

With these Amendments this house think reasonable to pass the Bill, and Desire the Lower house to Concurr—

U. H. Journal
1659-98

Signed p^r Order p^r Iohn LLewellin Cl of Assembly.

Iohn Prior called into the house, and this house not having found any positive Proof or Circumstance against him; neither hath any appeared to the Lower house (as this house conceive by their last Message) he is Dismissed without further Trouble—

Adjourn till to Morrow Morning 9 a Clock

May the 9th 1682 Upper house met

Present

The Right Honourable the Lord Proprietary

The honourable

{	Philip Calvert Esq ^r Chan ^r	}	Coll: Vincent Lowe—
	William Calvert Esq ^r Sec ^{ry}		
	Coll Thomas Tailler		

Michael Tawny and Major Charles Boteler according to Summons make their Appearance—

Major Boteler Examined and required to inform this house what he knoweth concerning the Town Land at Battle Creek; Saith that the same had been always taken and Esteemed to be the Land of William Berry and that what he had done in laying out thereof and erecting the same into a Town was done in the Presence and by the Advice of William Berry which the People Inhabitants thereof who had been thereby encouraged to Build and Seat thereon well hoped had been a Sufficient reserve from all future Surveys—

Michael Tawney declares and freely Offers that what part soever of the Tract by him lately taken up shall be found to be within the Bounds of the Town Land he is willing to relinquish his Claim thereunto although without the Lines of Berrys Land and will be Content to take a Certificate if any without Berrys Lines and not within the Town Land, which he humbly Craves he may have the Benefit of: which this house think but reasonable, & Order as followeth Viz^t

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Upper house of Assembly May the 9th 1682

Ordered that Major Charles Boteler and Mr Robert Iones together lay out the Lines of William Berrys Land According to the due Courses and Distances mentioned in his Patent thereby to Discover what Land is left Betwixt that and the Creek; a true Plott whereof, and of the said Berrys Land laid out in Presence of the Inhabitants of the Town to be Certified to his Lordship and Council with all Convenient Speed.