

being concerned for the shipping & other subjects

His Excellency acquaints the Board that he has  
 advised Major Smallwood to acquaint those Indians  
 that if they would come in here quietly set down  
 they should be kindly dealt with but has not as yet  
 heard from the said Major Smallwood

His Excellency says he is informed that there are  
 three Ships now sailing in these Provinces which owned  
 by Scotchmen & that one of the Masters viz Captain  
 Cathart being questioned had professed Edw Penn  
 duplicity this Majesty's Surveyor <sup>Genl</sup> on the Continent  
 of America has sent in his Survey signifying that  
 liberty of trading into these Provinces is now allowed  
 to such Scotchmen & had a copy of the said letter be-  
 fore the Board which was sent under his Excellency's  
 Instructions dated the 4<sup>th</sup> of October 1698 relating to  
 that affair which this Board having considered like  
 wise the several Acts of Trade & Navigation are of  
 opinion that in regard neither his Excellency nor any  
 the Officers of his Majesty's Customs here have received  
 any such Notice or Notice of such Toleration from the  
 Agents the Comptrolers of his Majesty's Customs or the  
 Right Honble the Lords of the Council of Trade nor  
 great ought to be had to the said letter but that the acts  
 of Trade & Navigation should be put in force

His Excellency acquaints the Board that he has  
 lately recd two Letters from the right Honble James  
 Lord of the Treasury his Majesty's Secretary of State the one direct-  
 ing him to use his utmost Care & Diligence to ap-  
 prehend Captain Kidd the Pirate & his crew in case  
 any of them should come into this Province upon