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such and so many Volunteers

Secondly. That second Clause Provided that the Govern^r & Council employ not more men than their pay be defrayed with the sum of five thousand pounds of Tobacco &c.

Thirdly. That Clause Provided also that no Servant be employed on such Service without his or their Master or Mistress consent

This last Clause is thought inconvenient because the Officer that accepts of Volunteers for this Service cannot tell when any Person offers himself as a Volunteer whether he be not a Servant-runaway from some master afar off & so may be liable to be questioned by this Act and the sense of this House is that no Servant can be a Volunteer as before urged by this House in the papers sent 19th Instant

John Gittings &c.

To the honourable the upper House of Assembly

The humble petition of Robert Dunn

Sheweth That about 12 years since John Hood surveyed a parcel of Land near to the Wading Place to the Est of Kent on the Eastern Shoar Mr Rob^t Clark being then Surveyour, the Cert^{if} of which Land was delivered to Philip Calvert Esq to the End he might have a Patent for that Land which Certificate it seems through the unfortunate disturbance of the Province is lost & the said Hood dying one Henry Morgan hath since surveyed the same Land & obtained a Patent for the same so cutteth the Orphan of the said Hood of his just Right, Wherefore he humbly prays that the said Morgan's Patent may be null & that the Orphan of the said Hood may have Patent & Enjoy the said Land according to his first Survey

And he shall pray &c.

There appearing nothing upon Record which may evidence the Claim of the Petitioner to the Land This House think it inconvenient to question a Patent under the Seal upon Oath &c. but that notwithstanding the Petitioner may have the Benefitt of the Rights upon which the Land was taken up

John Gittings &c.

The House adjourned till Morning

Wednesday the 21st Present as yesterday

The Deposition of Nicholas Guyther Aged 39 years or thereabouts sworn before the Governour & Council this 21st Septemb^r 1664

That in Company with some other Persons drinking of sweet Brandy Mr Bretton was told that in an order of Court in a cause depending between Marmaduke Snowe & Mr Tho^s Gerrard has entered the words Arbitration, which should be as they