

Clerk of ye sd Town putt into writing & published Contrary to & in high Contempt of his Maj'ties Laws & Government here established. These are therefore in his Maj'ties Name to Charge & Command you that immediately you take into your Custody the bodies of Thomas French Jno Andrews & Jno Appleton & them safely keep & bring to this place soe that you may have them before me in Council to Answer ye promises & whatelsoe shall be Objected against them or either of them on his Maj'ties Behalfe.

And all Justices of ye Peace Sheriffs Constables & other officers both Military & Civil & all other persons whatsoever are hereby strictly Charged & Required to be Ayding & Assisting to you therein as Occasion & for so doing this will be unto you & them a Sufficient Warr't.

Given under my hand & seal att Boston the 15th day of September in ye 3d year of his Maj'ties Reign annoque Dom 1687.

They were arrested, brought before Gov. Andros and examined. John Applegate being examined owned ye paper signed by him as ye vote of ye town of Ipswich. That he wrote it as he was directed by moderator, Jno. Andrews.

John Andrews, Moderator, owned ye paper signed by John Appleton, Ok. to be ye Vote of ye town: but sayd ye clerk was ordered to draw up a writing & he went out from ye meeting & did it & when read was approved.

They were tried and found guilty of contempt and high misdemeanor and imprisoned twenty one days longer before sentence was passed on them.

Mr. Wise tell the story of their affair:

"We John Wise, John Andrews, Sen, Robert Kinsman, William Goodhue, Jr. all of Ipswich, about the 22d of August, 1687, were, with several principal inhabitants of Ipswich, met at Mr. John Appleton's and there discussed and concluded that it was not the town's duty in any way to assist that ill method of raising money without a general Assembly, which was generally intended by Sir Edmund Andros and his Council, as witness a late act issued out by them for such a purpose. The next day in a general town meeting of the inhabitants of Ipswich we the above named J. Wise, J. Andrews, R. Kinsman, W. Goodhue, and the rest of the town, there met (none contradicting) and gave our consent to the vote then made. The ground of our trouble, our crime, was the copy transmitted to the Council, viz: 'At a legal town-meeting' Aug. 23, assembled by virtue of an order from John Usher, Esq. for choosing a commissioner to join with the Selectmen to assess the inhabitants according to an act of His Excellency, the Governor and Council for laying of rates. The town then considering that their act doth infringe their Liberty as free English subjects of His Majesty, by interfering with the Statute Laws of the land, by which it was enacted, that no taxes should be levied upon the subject without the consent of an Assembly chosen by the freholders for assessing of the same; they do therefore vote that they are not willing to choose a commissioner for such an end without said privilege, and moreover consent not that the Selectmen do proceed to lay any such rate, until it be appointed by a General Assembly concurring with Governor and Council."

"We, the complainants, with Mr. John Appleton and Thomas French, all of Ipswich, were brought to answer for the said vote out of our own county thirty or forty miles into Suffolk and in Boston, kept in jail for contempt and high misdemeanor, as our mittimus speaks, and upon demand, denied the privilege of habeas corpus, and from prison overruled to answer at a Court of Oyer and Terminer in Boston. Our Judges were Joseph Dudley of Roxbury, Stoughton of Dorchester, John Usher of Boston, and Edward Handolph. He that officiates as Clerk and Attorney in the