

that of the United States, or from the crown, or royal chartered governments established here prior to the Revolution."

In the charter of the colony of Massachusetts Bay, the land is described with the additional clause, "and also all mines and minerals, as well royal mines of gold and silver as other mines and minerals, precious stones and quarries."

At first the laws of the United States excepted minerals in the provisions for taking up land, but the occupants made miners' rules among themselves, which were recognized by the courts, on the fictitious ground of presuming a license from the government; so the public lost all rights therein. This in 1866 was regulated by statute. Had the doctrine of royal mines been applied to quarries of stone, coal, oil and other like substances, as the Proprietors of Worcester applied it to stone, a very different history might have been written. As it is, those proprietors made an early and successful solution of a problem which of late has much vexed the people of the civilized world.

---

*In Re*

THE WILL OF THOMAS HORE.

In justice to Mr. J. HENRY LEA of South Freeport, Me., and London, England, who translated and edited the Will as it appeared in our Proceedings of October, 1904, the Committee of Publication offer this statement.

The whole mass of manuscript and correspondence on the subject had been delivered to our late Vice-President, Senator HOAR, in his lifetime, and he spoke upon the subject at the Meeting in October, 1903. After Mr. Hoar's death the material was handed to the committee by his private secretary. It is the rule to send proofs of all papers to the authors or editors, but when the Proceedings for October last were about to go to press there were special reasons for including the Hore will in that number. Although Mr. Lea was in London and could not see the proof, the matter was so carefully prepared and type-written that it seemed safe to entrust its supervision to

the committee, and it was not sent to Mr. Lea. As might perhaps be expected, some errors crept in from a misapprehension of the abbreviations, which in Mr. Lea's eyes seemed very serious, and he has expressed his mortification and regret, in which the committee fully sympathize.

The committee was much impressed with the work of Mr. Lea, which showed great learning and much careful, diligent labor, and regret that it appeared in print without having had his revision.

Copyright of Proceedings of the American Antiquarian Society is the property of American Antiquarian Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.