to discover or find out by his friends what was doing or expected to be done in the country either in regard to Monsieur Marin, the Canadians and Indians or what was expected and hoped for by them and the inhabitants in regard to assistance from France, and as Mr. Philipps and Mr. How had reported that he said LeBlanc was willing to do all the service in his power for this His Majesty's Government upon condition of being enlarged His Honor therefore desired the advice and opinion of the Board.

Which being seriously considered the Board was of opinion that upon his doing any such real and signal service he should have his enlargement.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present on Friday October 25th, 1745.

His Honor proposed that it would be advantageous to this Government if means could be found to suppress the inhabitants from having any intercourse with the enemy by supplying them with goods or provisions in lieu of their furs in order to effect which proposed that it might in some measure be done by restricting the inhabitants from purchasing more goods than is requisite for their own proper and immediate use and also prohibit the buying and selling of all furs or skins but such as have either been purchased before the war or are killed by the inhabitants which they should be obliged to declare upon Oath before the Deputy Collector before the[y] should dispose of the furs in way of truck or otherways and that these two clauses should be inserted in the intended proclamations which upon debate was found for several reasons not necessary at this time but endeavor to prevent as much as possible that no powder ball strouds or bluecoating be disposed of to the French inhabitants and to enforce former order prohibiting all trade with the enemy.

Signed P. Mascarene

At a Council held at the place aforesaid the same Members present on Monday 28th October 1745.

His Honor the President read a letter from Mr. Terriot of Chignecto in regard to the Deputies with advices of Priest De Luter's arrival there from Quebec with a shallop with presents for the Indians.

He then acquainted the Board of what he had heard the people of Mines say in regard to the Indians behaviour in stopping and hindering them from bringing provisions hither and that some of them proposed to him that if the inhabitants there permitted the Indians to act in that manner that they the inhabitants of Mines should have no necessities they may want from the English here, which was deferred to be further considered till an other opportunity.

Signed P. Mascarene

At a Council held at the place aforesaid on Monday the 4th November 1745 the same Members present.

His Honor read a letter from the Deputies of Chignecto brought by two of the said Deputies signifying that they had elected Michael Bourjeaur, Jacque Bourjeaur, Jean Hibert, and Ambrois Poirier to serve as Deputies for the ensuing year and appearing before the Board His Honor recommended to them their duty as usual and being interrogated in regard to DeLouter's return and whether he had said Mass in their chapel they said that they believed he lodged in the Presbiter and that the inhabitants attended him at Mass, for which being reprimanded attempted to excuse themselves by being long without a Priest and desired the favor of sending to Canada for one to serve them which was positively denied and in regard to the presents sent from Canada for the Indians said they knew not the quantity but that they were sent in a vessel (the burthen of which they knew not) to Gaspé and that one Boutiller of that place brought them from thence in a small vessel to Chignecto and stayed there three or four days and returned but whether he carried with him any provisions they knew not, and being asked where and with whom these presents were landed and lodged and whether they had seen them answered that if they were landed it was on that side next to the Bay Vert but whether they were or not they knew not, and said they met with some Cape Sable Indians who had two barrels of powder four bags of shot and a bale of blankets, and being asked who lives on that side of the neck to the Bay Vert answered Morris and Poirier, and being also asked if any of the inhabitants of Chignecto had been lately at Gaspé and who they were that Monsieur Dugan sent hither to see if any of the French ships were in the Bason answered that Francis Arsenau and another whose name they knew not went to Mines where said Arsenau lost his consort and took Petit Jacque LeBlanc, LeMaigre's brother, and came to this river for that information and that they knew none who had been at Gaspé but one poor man called Francis Chaudroner and that Jacque Bomo came to Mines and carried from thence grain to Chignecto.

Signed P. Mascarene

A a Council held at the place aforesaid the same Members present on Thursday November 8th [sic] 1745.

His Honor acquainted the Board he had received a letter from the Indians delivered him by Francis Commaux of this river underwritten the Chiefs and Captains of the Mickmacks of Accadia signifying their demand and answer in regard to a peace to the propositions brought them from Louisbourg by two of their brethren, [sic] which being to have such of their brethren as have been taken by the English released and returned otherways neither truce nor Peace &c, which being considered it was advised to send them a brief answer and send a copy of their letter to Louisbourg.

Signed P. Mascarene

At a Council held at the aforesaid the same Members present on Friday November 8th, 1745.

The gentlemen of the Committee appointed to draw up a representation of this Province laid the same before the Board for their perusal and amendments, which being read it was approved of and accordingly ordered that copies thereof may be taken in order to be transmitted home to one of His Majesty's principal Secretaries of State to be laid before His Majesty for his consideration and directions thereupon.

Signed P. Mascarene

Representation of the State of His Majesties Province of Nova Scotia and Fort and Garrison of Annapolis Royal, Drawn up by a Committee of Council and Approv'd in Council.

Annapolis Royal 8th Novr. 1745

The Province of NOVA SCOTIA with its Inhabitants after the Reduction of the Fort of Annapolis Royal in the Year 1710 was ceded or yielded up by the French to Her Brittanick Majesty and Her Successors at the Treaty of Utrecht.

That the Year following the said French Inhabitants not having taken the Oaths of Allegiance took Arms and Joind the Enemy Indians and held the Fort in some measure block'd up for a considerable Time——

That after the Treaty of Utrecht altho' they were kindly treated by the English Government pursuant to Her late Majesty's Queen Annes Letter conformable to an Artickle of Said Treaty insisting upon the promise made to them in the said Letter which not being granted in manner as they requir'd they continued obstinate in refusing to Swear Allegiance to the Crown of Great Britain publicly Declaring that they look'd upon the French King to be their Sovereign 'till the year 1720 when Governour Philipps arriv'd and demanded it of them in Form but which to a man they still absolutely refus'd.

That afterwards the said Inhabitants suffer'd several small Bodys of Indians to seize and plunder the English Trading Vessels in the midst of their principal Settlements and the Crews &ca to be carried away Prisoners and in the year 1724 the Fort of Annapolis was insulted by about 60 or 70 Indians who were several days up the River amongst the Inhabitants before they made their attempt without their giving the least Intelligence thereof to the Governour.

That in the Year 1726 Lieut Governour Armstrong again summon'd the Inhabitants to take the Oaths of Allegiance which they absolutely refus'd to a man throughout all their Settlements and in particular those of Chignecto Declard that they were resolv'd to continue True and Faithful to their Good King, the King of France, but those of the River of Annapolis Royal being Summond into the Fort after an obstinate refusal at last consented to take the oath prescribed but first insisted that the Lieut. Governour should give them an assurance under his Hand that they should not be oblig'd to take Arms upon any account whatsoever which the Lieutenant Governour accordingly granted them and the other Settlements afterwards follow'd their Example on the like Conditions.

That the year 1730 when General Philipps returned to his Government he again in the mildest Forms requir'd them to repair their past misbehaviour by voluntarily Swearing Allegiance (without Stipulation) to their Lawfull Sovereign His Majesty King George the Second, and those of Annapolis Royal at first comply'd, but on the Governours making the same demand on the other more numerous Settlements, they at first absolutely refus'd; but on expostulation they at last Swore Allegiance after having extorted the same Assurance from under the Generals Hand that they should not be oblig'd to bear arms, and the Inhabitants of Annapolis have since look'd upon themselves to be included in the Same Conditions——

That since the year 1730 they have look'd on and suffer'd at sundry times about a dozen vagabond Indians to Seize and plunder the English Traders who venturd amongst them to supply them with necessarys and this in the midst of their most populous Villages, buying and Shareing with them these unlawful Spoils even in the time of profound Peace between Britain and France.

That in the month of June 1744 after the War with France was proclaim'd the Fort of Annapolis was attack'd by Surprise by a Party of about 3 or 4 hundred Indians headed by a French Officer & a Priest, and altho' the Enemy had march'd thro' the heart of the Province amongst the thickest of our Inhabitants we had not Intelligence of them 'till two Days before they murderd two of our Men in the Gardens within a few yards of the Fort Gate and during their Stay were furnish'd plentifully with provisions messengers and other necessarys even Fire arrows while we were entirely Deserted by them. So soon as the Enemy left us, the Inhabitants sparingly brought in fresh Provisions at higher prices than usual, furnish'd us with Timber and Stones for the Repairs of the Fort with several Labourers for the same purpose.

That in the month of August following the Fort was again attack'd by a more powerful Body of the Enemy, consisting of 6 or 700 regular Troops and Indians, not without some of our French Inhabitants amongst them; they march'd thro' the Province Bag and Baggage assisted by His Majesties French Subjects with Guides, Cattle and Horses for draft to the number of near two hundred and the first and only intelligence we had a few hours before we saw them, was, that Strangers were seen and French officers and many others came out of the Woods towards the mass-house altho' their whole Body and Train was at that instant arriv'd—within 4 or 5 miles of us and was soon after drawn up Colours flying within Cannon Shot of the Fort.

During the Enemies Stay here they were plentifully Supply'd with Provisions, Several hundred Scaling Ladders boats, Canoes and in short every other necessary the Countrey could afford but as to the English we could not get the least knowledge of the strength of our Enemy, 'tis true two of the Inhabitants threw themselves in the way to be taken by us, but it afterwards appear'd by the false accounts they gave us that they were sent by the Enemy to intimidate and Deceive us by multiplying the Enemies Numbers. One of the principal Inhabitants being sent by their Commanding officer to Lewisburgh was on his Voyage taken by an English Privateer, but after having sunk his Packetts pretended he was going on his lawfull occasions and so was dismis'd and arriv'd safe there, where, from the advice he carried, Shipping was immediately ordered to reinforce the Enemy, but arriving after the land Forces were Drawn off they stay'd but a few days in our Bason.

During all which Transactions His Majesties Government could not procure the least account of the Enemy tho' we frequently sent out Partys in the night for that purpose, but the Inhabitants who were most liable to be met with left their houses and would never suffer themselves to be surpris'd, nevertheless both men, women and children frequented the Enemies Quarters at their Mass, prayers, dancing and all other ordinary occasions; After the Enemy was retir'd we were again supply'd with Building materials and fresh provisions with more chearfulness than formerly but as some of themselves acknowledg'd the Enemy advis'd them to it telling them that whatever we might be able to do towards putting the Fort in Repair we should certainly fall into their hands the following Spring which seems agreeable to the Instructions given by the Bishop of Quebec to the Missionarys here to keep themselves and the people from giving any occasion of being expell'd the Province, that as the French were in hopes to reduce it they might find it inhabited and the Inhabitants even conceal'd the Ammunition and Arms left them by the Enemy—

Accordingly a fresh Body of French Canadians and chosen Indians enter'd the Province in February following at Chignicto, carried on a Correspondence with the Inhabitants of Mines immediately on their arrival and afterwards with the Inhabitants of this River and were within twelve hours march of the Fort without our having any certain Intelligence 'till

the 1st of May, when by chance we Discover'd that some of our people who liv'd within a mile of the Fort held a Correspondence with them who suffer'd themselves to be severely treated by us before they could be made to own they had the least knowledge of the Enemy, who on the 4th of May was with us, and by the good accounts received from the Inhabitants were enabled to surprise Seven of our Rangers who were out on Party, which Design was the only reason that encourag'd the Enemy to come to Annapolis as we have since been well inform'd.

The Enemy after having lain three weeks before the Fort was call'd away to the relief of Lewisburgh, during which time as formerly the Enemy was plentifully Supply'd with Cattle for Draft, Provisions Messengers and even the Arms and Ammunition left at Mines in the possession of the Inhabitants by the Officer who Commanded the former Detachment.

That after the War broke out and was proclaim'd in form, the Inhabitants by their own Confession continued to transport numbers of Bullocks and Sheep out of the Province to Lewisburgh whilst in the hands of the French contrary to all Orders given to prevent it.

By all which it appears that their actions in favour of the Enemy notwithstanding all their Excuses comprehended in or Representation from the Inhabitants of this River, herewith transmitted, proceeded rather from a Natural disposition than force and that these terrifying Orders of Duviviers and Marin were purposely contriv'd to impose upon our Senses; and farther by their pointing out and delivering the English Cattle to the Enemy their Adjusting and Settling Accots with them and accepting their promissary Notes or Bills payable at Lewisburgh for their Provisions, labour and other Services doth likeways convince us that the whole was transacted by a mutual Contract more thro' pure inclination than any real Fear.

That his Majesties said French Subjects are esteem'd to be no less than 5000 Fighting men all Roman Catholicks and from the Circumstances before mention'd may be said to be entirely devoted to the Interest of France; The Province is full of Corn and Cattle which is of little use to the English, but rather a support to the Enemy and themselves should they again attempt to revolt which we may reasonably expect they may do should they be encourag'd by an Expedition of any Consequence from France or Canada.

That the said Inhabitants pay no Taxes towards the Support of His Majesties Government, only a Small Quit Rent for their Lands in Fowles and Wheat amounting in the whole to about 15 £ Sterling excepting what they voluntarily allow to their Priests, who, as they are subjects of France and receive a Yearly Sallary from that King must be accounted as Spies on the English.

Upon consideration of the above Several indisputable Facts, if they are not absolutely to be regarded as utter Enemies to His Majesties Government they cannot be accounted less than unprofitable Inhabitants for their

conditional Oath of Allegiance will not entitle them to the Confidence and Privileges of Natural British Subjects nor can it even be expected in Several Generations especially whilst they have French Priests among them.

The Fort of Annapolis Royal is the only one in the Province (excepting what may have been lately erected by the New England Forces at Canso) which at the first attack by the Indians last Summer was little better than a heap of rubbish, at the next attempt by the French and Indians from Lewisburgh several Breaches had been repaired and by the Spring following the rest of them were finished and considerable amendments made to the Covert-way but at best it may at this time be reckon'd a patch'd up unfinished Place and not able to hold out long against any vigorous regular attacks.

The Garrison is very inconsiderable, not having as yet had any reinforcement from Europe, that which we had from New England eighteen months ago being greatly diminish'd, and the men discontented, uneasy and desirous to be dismiss'd; neither have we any Vessels for the Defence of the Harboure or the least Bark for the Conveyance of packetts upon any extraordinary occasion, by which the Kings Provisions and other Necessaries for the Support of the Garrison is greatly expos'd even in the Harbour and the Garrison itself liable to be block'd up by a very insignificant force by Sea, several vessels having been taken in the Bason among which two Board of Ordnance Vessels with Stores for the Fort and two others with necessaries for the Officers and Troops.

'Tis true the Reduction of the City of Lewisburgh lying above 100 Leagues from us is of some advantage towards the safety of Annapolis provided a Squadron of Ships of War is constantly kept Cruising in those Seas when the Season permitts, but 'tis well known how much we are expos'd in the naked Condition we now are in to a Surprise by Sea should the French be so lucky as to make use of this favourable opportunity.

Upon the whole it is most humbly submitted whether the said French Inhabitants may not be transported out of the Province of NOVA SCOTIA and be replac'd by good Protestant Subjects.

P. Mascarene

By His Honour the Presidents Command
by and with the Advice and Consent of
the Council.

W. Shirreff, Secty.

At a Council held by order of the Honble Paul Mascarene Esqr President and Commandr in chief &ca at his own House in the Fort of Annapolis Royal on Thursday Jany 9th, 1745/6

P R E S E N T

His Honr the President

Wm Skeene

Edwd How

Wm Shirreff

Esqrs

Esqrs

Eras Jas Philipps

Edwd Amherst

His Honr communicated to the Board a Joint Letter from Admiral Warren and General Pepperell brought by Capt Giddings of the Ordnance Packett in the Service of the Honble the Board of Ordnance arriv'd here the 6th inst, in wch amongst other things was mentiond the necessity there was of a Small Tender of Some Force to attend on this place and to carry Intelligence between the Two Garrisons of Louisbourg and this Place and New England and that if this Vessel was thought of Present Service for that End or any other Publick Service this Garrison might stand in need of, the Master had Orders as soon as he was discharg'd the Service of the Office of Ordnance to receive Govr Mascarene's Orders and from the Date thereof the Admiral would answr for her being paid and Insur'd by his Majesty.

His Honr further acquainted the Board that he had often represented the necessity of such a Vessel as well as of a Small Man of War to Guard the Entry of the Bason and Convoy the Stores and Provisions wch this Garrison, receives from Boston for its support, and that he thought what was now Offr'd would be of actual Service if the Vessel could be sent immediately back to Louisburg but that the master had told that tho' he was very willing himself to undertake the Voyage his sailors was so discouraged from the Hazards and the Difficulty of that Voyage in this Season that it was impossible for him to depend on their Assistance from wch his Honr Judg'd that as the Vessel would be of no Service here for these Six Weeks or two Months when she would be surrounded with Ice at the Key, she might proceed her voyage to Boston and from thence be engaged to return as soon as the Winter broke up and to take under her Convoy the Provisions to be sent by the Contractors. The Master of the Ordnance Packett haveing been called in and Examined on ye Possibility of his Returning At this Time answer'd to the same Purpose as before and added that there would be no Difficulty as to the Vessel being detain'd here and being sent where he should be directed as soon as the Weather should break up.

Which being considr'd and Debated it was Judg'd that the admirals Proposals was not to be postpon'd, that if the Vessel was allowed to go to Boston without being taken in the Service her Owners might employ her another way before spring, that if she should be obliged to be some time here without being Employed she would be ready however upon any Emergency to send either to Lewisbourg or to Boston, and as some Gentlemen said who had made the Observation, the Place she would lay up at the Key Could not be so incumb'd with Ice but that she would float at every high water and could sail down the River wch generally

cleared itself of Ice every Ebb, and therefore the Board was of opinion that His Honr should keep the said Ordnance Packett on the Offer and Terms propos'd by Admiral Warren and that the Representation of the Necessity of Such a Vessel for Intelligence as well as a Man of War from 20 to 24 Guns for the Guard of the Entry of the Bason and the Convoying of the Stores and Provisions from Boston should be renewed to the Secretary of State, Board of Trade and Admiral Warren.

At a Council held by Ordr aforesd at his Majesties Garrison of Annapolis Royal on Monday the 30th June 1746 at 10 o Clock A.M.

P R E S E N T

His Honr the Presidt

Wm Skeene

Edw How

Wm Shirreff

Esqrs

John Handfield

Esqrs

Eras Jas Philipps

Edw Amhurst

And Capt Richd Collins of his Majesty's "Ship Dover" being according to desire also Present.

His Honr the Presidt communicated to the Board that having Reason to believe by the communication being cut off for this month past between Menis and this Place notwithstanding all Endeavours to prevent, that there are some Designs on Foot to annoy this his Majesty's Garrison and more Particularly because the three last Expresses sent from hence for Intelligence had assur'd him that if one of them was not back by Sunday that is last night he might be assur'd there was a Force at Menis to prevent it and as none of the them was returned it was past Doubt that there must be some Detachment from Canada join'd with the Indians of this Province met at Menis for some attempt against this Place and having also communicated the advices he had rec'd from Govr Shirley by the Schooner Fame Abram Mors Master as likewise said Master's Instructions and Affidavit taken by Colol Morrison, the Eastern Coast of a Number of French Ships being in Chibucto and LaHave.

It was thereupon unanimously Agreed by his Honr and the Honble Board, and Corroborated by the opinion of Capt Collins, Sent here by Admiral Townshend to countenance this his Majesty's Garrison to dispatch the said Schooner Fame Directly to Lewisburg to Inform Admiral Townsend and Govr Knowles of our Scituation.

And the Board was further of Opinion that it was absolutely Necessary to apply to and Endeavour to prevail with Capt Collins to tarry some time Longer as it was for his Majesty's Service to give countenance to this Place and to assist in the Defence of it in Case the Enemy should be bent on any attempt against it.

At a Council held by Ordr aforesd at Annapolis Royal on Saturday the 9th Augt 1746, at 11 O'clock A. M.

The Same Members Present

His Honr the Presid communicated to the Board a Letter he had Recd from Captn Collins commander of his "Majesty's Ship Dover" now in this Harbour signifying that he had already staid 35 days longer than was order'd being no absolute necessity of his staying any Longer as there was no French ships upon the Coast as was reported to give any annoyance as the works of the Garrison were in such good Repair towards both Sea and Land that we need not apprehend any Danger by Land from the French and Indians he had therefore Judgd it for his Majesties Service to return next week to Lewisburg &c as pr Said Letter of the 9th of Augt his Honr also communicated the copy of a Letter from Mr. Corbett Secretary to the Lords of the Admiralty to Admiral Warren recommendg him to keep a Tender and Small Frigate for the Services of his Majesty's Province of Nova Scotia upon wch the advice of the Council being asked they were unanimously of opinion that Notwithstandg the Report of the French ffleet being on the Eastern Coast may have prov'd false yet as an Express had been Since from England of the Brest ffleet being got out and uncertain wch way Bound and the Proceedings of the Franch and Indians up the Bay being still kept with Impenetrable Secresy, and this Garrison which is the only Footing we have in this Province and Serves to keep the Numerous French Inhabitants from Joining with the Enemy having not yet been compleated to above half its intended Strength, It is therefore their opinion till some knowledge can be had of what the Enemy are doing up the Bay and what is become of the Brest [French] Squadron the Continuance of his Majesties Ship the Dover will be a very great Security to this Garrison and Province and as to the shortness of Provisions mention'd by Capt Collins, the Govr acquainted the Board the Stores could Supply him with Bread Pork Pease and Rice, for a month or two, on the like Quantity being return'd into his Majesty's Stores here by the Navy Contractor at Boston.

At a Council held by Ordr aforesd at Annapolis Royal on Tuesday ye 12th Augt 1746 at 11 o'clock A. M.

The Same Members Present

His Honr acquainted the Board that all the means he had us'd by Land to get Intelligence of what the Enemy may be contriving up the Bay had hitherto provd to no purpose, He had therefore propos'd that as there was an armd Vessel now in the Harbour belonging to the Honble Board of Ordnance whether it would not be thought Necessary by this Board yt [that] She should be Employ'd in a cruize up the Bay to Endeavour to get some Intelligence of what the Enemy may be a doing there wch being considered it was unanimously Agreed that it was absolutely Necessary to use all manner of means possible to procure Intelligence and as that Vessel is already in his Majesty's Service She may be very fit for that Purpose if She can be mann'd and fitted as such a Service Requires.

At a Council held by Ordr aforesd at Annapolis Royal on Wednesday ye 10th Sepr 1746 at 11 o'clock, A. M.

The Same Members Present

His Honr the Presidt produc'd to the Board a Letter from Capt Rouse [Rous] Commandr of his Majesty's Ship "Shirley" desiring our Representation of the Accident wch happened sd Ship on ye [the] 2d Sept 1746, whereupon our opinion is as follows—that theyre appear'd to us to have been no neglect or mismanagement in the whole Proceeding the Captn and all his men being on Board but that it was entirely owing to a Violent Storm of Wind such as has not been known here for these many years it having Blown down Several Barns, Tops of Houses, Trees up by the Roots and two stacks of the Garrison's chimneys, and Drove the Ship on Shore with her Yards and Topmasts down and three Anchors a Head upon a point of Rocks about low water when she beat up with the Sea and we expected she would have beat to pieces untill they cut their foremast by the Board wch we presume eas'd the ship and was the means of Saving the Crew, at that time, together with all the assistance that could be afforded from the Shoar and by the other Masts being afterwards cut away was the means of Saving the Ship without wch She never could have Righted the Tide flowing Several Feet over her, Since wch all manner of diligence has been us'd by the Captn to Right her and free her and bring her to a place of security for repair wch is now Executing.

At a Council held by Ord'r aforesd at Annapolis Royal on Monday ye 22nd Sept'r 1746 at 11 O Clock A. M.

The Same Members Present

The Hon. Presid't Paul Mascarene, Esq.,			
Wm Skeen		Edw How	
Wm Shirriff	Esqrs	John Handfield	Esqrs
Eras Jas Philipps		Edw Amhurst	

Capt Spry Commandr of his Majesty's Ship "Chester" and Captn Rous, Commandr of his Majesty's Ship "Shirley" being also Present.

His Honr the Presidt acquainted the Board that by a Packett arriv'd late here Saturday night last, he had Received a Letter from Govr Shirley importing that he had Reason to believe that there was a French Fleet upon the Coast and that in Confirmation thereof he had sent him the Copies of Two Affidavits Vizt of one Hugh Thornton master of a Fishing vessel [sloop] nam'd Fanny made before Govr Wentworth at Portsmouth in New Hamshire the 14th Sept'r 1746, and also of one William Hanwood of Gloster [Gloicester] made at Boston N. E. attestd by Secretary Williard.

The first deposd yt on Saturday the 31st Augt he saw about 30 Sail of wch 15 were large ships and his People Reported from ye Mast Head and Judgd the Fleet to consist of a greater number wch stood to the Northward the wind then being at E. N. E. dist from the Isle of Sables about 15 Leagues in the Latitude of 43 and 50 and that at 12 o clock they show'd no colours.

The other Vizt Wm Hanwood depos'd that on ye 9th Inst about 9 o'clock at night being upon the Western Bank of ye Isle of Sables about 20

Leagues distant from Sd Isle Westerly he came a thwart a Large Ship wch he Suppos'd to be about 70 Guns from on Board of wch Some in Broken English Call'd "Strike you Dog" and heard them speak a Language he did not understand and that having got clear and sprung his Loof they fir'd upon him after wch he saw a great many Topsail Vessels with Lights and some with none, wch he endeavour'd to count and Judg'd them to be in Number about 25 standing with an easy sail to the Northward &c as pr sd Copies upon File wch being Judg'd to be the French fleet it behov'd us to Make the Best preparation we could and that as Govr Shirley had acquainted him that he was Sending here a Reinforcement of 300 men, he had given Direction to prepare Lodging for ym wch as it would occasion a further expense of Firewood, and as the Inhabitants on Acct of their Harvest had not as yet brot Home the Necessary Quantity for the Present Garrison he had therefore sent for the Deputies to speak to them upon that Head and for further supply for the Reinforcement as also for some things Necessary in regard to Captns Spry and Rouse and as there was no preventing their Hearing of these News and perhaps in a worse Light, he concluded it would be better for him to tell ym [them] as they really are and of our Expectation from the Points of our Squadron being at their Heels, and Especially as it may have this good Effect to make them believe what he has always told them and what he might further have Occasion to Offer, and ye [the] Deputys being attending they were accordingly called in.

Then his Honr after having told them the News as above Recommended to them their Duty and told them that altho an Enemy might by force oblige them to do a great many things for their Service yet they could not absolve them from their Oath of Fidelity for that they would be always reckon'd Subjects of the Crown of Great Britain till they were Ceded and yielded up by Treaty, as he had formerly told them, and that in Case the French Fail'd in their attempt as it was hop'd they would, they might assure themselves if they Should do the Enemy any Voluntarily Service they would be some time or other Severely punished.

For wch they answer'd they were very Sensible of what his Honr had said and Made Promises to have due Regard to the Allegiance they had Sworn to his Britannick Majesty and do all that was in their Power to Serve his Governmt.

Then His Honr Demanded Men for the Works, after their Recess, on acct of their Harvest and told them that as Sevre in their respective Dstricts had not as yet brot home their Quotas of wood he order'd them to see that it was immediately brot to the Garrison for that he would admit of no excuse and also order'd them to take care and see that each Family in their Several Districts cut two Cord more and bring it forthwith into the Garrison for the use of ye Reinforcement to be pd for hire at the Price Stated and then Order'd to bring all their Shallops, Flatts and said Vessells under the Cannon of the Fort.

Then he acquainted them yt Capt Spry and Captn Rous of his

Majesty's Ships the Chester and Shirley Gally wanted Fresh Provisions and Some of their Garden Stuff therefore he recommended to them to supply these wants and not to impose upon them by demanding exhorbitant prices as had been reported that some had done.

They reply'd they would do all in their Power to oblige these Captns and said that everything was both scarce and very dear and it being told yt things upon the Footing of silver money ought not to be dearer than formerly Capt Spry then told them that he would pay them in silver upon that Footing wth wch they seem'd satisfied.

Then his Honr acquainted them yt Captns Spry and Rous wanted Several Tons of Water and ten Cord of Wood for both shippes [Ships] and order'd them to take his Casks in flat Bottom'd Boats and get them immediately filled on Board and put on Board his Majesty's Ships the "Chester" and "Shirley" wch they promised should be done for wch Capt Spry told them he would pay for and being told that none was to pass or Repass in the Night time without speaking to sd ship least they should be fir'd upon they said they would communicate these Orders in their Several Departments and yn [then] they were permitted to withdraw.

At a Council held by Order aforesd at Annapolis Royal on Monday ye 29th day of Sepr 1746, at 11 o clock A. M.

P R E S E N T

His Honr the Presidt Paul Mascarene Esqr

Wm Skeen

Era Jas Philipps Esqr

Edw How

John Handfield

Edw Amhurst

Esqrs

His Honr the Presidt having acquainted the Board that Govr Shirley had in Consequence of what was reported of the Ffrench Ffleet sent a Reinforcemt of 300 men and that he believed from a Joint Letter he had rec'd from him and Admiral Warren he would send more if it was Needful which Letters with copies of Several affidavits in Relation to the French Fleet being Seen of Cape Sambro being read.

His Honr also acquainted the Board that by these Vessells he had recd a Letter from Govr Shirley of the 29th Inst Signifying he had also sent him some Printed Lettrs in Ffrench to be disposd of amongst the French Inhabitants if he thought Proper otherwise to suppress them if it was judgd more advisable, "report of a design to remove the Acadians".

The French Letter being read it was founded upon a Report he had heard that the French Inhabitants of Nova Scotia were uneasy least the English should remove them from their Estates and transport them and their Familys to France or Elsewhere wch he endeavour'd to appease by assuring them yt if his Majesty had had any Such Intentions, he would have heard of it, but on the contrary he had heard of no such Design and

is therefore of opinion their Fears are without Foundation & therefore desiring his Honr the Presidt (to whom these Letters were directed) to assure them on his Part that he would use all his Interest [Endeavours] with his Majesty in favour of those who shall behave themselves Peaceably and Quietly as his Good subjects and not Correspond with nor Join the Enemy that they may be protected in the possession of their Estates. But for those who shall do otherways and join the Enemy, Especially those from Canada, that they may expect to be treated as his Majesty's English subjects are treated in the like provoking cases.

The subject of Said Letter of the 16th Inst to that effect and conformable to what his Honr the Presidt had frequently told the Said Inhabitants it was Judgd that the Publishing of ym by Distributing them amongst the Inhabitants was Seasonable as it confirms what has been so frequently told them.

Then his Honr acquainted the Board that having some what to say to the Deputys he had sent for them who being attending were called in and having communicated to them Govr Shirley's Letter with wch they Seem'd well pleas'd and desir'd His Honr to return their most Humble Thanks to his Excellency Govr Shirley.

His Honr told them yt [that] as ye [the] Thickett of Trees & Brushes from Almost were Butick liv'd on the other side of the River down so far as Bourgs Village as it hindered the View of the Garrison and might cover the Enemy was so far prejudicial and therefore [then] order'd them to have it forthwith cut down wch they said they would do.

Then he acquainted them that as their Marsh Dikes so near the Garrison were also prejudicial as they might be of great advantage to the Enemy he therefore told them yt [that] he might be oblig'd to cut them or levell them down telling them that in time of war the sufferings of the subject in many cases were unavoidable, and that as the English in the like cases were no ways exempted He therefore desir'd them to follow their Example as in time of Peace as well as they might hope for a Recompense for wch he would use his Interest, he Order'd them to bring all their Shallops under the Fort to prevent ye [the] Enemy making use of them, to bring the Cordwood demanded wch now was wanted for the three company's just arriv'd and having exhorted them to keep in their Duty wch they promis'd to do, Dismiss'd them.

At a Council held by Ordr aforesd at Annapolis Royal on Monday the 27th of Octr 1746 at 11 O'clock A.M.

The Same Members Present

His Honr the Presidt acquainted the Board that as the Enemy "Du Vivier and De Ramsay" had Retreated Friday last the Deputys of this River were come to the Garrison as he supposed to acquaint him of their own and the other Inhabitants Behaviour in Regard to wch his Honr

having Sevl things to say, they were call'd in; and being asked in General how the Enemy had treated and Employ'd them, It was Answer'd without any contradiction that they were used by the Enemy as in former times being oblig'd by Orders accompanied with Threats to supply them with Some Provisions and with attendance on them with Carts &ca. That they were partly Employ'd in making Fascines wch after having refus'd for Eight days they at last comply'd to prevent their Executing their Threats upon them.

This his Honr Order'd them to bring what Fascines they had made to the Garrison and without loss of time to cut down that Brush and Spruce between Monpaiss and Bourgs Village as was order'd to be done the 29th of Septr last.

He then acquainted them with the good Posture of his Majesties affairs with the Vast Expense & Loss the French King must have been at in the great armament that had appeared on this Coast without effecting anything by which they might judge how it would be impossible to make any such an other attempt and that it behove them therefore not to let themselves be had with any Deluding Hopes of Returning under the Dominion of France our King being firmly resolved not to Part with Cape Breton nor this Province. But that they ought to behave themselves as good subjects to his Majesty and to endeavour by their good behaviour to Obtain his Majesty's Favour which the Deputys professed their readiness to do, and after renewing their promises of fidelity & Allegiance the New Deputys being approved they were dismissed.

At a Council held by Order afores'd at Annapolis Royal on Fryday the 31st Octr 1746 at 11 O'clock A.M.

The Same Members Present

The Commandr in chief acquainted the Council that Govr Shirley had besides the 250 men sent before sent again a Number of Troops to be Join'd with 200 men from New Hamshire expected every day, not only for the Defence of this Fort against the Intended attack of the Enemy, "about 600 New Engd Militia Called Auxiliaries in Nova Scotia" but to endeavour to drive off the Canadians or any other Enemy out of the Province, that now the Enemy being withdrawn from about this Place and returnd to Menis he, the commander in chief, intended to send after them to endeavour to dislodge them and drive them out of the Province and that if that could be Effectuated it would be a good opportunity to Examine the conduct of the Inhabitants and Show some Difference between those who have been Inclind towards Serving the Enemy and have showed themselves active in it and to Enquire into all that relates to the civil affairs of the said Inhabitants and therefore propos'd Eras Jas Philipps and Edwd How Esqr as Persons proper for such Enquiry and Examination.

The Board approv'd of the two aforementioned Members to proceed on the Expedition to act by Proper Instructions on the following Heads

and to Proceed on the Montague Belander the Ordnance Packett a Tender in the Service of this Province and in the Sloop that brought the last Troops from the Massachusetts "Iona" Davis Master.

- 1st To Enquire after, and apprehend those that have taken up arms for the Enemy and those that have been willingly active for their Service.
- 2dly To Enquire after any Magazines of stores of war and Provs belonging to the Enemy and Seize the Same.
- 3dly To Enquire after any French Goods that may have been brought into this Province and Seize the Same.
- 4thly To take a Particular account of all the Grain in the Country that is not for the subsistence of their own Familys and purchase the same at the usual Rate ship it and bring it here letting the Inhabitants know that they shall be paid here on demand by their Deputys.
- 5thly To Order the Inhabitants at their Peril to bring in all the arms and Ammunition that have been brought into the Province Since the French war.
- 6thly To make them chuse New Deputys and Return them here as soon as Possible.
- 7thly To seize and Apprehend all those who have not been admitted to take the Oaths.
- 8thly To bring away or Disable all the Vessells wch have been Employ'd in the Service of the Enemy.
- 9thly To Enjoin the Inhabitants to send as soon as possible what cattle sheep and other Refreshmts they can to Lewisburg where they shall be paid for the Same.
- 10thly To Order them to send such a Number of Sheep and Black Cattle as shall be demanded of them by the afores'd Gentlemen for the use of this Garrison for wch they shall be paid at the usual Prices here.

At a Council held at his Majesties Fort of Annapolis Royal on Fryday the 14th Novr 1746 at 11 o'clock A. M. by Ord'r of his Honr the Commandr in chief Paul Mascarene Esq

P R E S E N T

Wm Skeene
Wm Shirreff
Eras Jas Philipps

Esqrs

Edw How
John Handfield
Edwd Amhurst

Esqrs

The Commandr in chief acquainted the Board that Nicholas Gautier an Inhabitant of the Cape having been suspected of some Practices with the Enemy and therefore directed to appear the last Council day to answer to what was laid to his charge, had withdrawn himself and gone to the Enemy. That it was therefore Necessary, in Ord'r if Possible to deter others, that it should be determined at this Board how and in what Manner the Effects he had left consisting of Lands, Cattle and a Large Schooner &ca should be dispos'd of.

He further acquainted the Board that having sent for Pilots from amongst the French Inhabitants for the Intended Expedition up the Bay who being brought, Promis'd to come next morning, but only one of them appear'd, that he had heard that two of them Viz Paul Doucett (alias) Paul Laurent and Charles Peleraïn (alias) Tuck were met in the way to Menis going to the Enemy. That the others had sent some Excuses, but that he had not had time to enquire how valuable they were that it was necessary to find means to deter the Inhabitants from Refusing or with drawing themselves from serving as Pilots and Guides when his Majesties Service required they should be Employed as such Especially at this time; that as he intended to Employ the Troops sent by the Neighboring Governments to dislodge the Enemy from Menis and Even the Province if the season and Circumstances would admitt off it, he had therefore Order'd the Deputies to find Some Horses and Guides and to have them in readiness if his Majesties service should so require.

All wch being consider'd the Board is of Opinion that the Estates Real and Personal of Nicolas Gautier, Paul Doucett alias "Paul Laurent" and Charles Peleraïn (alias) "Tuck" should be declared forfeited and be accordingly Seized for his Majesties use, and that the Deputies should be order'd to prepare and lay before His Honr in Council on Thursday the 20th Inst a full slate of the Lands and Effects of these said Delinquents and that Charles Doucett, alias, Valet Mejean, be also Order'd to bring forthwith to the Government the Seven Head of Cattle belonging to Said Gautier wch now are in the Possession of Sd Charles Doucett as he will answr the Contrary at his Peril, the said Cattle to be Apprais'd and Valued and dispos'd of for the use of the Garrison the Produce whereof to be Sequestred till adjudg'd by the Presid and Council.

That Lewis Dugas, alias, Plaisent, Claud Doucett, alias, Merrimat, John Granger alias, Beck, and Frans Doucett do Personally appear here in Council on the sd 20th Inst at 11 O'clock A. M. to show Cause why they so disrespectfully retir'd and absented themselves, when requir'd to Serve as Guides and Pilots, after they had promis'd to attend and be in readiness for that Service; and that the Deputies be strictly enjoin'd to find Horses and such Carriages and also Pilots as his Majesties Service may at any time Require.

And it was also the Opinion of the Board that ye Deputys should be order'd once more to make known and Remind the Inhabitants of their

Respective Districts, that none hereafter may plead Ignorance. That the Estates Real and Personal of all such his Majesties Subjects as shall hold a Voluntary Correspondence with and retire to the Enemy shall be confiscated for his Majesties use.

And the Board was further of Opinion that the Sd Paul Laurents Vessel should be brought as soon as time will permit down to the Garrison and secur'd for his Majesties use.

At a Council held by Ord'r aforesd on Thursday the 20th Novr 1746 at Annapolis Royal at 3 O'clock P. M.

THE SAME MEMBERS PRESENT

His Honr the Presidt acquainted the Board that Francs Granger one of the new and Antoine Vincent one of the last years Deputies were arriv'd from the River Canard and had brot him a Letter from the other Deputies of that Parish and District Setting forth the Mildness of this Government the Obligations they are under to Govr Shirley for his Printed Letter, and promising strictly to observe their Oath of Allegiance pray for a Continuation of ye Governments Protection wch Letter being read the two Deputies call'd in they deliverd to the Board a list of the New Deputies wch being accepted of they were desir'd to stay till the Deputies from the Grand Pree and Pezziquid arrived.

At a Council held by Ord'r aforesd at Annapolis Royal on Monday the 24th of Novr at 11 o clock A M

P R E S E N T

His Honr ye Presidt Paul Mascarene Esqr

Wm Skeene

)

Edw d How

)

John Handfield

Eras s Jas Philipps

)

Edwd Amhurst

The Presidt acquainted the Board that the Deputies of Grand Pree and Pezziquid were arriv'd and brought a Letter wch was Accordingly read containing in substance an account of their Miserable state during the war with Acknowledgmts of Obligations to Govr Shirley for his Printed Letter and Promises strictly to observe and adhere to their Oath of Fidelity. (De Ramsay had at one time 1650 Men Canadian Militia Fishermen, Volunteers Indians.

Some questions were askd the Sd Deputies in Regard to the Behaviour of the Inhabitants whilst the Enemy was amongst them, they answer'd that none of their Inhabitants had Offer'd to take up arms in conjunction with the Enemy that they had been obligd to furnish them Provisions and Horses as in former times but that however considering the Number of the Enemy wch at one time was 1650 they had not made so much waste in Proportion as in former times they having brought a great deal of Flower and Pease with them. That hearing of the Preparations Made here

for visiting them at Menis the Commandr askd ye Inhabitants whom he had assembled for that Purpose wt their Dispositions were they answer'd that their Intention was to continue in their Fidelity to the British Governmt as they were oblig'd thereto by their Oath. Whereupon Monsr Ramsay the Sd Commandr told them that he then must leave them and having put on Board his Vessells what Provisions and Stores he had before Landed for his Wintring at Menis and Embarkt his Men, he made sail out of Menis in Ordr to proceed as they thought to Chicanecto. They were ask'd if now the Enemy was withdrawn whether they would not undertake in Behalf of the People of Menis to take up those who were suspected by the Government to have been Willngly active for the Enemy and bring them here to wch they made answr that they could not undertake it as knowing the Inhabitants could not be brought to a Resolution of laying hands on their Brethren in Order to bring them to Punishmt.

They being Order'd to withdraw the Commandr in Chief acquainted the Board that tho' the Enemy had left Menis he continued in Opinion of sending a Strong Detachmt to that Place to Establish his Majesties Authority and take up those who were known to have favour'd and abetted the Designs of the Enemy to the Necessity of wch the Board agreed as by the Heads of Instructions given on the 31st Octr last.

At a Council held by Ordr aforesd at Annapolis Royal on Wednesday the 3d of Decr 1746, A. M.

The Same Members Present.

His Honr laid before the Board Sevll accot of Disbursemnts upon the Public Service amounting to £20.16.8½ Sterl and it is the opinion of the Board that the Same shall be charg'd upon any Seizures and forfeitures accruing to his Majesty and that all Lands and Effects so forfeited be apprais'd and dispos'd of for the Discharge of Publick Expenses and regular Accts kept thereof.

That all Pilots taken nto his Majesty's Service be paid at the Rate of 10 S pr Diem, N. E. old Tenor for the time they are Employ'd.

c

That the Ex between Silver Currnt [money] here and Boston money old Tenor shall be at the Rate of 40 S for a Pistole.

At a Council held by Ordr aforesd at Annapolis Royal on Monday the 29th Decr 1746 at 11 O Clock A. M.

P R E S E N T

The Honr Paul Mascarene Presidt

Wm Sheriff

Edw How

John Handfield

Capt Rous of his Majesty's Ship "Shirley" Galley
being also present

His Honr The Presidt communicated to the Board Several Letters Recd from Maj Era Jas Philipps as Member of this Board sent on the offices [affairs] of the Province and his Majesty's Service to Menis, and also from Col Gorham Commandr of the New England Auxiliaries now there Setting forth their Scitaution and Circumstances of these Parts in Regard to Provisions with a Representation of the same set forth by the Inhabitants.

Wch being read and consider'd the Messengers, Peter Landry son of Abram Desire Leblanc and John Landry the son of Germain were calld in, whom his Honr the President acquainted that the state of these Parts with Respect to Provs was far Different from what their Deputies had Represented in computation thereof made by them and Edwd How Esqr wch was that if the Inhabitants could spare every Twelfth head of their Cattle, (as by their own acknowledgmt they had sheep enough) that they could furnish a Thousand men for three months and that as to Bread if it should fall short it was only Repaying them by Replacing it in the Spring Either in Specie or in Indian Corn, with wch they were fully Satisfied. To which Method of furnishing the Troops wth Pros the Sd Landry &c were of opinion the Inhabitants of these Parts could without being Pinched comply with, wch being thus confirm'd by Sd Messengers.

His Honr the Presidt acquainted them that in case our Troops should be Necessitated to Return for want of Provs it would redound neither to the Credit or advantage of the Inhabitants. That instead of Recalling these Troops they were daily expected to be Reinforced, and that in Case the Season of the year now impeded that by sea, they would early in the Spring as soon as the Navigation was open, but that we daily Expected four or five hundrd more to join them this winter by Land.

His Honr recommended seriously to consider their Interest and to Animate the Inhabitants to their Duty for tho these now detached from Hence were so far undr his command as not to distres or annoy them. Yet he could not answr for the Behaviour of these sent immediately from New England by Sea. They Promis'd to do their Duty and to prevent their Return for want of Provisions they would recommend the Necessity of supplying them to the community.

In regard to Confiscating and Seizing upon the Real and Personal Estates of Sevl Delinquents the Board is of Opinion that all procedure therein till we have it further in Power should be deferr'd till further Ordrs Except that if Amand Bujois, as le Maigre and others may come in, submit to his Majesty's Pleasure and be of Service to the Governmt.

At a Council held by Ord'r aforesd on ye 15 Jan'y 1746/7.

P R E S E N T

The Honble Paul Mascarene Esqr Presidt

Wm Skeen

Edw How

John Handfield

— Esqrs

His Honr the Presidt communicated to the Board a Letter from Eras Jas Philipps Esqr who has been deputed from this Board to Menis and is now there with the Forces sent by Govr Shirley with abt 5 or 600 men under the command of Colo Noble, wherein he setts forth his proceedings in regard to bringing the Inhabitants to furnish Provs for that Number of men in wch he meets with pretty many Difficulties, Sending a Return of the Quantity of wheat and Cattle that are in their Different Departments viz. Grand Pree Pizaquid River Habitant and so far as it appears at this Board from their Returns that taking Tenth both of wheat and Cattle, a Sufficient Provision may be made to Victual that number of men for near three months without distressing the Inhabitants wch if it can be effected would prove of great Service to his Majesty in this Province as by keeping that Force there the Enemy will be Prevented from coming to that Settlement and that as by that time the Navigation will naturally be open, more Provs may be sent there for their support to continue them or any Part of them there Major Philipps at the same time intimating that he hopes after his having Proceeded So far he may have some Recess to come and attend his Business here and Edwd How Esqr having been Named in Conjunction with said Major Philipps in this Council before to attend the Civil Affairs there and having been prevented from going at first by the Business that attended his Station here Intending now to go and assist Major Philipps or supply his Place, it is given him for Instructions at this Board to supply Provisions for the Troops there with as little molestation as Possible to the Inhabitants, and when that is Effected as well as it can be with what other matters may be Judg'd Necessary for his Majesty's Service in wch his assistance may be Reckon'd necessary the Commandr of the Troops there in conjunction wth Lieut Gorham shall be empower'd by his Honr the President to carry on the Scheme according to the Instructions given to Eras Jas Philipps and Edwd How Esqrs.

His Honr likewise produced to the Board a Paper containing the Proceedgs of Eras Jams Philipps against Amand Bujois wch were found agreeable to a resolution pass'd in Council and it was resolv'd that farther Prosecution against any other Delinquents should be suspended for some time Longer, but that however the best Information that Can be procured should be taken concerning the Behaviour of the Inhabitants.

The President having represented Jos Granger who went away from this Place without Special Leave from his Honr as an object of Mercy the Board is of opinion that he may be acquitted of that crime.

His Honr the Presidt produc'd two Accots for the repairing Gautier's Schooner wch was Seized by Ord'r of this Board, as part of Gautier's Goods and Chattels forfeited to his Majesty and Employ'd in his Majesties Service amounting to £3.19.1 Sterg wch is to be paid by the Governmt out of any Forfeitures arrising to his Majesty on applications made home in case no fund can be rais'd here to answr such or the like Expence.

These Minutes contain'd in the aforegoing Twenty Nine Pages being compared with their Originals are true Extracts of the Same

By Order of His Honr the Presidt and Command in Chief

Wm Shireff Secty.

End

Extract of Minute of Council held at His Majestys Fort of Annapolis Royal on Wednesday the 4th January, 1748/9

His Honr acquainted the Board that he had Rec'd some Petitions and a Letter from Mrs. Skeene in Regard to the pulling down and an Estimation of her father's House in the Lower Town—A Memorial from Major Philipps, Wm. Shirreff Esq., John Hamilton in behalf of themselves and others in Regard to their Houses, &ca. being pulled down and Burnt for ye better Defence of this His Majesty's Garrison during the War praying the same may be Recommended Home, so as yt they might obtain some Compensation and also a petition from Capt. Jno. Gorham of the Independt Company of Rangers, Representing in part the State of the province and ye great advantage of Peopling it with protestant Subjects and Proposing to settle a Township on the Eastern Coast upon certain conditions wch he Desires may be Transmitted Home in Order to be laid before the proper Boards for their Consideration.

All of which being read they were Deferred to an other Opportunity as was also that of the Priests and Inhabitants in Regard to their Mass House to be further Considered.

P. Mascarene

By Order of His Honr the Presidt
and Command in Chief by and
with the advice and Consent of Council

W. Shirreff

At a Council held on Tuesday 24th January 1748/9 at His Majestys Fort of Annapolis Royal at 11 O'clock A. M.

Present His Honr the Presidt &ca.

The Petitions, Memorials or Representations Represented and Read in Council the 4th instant wch were then Deferred as pr that days Minute for Consideration being again Read the Presidt told the Board the first Attack the Enemy made on this place part of the Lower Town was sett on fire by the Enemy The Serjt of the Lower Town Block House sent word he could not keep his post as the fire was againing very fast near him wch however was afterwards Stopt and the Block House Repossessed and the Building and Fencies about it pulld down to prevent the same Danger that at that time the Inhabitants Church was set on fire the Contrary to his Express Orders as the Distance it was from the Block House could not

Endanger it that several other Buildings near and about the Fort had been Judg'd necessary to be pull'd down or otherways Destroy'd as they were a Shelter and Covering to the Enemy or might otherways Endanger the Fort if sett on fire by them but in the Execution of this there had been some times a Short Time allowed for Consultation and Appraisement at other times no such methods could be followed on the Danger being too Imminent and that as it happens Generally in such Cases where the Soldiers cannot be kept within due Bounds Several Buildings were Burnt or Destroyed for wch no Orders had been Intended or Given That he the Presidt thought it very Reasonable a Just Compensation should be made to those that suffer'd from the Calamity and Necessity of the Times. But as the Board were Sensible that by the Want of a proper Authority to Levy Taxes on the Inhabitants there was no proper Fund to provide for such Losses or Even to Defray the necessary Contingencies of the Government there appeared to be no other way than to make a Just Estimate of the Loss Sustained by everyone who had Suffered in his property on Accot of the aforesd Reasons where no Regular Estimate could be made in hope that by proper Application at Home His Majesty would be Graciously Pleas'd to give a Just Compensation Accordingly.

Whereupon the Board came to the following Resolution that every person Concerned shall make Oath before the Govr to the best of his Knowledge to the Truth of the Estimate made by him of his said Loss but that as the Government is not provided with a Fund to Defray such Charges that Copies of that Minute and all those thereunto Relating be signed by the Govr in Order to be sent Home to enable the Sufferer to Solicit proper Compensations for the same and Duplicates of ye Several Estimates Sworn to as abovementioned to be Annex'd to sd Minutes And in Regard to Capt. John Gorham Relating to the laying out a Tract of Land on the Eastern Coast for his Bringing Familys from New England to settle thereon it is Left to the presidt to Transmitt it home & Represent thereupon What he shall judge proper.

P. Mascarene

By Order of His Honr the Presidt
& Command in Chief by and with the Advice
and Consent of Council.

Wm. Sherriff, Secty.

INDEX

- Adams, John, member of Council, 5; proprietor in mines and lands, 6, 7-8, 10-11, 14; a member of committee to prepare order in connection with robbery of Stephen Jones, 18; 19-20, 22, 25; claims that Mascarene had forfeited his right to be president of Council, 25; 27; appealed to His Majesty, 27-30; Council meets at his house, 30; 70
- Alden, John, robbed by Indians, 15
- Allain, Peter, 53
- Amhurst, Edward, proprietor in mines and lands, 6; member of Council, 10-11; house burned, 11; Provender case, 14; 18; absent from Council on account of gout, 20; executor of Lawrence Armstrong's estate, 22; 25-27, 29-33, 36-38, 49-53, 55-56, 85-86, 88, 90, 93
- Annapolis, deputies petition to be discharged from giving pilots and guides, 53; choose to withdraw petition, 53; improper for inhabitants to go to Minas without the Commander-in-Chief's knowledge, 54; inhabitants accused of carrying on a private correspondence with the enemy, 69; enemy about, 70; defensive measures, 76; deputies asked about enemy's behaviour towards the inhabitants, 71; inhabitants take oath of allegiance after being assured that they would not be allowed to take up arms, 81; fort attacked, 81; inhabitants aid enemy, 81; fort again attacked, 82; some inhabitants join Indians in attack, 82; the enemy before the Fort for three weeks, 83; inhabitants aid enemy, 83; Fort little better than a heap of rubbish, 84; garrison inconsiderable, 84; need for a small tender, 85; need for a small man-of-war to guard entrance to the Basin, 85; communication with Minas cut off, 86; attack from French expedition feared, 86; works in good repair, 87; council decides to send Ordnance packet up the Bay to try to get intelligence of what the enemy may be doing, 87; Governor Shirley to send reinforcements, 89; precautions taken to guard against French attack, 89, 91; reinforcements, 90; inhabitants aid enemy, 92; reinforcements sent by Shirley, 92; enemy withdraws to Minas, 92; inquiry into civil affairs of the inhabitants, 92; buildings pulled down for reason of security, 99-100; compensation to be made for buildings pulled down, 100
- Armstrong, Lawrence, Lieutenant-Governor, 5; proprietor in mines and lands, 6; 8, 10-11, 14, 18; death, 19; estate, 22; **promise to pay constable** for services, 24; a general discharge for quit rents signed by him, 28
- Armstrong, Thomas, proprietor in mines and lands, 6
- Arsenau, Francis, 79
- Ashe, Jacques, Indian, 15, 17
- Baden, Robert, proprietor in mines and lands, 6
- Bajoe (Bujeau), Amand, 50
- Bartlemy, Indian, 15, 17
- Bastide, Mr., 69-71
- Belander, master of the ship *Montague*, 93

- Bell, Thomas, Justice of the Peace at Canso, 43
 Bellair, 63-64
 Bernard, an Indian, one of those who captured an English vessel and murdered most of the crew, 46
 Bertrand, James, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at, 31-32
 Bigot, M., commissaire ordonnateur at Louisbourg, 57, 61
 Biscaroon, Indian, 15, 17
 Biscaroon, Gregory, Indian, 17
 Biscaroon, Paul, Indian, 15, 17
 Bishop of Quebec, letter recommending Abbe Miniac, 39; letter to him relating to Abbé Miniac and Girard, 40
 Blin, Peter, proprietor in mines and lands, 6
 Bomo, Jacques, 79
 Boundary commissioners, for settling the boundary between Massachusetts Bay and Rhode Island, 33; five members of the Council to go to Rhode Island for that purpose, 34
 Bourg, Alexandre, collector of rents at Minas, 28; deputy at Grand Pré, 38; letter from, 44, letter from, 50; suspended from office of notary public till further orders, 53; letter from, 55; interrogated, 56-68; notary, 68
 Bourg's Village, 61, 91
 Bourjeaur (Bourgeois), Jacques, deputy of Chignecto, 79
 Bourjeaur (Bourgeois), Michael, deputy of Chignecto, 79
 Boutiler (Boutilier), brought presents for the Indians from Gaspé to Chignecto, 79
 Brest fleet, 87
 Briton, Jean Pierre, 75
 Bugaud (Bujeau) (Bajoe), Amand, deputy at Grand Pré, 38; summoned, 50; letter from, 55; interrogated, 56-68
 Bujois, Amand, 97-98
 Burrows, John, servant of John Dyson, 13
 Butick, 91
- Canso, companies of soldiers there, 26; civil power suggested for, 42-43; commission of the peace drafted and approved, 43-44; small fort, 84
 Cape Breton Indians, plundered Joseph Dugas' vessel, 77
 Cape Sable Indians, 79
 Cape Sambro, French fleet off, 90
 Cattle, conveyed to Louisbourg by way of Chignecto and Tatamagouche, 52
 Cape Tendue, 14
 Chaudroner, Francis, 79
 Chevereaux, a priest, 9
 Chibucto (Chebucto), French ships at, 86
 Chignecto, 5, 7, 32, 51, deputies say inhabitants have not participated in the late troubles, 52; inhabitants refuse to take oath of allegiance, 81; French Canadians and Indians at, 82

- Cobequid, 14, 52; deputies told that Indian enemy should not be appraised of any designs formed for their chastisement, 53; 77
- Collins, Richard, Capt., 86-87
- Commaux (Comeau) Francis, brings answer from the Micmacs to proposals for peace, 80
- Company of Rangers, 73
- Conference, with delegates of Indians of St. John River, 46-49
- Constable, pay for attending the Council, 24
- Cope, Henry, member of Council, 5; proprietor in mines and lands, 6; 7-8; appointed Lieutenant-Governor of Placentia, 10; boundary commissioner, 33; on expedition to the West Indies, 33
- Corbett, Mr. Secretary to the Lords of the Admiralty, 87
- Cosby, Alexander, proprietor in mines and lands, 6; Lieutenant-Governor of Garrison and Commander of the Troops at Annapolis Royal, 28; letter from, relating to St. Poncy's return to Chignecto, 32
- Cottnam, Samuel, proprietor in mines and lands, 6
- Cowley, Mr., 52
- Craddock, George, proprietor in mines and lands, 6
- Danilo, Father, 18
- Davis, Sergeant, 70
- De la Goudalie, priest, at Minas, 29; returns to the Province and appears before Council for permission to exercise his function, 36; replies to questions, 36-37; may remain at Minas, 36; denies denying the rights of King George to be the lawful sovereign of Great Britain, 36-37; Miniac sent to assist, 39
- De Sal, Francois, delegate of Indians of St. John River, 46
- Desenclaves, Jean Baptiste, priest at Minas, 36; inhabitants of Annapolis River may send for him, 36; interrogated about his speaking with Joseph LeBlanc, who had been sent by the enemy from Minas, 76
- Disclash (Desclasses), priest at Chignecto, superannuated, 35-36
- Donnell, Nathaniel, proprietor in mines and lands, 6
- Donnell, Samuel, discoverer and proprietor of land, 8
- Donnell, Thomas, 61
- Doucett, Alexis, rents, 25
- Doucett, Charles, 76; alias Valet Mejean, 94
- Doucett, Claude, summoned to explain why he failed to appear to act as pilot, 94
- Doucett, Francis, summoned to explain why he failed to appear to act as pilot, 94
- Doucett, Germain, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32
- Doucett, Joseph, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32

- Doucett, Michael, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32
- Doucett, Paul (alias Paul Laurent), promised to be a pilot but went to the enemy, 94; property forfeited, 94; vessel to be brought for H.M.'s use, 95
- Doucett, Peter, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32
- Douglass, Anne, applies for letter of administration to empower her to sell her deceased husband's estate, 41; granted, 41
- Dugan, M., 79
- Dugas, Francis, 72
- Dugas, Joseph, said to have conveyed cattle and sheep to Louisbourg, 52; at Tatamagouche, 52; appeared before Council with a paper from Commodore Warren and General Pepperell inviting inhabitants to send cattle and provisions to Louisbourg, 76
- Dugas, Lewis, summoned to show cause why he failed to appear to act as pilot, 94
- Dugas, M., 72
- Dugay, M., 74
- Duon, John, rent gatherer, 22, 24
- Dupuis, Joseph, 72
- DuVivier, M., orders from, 57-67, 83; retreated, 91
- Dyson, John, proprietor in mines and lands, 6; storekeeper, 13; lieutenant of the train of artillery, 41; made an inventory of Douglass's estate, 41
- Eason, rents, 24
- Edwards, George, examined by Council in Provender case, 12
- Elliott, John, Justice of the Peace at Canso, 43
- Fines of alienation, 37
- Forrest, John, proprietor in mines and lands, 6; replaced on list by Samuel Donnell, 8
- Franks, Mary, servant of Edward Amhurst, 12-13
- French Canadians, enter Nova Scotia, 82
- French fleet, reported on coast, 88-90
- Gannes, M. de, 66, 68
- Gautier, Mrs. Mary, 68-69
- Gautier, M., 65
- Gautier, Nicholas, 68, accused of aiding enemy, 94, went over to enemy, and estate forfeited, 94, 98
- Gautier, Pierre, 68-69
- Gibson, James, proprietor in mines and lands, 6; petition from, 26
- Giddings, Capt., brings letter from Admiral Warren and General Pepperell, 85

- Gilbert, Antoine, offers to assist in recovering a boy captured by the Indians and in apprehending the malefactors who had murdered an English crew on the eastern coast if admitted to settle in the Province, 44; coming from Louisbourg wintered at Grand Pré and returned to the eastern coast about Easter, at Jeddore met 6 Indians who told him they had captured an English vessel and killed all the crew except a boy, 45
- Gillman, Edward, 17
- Girard, priest, council considers that he has entered the province irregularly and that after the severity of the winter is over he should be ordered to depart, 40
- Goat Island, 73, 75
- Gorham, Captain John, needs sails, snowshoes, etc. to distress the enemy Indians, 50-51; authority granted for him to take such necessities for his company of Indians at reasonable prices, 51; reports a great body of Indians assembled at Minas and Chignecto and applies for a vessel to transport himself, his company, and the company of volunteers up the Bay to rout the Indians, 51; warrant issued, 51-52; letters from Col. Gorham, commander of the New England auxiliaries, 97; at Minas, 98; proposal to settle a township, 99-100
- Gould, King, proprietor in mines and lands, 6
- Grand Passage, 61
- Grand Pré, inhabitants give assurance of intending to continue faithful subjects, 55; ask if New Englanders can force them to act as pilots and guides, 55; assured that rumour that those who had Indian blood would be treated as enemies was false, 56; deputies ordered to bring prisoners and plundered goods, 74; deputies bring appreciation of inhabitants for Shirley's letter, 95; deputies say inhabitants had been obliged to aid enemy, 95; report of wheat and cattle, 98
- Grand Pré, robbery at, 37-38
- Grandyer, Lawrence, 71
- Granger, Francis, deputy of River Canard, 95
- Granger, John, alias Beck, summoned to explain why he failed to appear to act as pilot, 94
- Granger, Joseph, 68, 75, 98
- Granger, René, 67
- Green, William, shoemaker, witness in Provender case, 12; sent to the guard, 13; reprimanded for casting reflections upon Edward Amhurst, 14
- Hamilton, John, proprietor in mines and lands, 6; assistant secretary of Council, 25; takes oath, 27; memorial from, 99
- Hamilton, Otho, secretary of Council, 5; proprietor in mines and lands, 6; 7-8, 10-11, 14; member of committee to prepare circular letter to the Indians relating to theft of Stephen Jones's goods, 18; 19-20, 22, 25-27; captain of a company of soldiers at Canso, 26; Justice of the Peace, 26-27; boundary commissioner, 33; 36-38, 40, 49-53, 55-56, 68

- Handfield, John, proprietor of mines and lands, 6; member of Council, 10-11; recommends on behalf of brother-in-law, Edward Amhurst, that legal advice in Provender case be sought in Boston, 14; member of committee to prepare circular letter to the Indians relating to the theft of Stephen Jones's goods, 18; executor of Lawrence Armstrong's estate, 22; 25-27, 29-33, 36-38, 40, 42, 49-53, 55-56, 86, 88, 90, 93, 95-97
- Hanshole, John, constable, 22; petition, 24
- Henwood, William, of Gloucester, 88
- Hargrave, rent, 25
- Harrington, a township on the south side of the Basin of Minas, 7-8
- Hebert, Alexandre, 66
- Hebert, Joseph, deputy of River Canard, appears before Council, 73
- Hibert (Hebert), Jean, deputy of Chignecto, 79
- Henry, Daniel, proprietor in mines and lands, 6
- Hogg Island, 12
- Honik, Indian chief, 17
- How, Edward, member of Council, proprietor in mines and lands, 6, 7, High Sheriff, Justice of the Peace, Captain of Militia, 7; appraiser of household goods, furniture and wearing apparel of Douglass's estate, 41-42; memorial relating to the state of Canso and suggesting the establishment of some civil power there, 42; Justice of the Peace Canso, 43; embarks at Annapolis Royal in schooner *Montague* with Indian delegates, for River St. John, 49; 49-53, 55-56; a member of a committee of the Council, 78; to interrogate Joseph LeBlanc about Marin's expedition and other French designs, 78; attends Council 85-86, 88, 90; to make inquiry into civil affairs of the inhabitants, 92-93; attends Council, 95-97; state of the inhabitants, 97; to go to Minas to assist Philipps, 98
- Hutchinson, Mr., 70
- Indians, assembled at Minas and Chignecto, 51; propose peace, 77; told not to expect it unless security obtained from them that it shall be lasting, 77; no vessel to go up the Bay until the Indians are brought to terms, 77; send answers to proposals for peace, requesting release of Indian prisoners, 80; seize and plunder English trading vessels in Acadian settlements, 81; insult Fort of Annapolis, 81; seize and plunder English traders in Acadian settlements, 81; headed by a French officer and a priest, attack Fort of Annapolis, 81; attack Fort again, 82; accompany French Canadians into Nova Scotia, 82
- Jones, Captain, commander of armed sloop *Speedwell* applies for a boat, tackle, and rigging, 52
- Jones, Noah, 17
- Jones, Stephen, master of sloop *Friend's Adventure*, robbed by Indians at Minas, 14-18; presents petition to Council, 15; deputies of Minas and Piziquid summoned to give reasons why they allowed Jones to be robbed, 17; restitution by the Indians to be ordered, 17

- Joseph, son of Indian chief of River St. John, 46
- Knowles, General, 86
- LeBasque, Francois, 75
- Laboret, priest, may go to Chignecto in place of Desclasses, 36
- LaHave, French ships at, 86
- La Martier, an Indian, one of those who captured a vessel and killed most of the crew, 46
- Landry, Abram, 97
- Landry, Antoine, 68
- Landry, Charles, 76
- Landry, Francois, 74
- Landry, Francois, of Piziquid, letter from, relating to the Indians, 40
- Landry, Germain, 97
- Landry, John, 97
- Landry, Joseph, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32; interrogated, 68
- Landry, Peter, 68, 97
- Landry, Pierre, deputy of Piziquid, appears before Council, 73; letter from, with a proposal from the Indians for peace, 77
- Lannous, Joseph, 72-73
- LaVallière, M. de., 63
- Laverne, James, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32
- LeBlanc, Claude, 67
- LeBlanc, Desire, 97
- LeBlanc, Francois, 67
- LeBlanc, Jacques, 67
- LeBlanc, Petit Jacques, 79
- LeBlanc, Joseph, summoned, 50; said to have conveyed cattle and sheep to Louisbourg, 52; letter from 55; interrogated, 56-58; appears before Council, 73; refers to plunder taken by the enemy, 73; produces an order from Marin, 75; sent to Annapolis by the enemy, 76; to be released from prison if he gives information about Marin's expedition and French designs, 78
- LeBlanc, Pierre, 67
- LeBlanc, René, to be notary public at Minas, 53; 68
- Lee, Isaac, sutler in Annapolis Royal, a witness in the Provender case, 13
- Le Loutre, Abbé, letter from, 40; at Shubenacadie, 52; arrives at Chignecto from Quebec with presents for the Indians, 79; deputies of Chignecto questioned about his return, 79
- Le Mercier, Rev. Andrew, applies for permission to settle Sable Island, 18-19; letter from, 26; to have preference in the grant of Sable Island, 26
- Le Prince, John, 68

- Le Prince, Pierre, 68
Letters of marque and reprisals, 28, 35
Lords Commissioners for Trade and Plantations, 8; letter from, naming boundary commissioners, 33
Louisbourg, enemy called to relief of, 83; inhabitants send cattle and sheep to, 83; reduction of, 84

MacQueen, Donald, proprietor in mines and lands, 6
Madagonuit, Renne, Indian chief, involved in the capture of a vessel and the killing of most of the crew, 44-46
Mafils, excommunicated, 29
Mangeant, 38
Marin, M., 71, 74-75, 78, 83
Martin, Charles, rents, 24, et la pré ronde, 66
Mascarene, Paul, proprietor in mines and lands, 6; president of Council, 25-36; Council meets at his house, 32, 33, 35, 40, 49-54, 84; 37, 42, 69-71, 74, 76, 78-80, 85-86, 88, 90-91, 93, 95-97, 99
Melanson, John, 72-73
Mennaguash, 47
Minas, deputies, 17-18; two men from Minas wait upon the president of the Council, 39; Indians assemble there, 51; no new deputies chosen, 53; deputies chosen, 55, Canadians and Indians reported at, 68; inhabitants ordered to return plundered goods, 73; arms and ammunition left by the enemy with the inhabitants, 83; enemy withdraws to, 92; a detachment to be sent to, 96; Colonel Noble and his men at, 98
Miniac, Abbé recommended by Bishop of Quebec, 39; letter from, excusing himself on account of the badness of the season from appearing at Annapolis Royal, 40; Council, considering that he had come into the Province irregularly, thinks he should not be allowed to exercise his function and that after the severity of the winter is past he should be ordered to depart, 40
Mirant, Francois, rents, 24
Mitchell, George, proprietor in mines and lands, 6
Momquaret, Jacques, Indian, captain, 38
Morris, lives near Bay Verte, 79
Morrison, Colonel, 86
Morse, Abram, 86
Mouton, Jean, chirurgien, 65
Murder, of an English crew on the eastern coast by six Shubenacadie Indians, 44-47
Musquash Cove, 48

Newcastle, Duke of, 28
Nicoute, Claude, Indian, 15, 17
Nicoute, Francois, Indian, 15, 17
Noble, Colonel, at Minas, 98
Nordest, Baptiste, 73, 75

Norfolk, a county in Nova Scotia, 7

Norwich, a township on the south side of the Basin of Chignecto, 7

Oath of allegiance, referred to, 80; inhabitants refuse, 81; taken by inhabitants of Annapolis River after being assured that they would not be obliged to take up arms, 81; other settlements follow their example, 81; unqualified oath taken by inhabitants of Annapolis Royal, and qualified oath by those of other settlements, 81; conditional oath, 83-84; possibility of deporting Acadians, 84; deputies of river Canard bring promises of inhabitants to observe oath, 95

Oliver, late Mr., 70

Ordinance packet, 85

Patents for land, application for, 5; proprietors, 6; approved by Council, 7-8

Peace proposed by Indians, 77

Pectre, Claude, deputy of Cobequid, 52

Peleraing, Charles, (alias Tuck) instead of acting as a pilot goes to the enemy, 94; property forfeited, 94

Pelerince, Pierre, 75

Pelrine, Baptiste, 71

Pepperell, General, letter from, 85

Petition, from inhabitants of Annapolis River to allow St. Poncey to exercise his ministerial office, 10; request granted but St. Poncey not to say public mass anywhere but at appointed place in the Lower Town of Annapolis Royal, 11; from inhabitants of Annapolis River to settle at Tibogue, 29-30; to winter in some other place for fishing and fowling, 31; petition from Chignecto for a priest, granted, 35

Petitot, Denis, if not permitted to settle at Tibogue wishes written permission to withdraw to French territory, 31; permitted provisionally to winter at Tibogue, 31-32

Philipps, Erasmus James, member of Council, 5; proprietor in mines and lands, 6; 7-8, 10-11, 14; a member of a committee to prepare order in connection with theft of Stephen Jones's goods, 18; 25-27, 29-33, 36-38; King's Advocate to the Court of Admiralty, 38; 40, 41; appraiser of household goods, furniture and wearing apparel in Douglass's estate, 41-42; 49-53, 55-56, 69; a member of a committee, 78; to interrogate Joseph LeBlanc about Marin's expedition and other French designs, 78; 85-86, 88, 90; to make inquiry into civil affairs of the inhabitants, 92-93, 95; letters from Minas, 97; at Minas, 98; memorial from, 99

Philipps, Richard, Governor, proprietor in mines and lands, 6; rents, 24; arrival in 1720, 80; returns in 1730, 81

Philipps, Rowland, proprietor in mines and lands, 6

Pilots and guides, the custom when the public service requires it to take, 54; to be furnished or pressed, 54; inhabitants alarmed at possibility of being forced to act as, 55; pilots sent for, but only one appeared, 94; pay for pilots, 96

- Piziquid, 5, 14, 17, 18; deputies chosen, 55; inhabitants give assurance of intending to continue faithful subjects, 55; ask if New Englanders can force them to serve as pilots and guides, 55; assured that rumour that those having Indian blood would be treated as enemies was false, 56; deputies bring appreciation of inhabitants for Shirley's letter, 95; deputies say inhabitants had been obliged to aid enemy, 95; report of wheat and cattle, 98
- Piziquid River, 14-15
- Poirier, lives near Bay Verte, 79
- Poirier, Ambrose, deputy of Chignecto, 79
- Popple, Allured, proprietor in mines and lands, 6
- Popple, Henry, proprietor in mines and lands, 6
- Port Toulouse, 61
- Potier, Jean, deputy of Chignecto, interrogated about the enemy, 74
- Priests, subjects of France, receive a yearly salary from the King of France, "Spies on the English", 83
- Proclamations, relating to land, 28; relating to excommunication, 29; relating to exportation of provisions, 34; forbidding inhabitants from assisting Indians in their piracies, 40-41; relating to civil affairs at Canso, 43-44
- Proprietors in mines and lands, 5-6
- Provender, Isaac, bound servant of Edward Amhurst, 12; admits that he set fire to Amhurst's house, 12; gives confession before Council, 12; case tried, found guilty, and sent back to prison, 13
- Provisions, not to be exported without bond given that they shall be landed in British territory, 34
- Quatre Patts, Francois, delegate of Indians of St. John River, 46
- Quatre Patts, Guillaume, delegate of Indians of St. John River, 46
- Queen Anne's letter, referred to, 80
- Quesnel, M. du, 66
- Quit rents, 20-25
- Ramsay (Ramezay) de, 91, 95-96; withdraws from Minas to Chignecto, 96
- Raymond, Charles, 69
- Raymond, Francis, 68
- Raymond, James, 68
- Raymond Joseph, 68
- Rennie, Archibald, proprietor in mines and lands, 6
- Rich (Ridge), master of a vessel captured by Indians, 45
- Richard, Pierre, 68
- River Canard, inhabitants give assurance of intending to continue faithful subjects, 55; ask if New Englanders can force them to act as pilots and guides, 55; assured that rumour that those having Indian blood would be treated as enemies was false, 56; deputies bring appreciation of inhabitants for Governor Shirley's letter and promise to observe oath of allegiance, 95

- River Habitant, report of wheat and cattle, 98
Robechoaux's Village, 75
Robberies, 14-18, 37-38
Robichaux, Prudent, rent gatherer, 23-25; interpreter for St. John River Indians at conference at Annapolis Royal, 48
Robinson, Andrew, proprietor in mines and lands, 6
Robisheau, Francis, 17
Ross, Mr., 70
Rouse (Rous), Capt., 88-90, 96
- Sable Island, 18, 88-89
St. Esprit, 61
St. Louis, Joseph, 75
St. Ovide, a letter from 8; ordered St. Poncy to return to Nova Scotia, 9
St. Poncy, priest, returns to the Province, 8; appears before Council, 9; ordered back to Nova Scotia by St. Ovide, 9; Council decides that he should be sent out of the Province at early opportunity, 9; promises not to give any offense in the meantime, 9-10; inhabitants of Annapolis River petition for him to have permission to exercise his ministerial office, 10; permission granted, but not to say public mass anywhere but at places appointed in the Lower Town of Annapolis Royal, 11; letter signifying his intention to depart from the Province, 27; letter from, telling of his return from Louisbourg to Chignecto, 32; letter from Cosby relating to his designs in event of war, 32; to be ordered to leave the Province, 32; inhabitants of Chignecto to be enjoined to send him away, 32-33; petition from Chignecto for permission for him to be priest there, 35; permission for a priest granted but not for St. Poncy, 35
- Sanders, William, sergeant, witness in Provender case, 13
Saunders, rent, 25
Seignorial rents, 37
Sergeant of the Guard, 39
Ships:
 Baltimore, brigantine, 37
 Chester, H.M.S., 88-90
 Dover, H.M.S., 86-87
 Fame, schooner, 86
 Fanny, schooner, 88
 Friends' Adventure, sloop, 14-15
 Montague, packet, 93
 Shirley, H.M.S., 88-90, 96
 Speedwell, armed sloop, 52
Shirley, Governor, 51, 75, 77, 86, 88-92, 98
Shirley's letter to the Acadians, 90-91, 95

- Shirreff, William, member of Council, proprietor in mines and lands, 6; 18-19, 22, 25-27; Council meets at his house 28; 29-33, 36-38, 40-42; secretary, 77; a member of a committee, 78; 85-86, 88, 93, 99; memorial from, 99
- Skeene, (Skene), Mrs., petition from, 99
- Skene, William, member of Council, 5; proprietor in mines and lands, 6; 7-8, 10-11, 14; a member of committee to prepare order in connection with the theft of Stephen Jones's goods, 18; 19-20, 22, 25, 27, 29, 31-33, 36-38, 40, 42, 49-53, 55-56, 85-86, 88, 90, 93, 95, 97
- Slater, John, proprietor in mines and lands, 6; member of Council, 10-11, 14; member of committee to prepare circular letter to the Indians relating to the theft of Stephen Jones's goods, 18; 19-20, 22, 25-27
- Southampton, a county in Nova Scotia, 7
- Spry, Capt., 88-90
- State of the Province of Nova Scotia, drawn up by a committee of Council and approved in Council, 80-84
- Stork and Gainsborough, Messrs, 26
- Storm, 88
- Suratt, Paul, 68-69
- Tasker, owner of a vessel captured by the Indians, 45
- Tasker, John, Justice of the Peace at Canso, 43
- Tatamagouche, 76
- Taxes, inhabitants pay only a small quit rent, 83
- Terriot, Jacques, 53, 67, 74, examined in regard to Marin's expedition, 75
- Terriot, Jean, deputy of Chignecto, interrogated about the enemy, 74; letter from, 79
- Terriot, John, taken into custody, 39, interrogated, and given assurances, 39
- Terriot, Joseph, taken into custody, 39, interrogated, and given assurances, 39
- Terriot, Pierre, deputy of Cobequid, 52
- Theodore (Jeddore), 45
- Thibaud, Claude, 66
- Thorna, Indian chief, 15
- Thornton, Hugh, master of a fishing vessel, reports French fleet on coast, 88
- Tibogue, several inhabitants of Annapolis Royal seek permission to settle, 29; they are permitted to go fishing along the coast, and several families go to Tibogue before leave is granted, 30; those who had returned are summoned to appear before Council, 30; their conduct considered contemptuous, 30; ordered to withdraw their families from Tibogue, but may continue fishing and fowling as usual, 31; petitioners named, 31; cabins to protect from inclemencies of the weather, 31; references to brigantine *Baltimore* brought from Tibogue, 37
- Townshend, Admiral, 86
- Tracy, William, soldier, witness in Provender case, 12-13

- Trade, up the Bay in articles peculiar to the Indians prohibited, 50; no traffic by the inhabitants with the soldiers without special leave from their officers, 54; with the enemy prohibited, 78
- Treaty of Utrecht, referred to, 80
- Treaty with Indians, (1725), 15
- Trefry, Mr., master of a trading vessel, robbed by Indians at Grand Pré, 37-38; may apply to Erasmus James Philipps for anchors of brigantine *Baltimore*, 38; delivers a copy of his journal and an account of his loss, 38; an inventory of the articles recovered by the people of Minas from the Indians, 38
- Trivett, John, Justice of the Peace at Canso, 43
- Vane, Charles, proprietor in mines and lands, 6
- Vauxlin, priest, 29; pronounced excommunication of Mafils, 29; interrogated about it, 29; proclamation against excommunication, 29; Council asks why did he leave, 36
- Vernon, Admiral, 34
- Vincent, Antoine, deputy of River Canard, 95
- War, against Spain, declaration of, 28; expected at Louisbourg, 32; with France, 81, Fort of Annapolis attacked, 81
- Warren, Admiral, letter from, 85-87, 90
- Wentworth, Governor of New Hampshire, 88
- Williard, Secretary, 88
- Winniett, William, proprietor in mines and lands, 6
- Winniett, William, ordered to the enemy's camp to serve as interpreter, 71
- Wouito, Thomas, Indian captain, 38
- Wyley, William, 38
- Young, Joseph, his vessel to be used to transport Gorham's rangers and a volunteer company up the Bay to rout Indians, 52