DOES NOT CIRCULATE
THE PUBLIC RECORDS OF THE COLONY OF CONNECTICUT,
PRIOR TO THE UNION WITH NEW HAVEN COLONY,
MAY, 1665;
TRANSCRIBED AND PUBLISHED, (IN ACCORDANCE WITH A RESOLUTION OF THE GENERAL ASSEMBLY,) UNDER THE SUPERVISION OF THE SECRETARY OF STATE,
WITH OCCASIONAL NOTES, AND AN APPENDIX;

BY J. HAMMOND TRUMBULL,
COR. [EC. CONN. HIST. SOCIETY; COR. MEMB. N. YORK HIST. SOCIETY, ETC.

HARTFORD: BROWN & PARSONS. 1850.

DOES NOT CIRCULATE
At a General Assembly of the State of Connecticut, holden at Hartford, in said State, on the first Wednesday of May, in the year of our Lord, one thousand eight hundred and forty-nine:

Resolved, That the Secretary of State be authorized to purchase for the use of the State, two hundred and fifty copies of a publication of the Public Records of the Colony of Connecticut, prior to the union with New Haven colony, under the Charter of 1662. Provided, that such publication shall be made with the approval, and under the supervision of the Secretary, and shall be authenticated by his official certificate as a true and literal copy of the original record; and provided also, that the expense of the same shall not exceed two dollars per copy; and that the literal copy of the original record, above specified, be deposited with the Secretary of State, for the use of the State.

Resolved, That the copies so purchased be distributed by the Secretary, as follows; one copy to the town clerk of each town in this State, to be preserved in his office, for the use of the town; one copy to the Governor and to each of the State Officers of this State; one copy to the Governor of each of the several states and territories, of the United States; one copy to the library of Congress; and the remainder of said two hundred and fifty copies, to be deposited in the office of the Secretary of State, subject to the disposal of the General Assembly.
PREFACE.

The early annals of a State require no formal introduction to the descendants of its founders. If the transcriber have well accomplished the task which a love of the olden time impelled him to undertake, and which the liberality of the Legislature supplied, in part, the means of prosecuting, no doubt can exist as to the favorable reception of the volume now presented to the citizens of Connecticut. The value which may attach to it must, of course, mainly depend upon the degree of confidence entertained in its accuracy as a "true, full and literal copy of the original Record." The professions or assurances of the transcriber, could do little to impart such confidence; nor could they give additional weight to the certificate of official authentication, or to such internal evidence of reliability as, it is hoped, a careful perusal of the volume may supply.

A notice of the condition and arrangement of the original records, and of the plan adopted by the transcriber in the construction of this work, may not, however, be deemed inappropriate.

The first volume of the Colony Records is in three parts, originally bound in as many separate volumes. The first of these consists of the records of the General and Particular Courts, commencing with the session held at Newtown, (Hartford,) April 26th, 1636, (by the magistrates commissioned by Massachusetts, to "govern the people at Connecticut,"*) and closing with the December session of the Court of Magistrates, 1649. Next following, (separated by a few blank pages from the Court Records,) are the records of Wills

* The commission "to several persons, to govern the people at Connecticut for the space of a year [then] next coming," was granted by the General Court of Massachusetts, March 3d, 1635(6,)—after consultation with John Winthrop, then lately "appointed governor by certain noble personages and men of quality, interested in the said River, which are yet in England." The commissioners named were Roger Ludlow Esq., William Pincheon Esq., John Steele, William Swaine, Henry Smith, William Phelps, William Westwood and Andrew Ward. See the commission, at length, in Hazard’s State Papers, Vol. 1, p. 321.
and Inventories. The remainder of the volume contains Grants and Conveyances of Lands, by towns and individuals, some of which are of as recent date as 1702; the greater part, however, having been transcribed from the several town records, between 1662 and 1690. These have not been included in the present publication, the proposed limits of which would not admit of their insertion, and the omission being regarded of the less importance, as copies of most of them are to be found elsewhere, and as the interest which attaches to them is mainly local or personal. Six pages of recognizances and bonds for prosecution, of various years, entered at the beginning of the volume, preceding the first page of the Court records, have likewise been omitted, in publication.

The second volume contains the records of the General Court from February, 1650, to October, 1669;—and at the other end of the book, separately paged, is recorded the Code of 1650, with such additional orders 'of general concernment,' as were, from time to time, passed by the General Court.

The second volume of the records of the Particular Court, or Court of Magistrates, comprising a period of about thirteen years, (from January, 1650, to June, 1663,) and including the Probate Records, long since disappeared from the Secretary's Office, and is supposed to be irrecoverably lost. The third volume, commencing June, 1663, and containing, at one end, such Wills and Inventories as were brought for record between that date and Sept. 1677, was, some years since, rebound, and lettered, "Probate Records, Vol. III.—County Court."

In transcribing the first volume for the press, occasional changes of its arrangement have been deemed advisable, for the purpose of facilitating reference, and to preserve chronological sequence. Thus, the Constitution of 1639, has been transposed from the end of the volume, to its proper place, preceding the record of the April Court:* the wills and inventories recorded prior to 1644; have been brought together, at the end of the Court Records, and placed with others subsequently recorded; † the records of such sessions of the Court as were entered by the Secretary after others of subsequent date, have been restored to their proper order. These, with other similar changes, have been made with less hesitation, from the fact that the paging of the original has been carefully retained, at the side of each printed page.

* Pages 20-26.
† See note, on page 442.
The names of magistrates and deputies, and of jurors in the several courts, are, in the original, recorded on the margins of the pages. To retain this arrangement, in the printed copy, would have been, on many accounts, inconvenient. The names of the members of the court have therefore been placed, in double columns, at the commencement of each session.

While the orthography of the original has been preserved throughout, it has not seemed necessary to adhere as closely to the anomalous punctuation, or the use of capital letters, practised by the early recorders. To have done so would have increased the difficulties of perusal and materially detracted from the interest of the volume to the general reader. Yet the liberty taken in these particulars has been cautiously used, and in all cases where the sense of the original could be affected by the change of position or interpolation of a comma or period, the record has been printed precisely as originally punctuated.

The more common abbreviations employed in the work, require no explanation. Nor will it be necessary to inform those who are at all conversant with old manuscripts, that a single m or n, with a circumflex or dash above it, (m̂ or n̂) was frequently substituted for the double consonant ;—or that the same mark placed above a vowel indicated the omission of the consonant, (usually m or n,) immediately following; (as frō for from, tiō for tion, at the end of a word.)

Where portions of the original are wholly or in part obliterated, the missing words (when obviously indicated by the context,) have been supplied by the transcriber. Such words are, in all cases, included in brackets. If the word to be supplied has seemed at all doubtful, or if the record could possibly have admitted of a different reading, the portion in brackets has been italicized or is followed by a mark of interrogation. In a few instances, where a slip of the recorder's pen has occasioned an evident error in the original, the correction has been suggested in a foot note, or indicated by an italicized word, placed in brackets, with an interrogation mark.

In two instances only, slight changes have, for obvious reasons, been made in the language of the record. In one case, (on page 55,) a few words, (in brackets,) have been substituted, as of less exceptionable phraseology than the original: in the other, (on page 157,) the omission of a line is indicated by a note at the foot of the page.

Such extracts from the Records of the United Colonies as have been occasionally introduced in the notes and appendix, have been made from the manuscript (cotemporary) copy preserved in the Sec-
retary's Office. Numerous errors, especially in dates and names, occur in the copy of these records published in the second volume of Hazard's State Papers,—to which publication, however, it has in some cases been found convenient to refer, by page.

When the publication of this volume was first proposed by the transcriber, and at the time of securing a legislative appropriation for its encouragement, an accurate copy of the original was all that was contemplated. In the course of publication, however, the liberty has been taken of introducing an occasional note, explanatory or illustrative of the text,—and a number of interesting historical documents, not previously published, have been included in an Appendix. Two Indexes, of names and subjects, have also been prepared, which, if less copious and complete than the antiquarian or genealogist could wish, it is hoped may in some degree facilitate their researches, and aid the general reader to refer to the contents of the volume. Fac-similes of the autographs of members of the first Court of Election under the Constitution of 1689, and of Magistrates chosen at the Union of the Colonies, in 1665, have been prepared with all possible care and accuracy, from originals collected in part from early files in the State Department, and in part from the town records of Hartford, Wethersfield and Windsor. Fac-similes of portions of the original records, in the hand writing of each of the secretaries* who held office prior to the Union, have also been introduced. These additions, and the consequent increase of the cost of publication, will account for the advance upon the original subscription price, at which the remainder of the edition is offered to non-subscribers.

However imperfectly the task of the transcriber may have been accomplished, it is hoped that succeeding Legislatures may not thereby be deterred from lending their aid to the prosecution of a work, already too long delayed, of which this volume is to be regarded only as the commencement,—that of giving to the public, in

*A reference (upon the fac-simile, facing page 9,) to John Steel, as 'Secretary' of the colony, from 1636 to 1639, may require a word of explanation,—as his appointment to that office is no where mentioned in the record. A comparison of the first pages of the Colony Records with the early records of Hartford and Farmington, during the period Mr. Steel was recorder of those towns, leaves no doubt of the identity of the hand writing. The chirography of Mr. S. was somewhat peculiar (as may be seen by inspection of the fac-simile of an unusually legible specimen of it,) and cannot well be mistaken. The first four, part of the fifth, and the tenth pages of the first volume are in this hand. Pages six to nine, inclusive, are in a different, and far more legible hand,—possibly that of Mr. Clement Chaplin, whom Dr. Trumbull concludes (in Hist. of Conn., 1. 95,) to have been 'the first secretary.' There are, however, upon all of these pages, occasional interlineations and additions, in the hand writing of Mr. Steel.
a permanent form, and thus securing the preservation of all the early records of the Colony, prior to 1700,—together with such co-temporary documents of historical value or interest, as are preserved in the State Department. These latter constitute a large portion, indeed, almost all that yet remains to us, of the documentary history of the colony for the first half century succeeding its settlement. Of comparatively few of them are copies, even in manuscript, extant,—and the loss or injury of the originals would therefore be utterly irreparable. And yet, whatever precautions may be taken to ensure their preservation, by placing them beyond the reach of ordinary accident, no care can enable them much longer to withstand the ravages of time. As the ink fades and the paper crumbles, the work of transcribing not only becomes more difficult, but leads to less accurate and reliable results. Whatever is to be done to perpetuate these early annals of our state and memorials of its founders, should be done soon.

J. H. T.

_Hartford, March 1st, 1850._
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A Corte hoddhen att Newton 26 Apr. 1636.

Roger Ludlowe Esqr., Mr. Westwood,
Mr. Steele, Mr. Warde.
Mr. Phelps,

It was now complayned yt Henry Stiles or some of the servants had traded a piece with the Indians for Corne. It is ordered yt [the] saide Henry Stiles shall, betweene & the next Cort, regaine [the] saide pice from the saide Indians in a faire & legall waye, or els this Corte will take it into further consideracon.

It is ordered yt from henceforth none yt are within the Jurisdiction of this Cort, shall trade with the natiues or Indians any pice or pistoll or gunn or powder or shott, vnder such heavie penalty as vppon such misdemeanoor the Corte shall thinke meete.

Constables sworne, for Dorchester, Newtowne & Watertowne, for this next yeere and vntill newe be chosen, are Henry Walcott for Dorchester, Samuell Wakema for Newtowne & Daniell Finch for Watertowne.

Whereas there be divers strange Swine in the seurall plantacons yt their owners are not knowen & yet doe & are likely to Comitt many trespasses. It is therefore ordered yt the saide plantacons shall forthwith take notice of them & their markes, & giue speedy notice amongethe plantacons both of them & their makes & if in a forteneight noe owners come forth then the saide plantacons or plantacon where such Swine are, may apprise them att a value & sell them & take the money to
some publicke use of the saide plantacon, vnlesse their doe within one whole yeere after appr. a true owner & then the money it was sould for is to be restored, pr'juded alwaies yt. when the owner appr. before the money or Swine be redelivered there be deducted such Soñes & Chardges & trespasses as haue beene comitted & expended in & aboute him or them.

It is likewise ordered if any Swine stray from oute their owne Plantacon into another they shallbe subject [to] the orders yt. are there made concerninge Swine.

Whereas there was a disposition granted by the C[hurch] of Waterton in the Massachusetts, dated 29th of Ma[ ] last to Andrewe Warde, Jo. Sherman, Jo: Stickland, Rob'ete Coo, Rob'ete Reynold & Jonas Weede, wt. intent to forme a newe in a Ch: Coveñûte in this River of Conectecott, the saide pr'ties haue soe accordingly done wt. the publicke allowance of the rest of the members of the saide Churches, as by certificate nowe pr'duced apprs. It is therefore in this pr'esent Cort ratified & confirmed, they pr'missing shortlie publicquely to renewe the [said] Coveñûte vppon notice to the rest of the Churches.

A CORTE HELD ATT DORCHESTER, JUNE 7th, 1636.

Mr. Ludlowe, Mr. Westwood,
Mr. Steele, Mr. Warde.
Mr. Phelps,

Whereas, the last Corte Henry Stiles was ordered to regaine [a] peece he had traded wth the Indians wch doth not appr. that he hath done. It is ordered that a warrt shalbe directed to him to pr'forme the same by the next Cort & and then pr'sonally to appr. [&] answere his neglect.

It is ordered yt. there shalbe a sufficient Watch maynte[ined] in every towne & yt. the Constable of each Towne shall d[uly] warne the same & see yt. the inhabitants or residents doe severely in their Turne observe the same accordinge as [the] Inhabitants doe agree, wch said watch shall begin & end wth the Courte or magistrates shall thinke meete.

It is ordered yt. Samuell Wakeman & Geo: Hubberd shall [survey] the breadth of the plantacon of Dorchester howe
farre [it] shall extend aboue Mr. Stiles & shall certifie vnto the [next] Corte their proceedings herein to th' end it may be then confirmed, and yt they shall haue from the saide Towne satisfaction for their pains. And the saide Samuell Wake[man] shall doe the like for Watertowne in their breddh toward [the] mouth of the River & have the like satisfaction. And this done w^thout faile before the next Corte vppon peine [of] 40tie shillings of each heade yt shall faile therein.

It is ordered that every souldier in each plantaçon shall haue in his howse in a readines before th' end of August next twoe pounde of powder, & yt they shall shew it to the Constable whenever he shall call them vnto it vppon the penalty of Xs. for every failure w^ch is presentlie to be le[vied] by the saide Constable w^thout [resistance] as alsoe 20 bul[letts of leade in the like readines vppon the same penalty and in the same manner to be levied.]


Roger Ludlowe Esq', Mr. Wm. Phelps,
Mr. Jo: Steele, Mr. Wm. Westwoode,
Mr. Wm. Swaine, Mr. Andr: Warde.

It is ordered yt the order concerninge Powder & Bulletts, of the 7th of June last be noe newe p°sentlie published in the seuall plantaçons & yt there be respite given vntill th'end of this instant moneth & then to be putt in execuçon w^thout faile.

Whereas there was tendered to vs an Inventory of the estate of Mr. Jo: Olda w^ch seemed to bee somewhat vncerteinely valued, wee therefore thinke meete to, & soe it is ordered, that Mr. Jo: Pluû & Rich: Gildersleeue togeather w^th the Constable shall survey the saide Inventory and p°fect the same before the next Corte & then to deliu^r it into the Corte.

It is ordered yt Thurston Rayner as he hath hitherto done soe shall continue to looke to & p°serue the Corne of Mr. Olda & shall inn* the same in a seasonable tyme & shall bringe an Accompt the next Cort what quantitie there is of it as alsoe of his labor & then the Cort will out of the same allot vnto him soe many bushells as shalbe reasonable for his pains &

*Inn; to house, to put under cover. Webster.
labor. And in the meane if he hath vse of some for his owne spendinge to take some wch shalbe then deducted out of what wilbe due to him. And then the Cort will give finall order concerninge the same.

It is ordered yt every plantaçon shall traine once in every moneth, & if vppon complainte of their military officer it appr that there bee divers very vnskillfull the sayde plantaçon may appointe the officer to traine ofteren the saide vnskillfull. And yt the saide military officer take veiwe of their seau'all Armes whether they be serviceable or noe. And for default of every souldiers absent the absent to paye 5s. for every tyme wthout lawfuU excuse wthin 2 dayes after tendered to the Comrs or one of them in the saide plantaçon. And for any default in Armes vppon warnings to them by the saide officer to amend the same & a tyme sett & if not then amended by the tyme appointed, 1s. every tyme. And where Armes are wholly wantinge to be bounde over to answere it at the next Corte.

Whereas it appr by a wrytinge vnder hand of Mr. Oldâ that twoe of the mares yt are nowe seized vppon by Daniell Finch Constable of Watertowne, as Mr. Oldames goodes, are the goodes of Mr. Tho: Allen. And therefore it is ordered that the said mares shalbe deliu'ed to the saide Mr. Allen into his owne possession or his assignes.

It is ordered by consent of S'ieant Seely plt against the inhabitants of the Towne of Watertowne defts, yt a Jurer shalbe wthdrawen, and yt the defts doe vndertake to prduce an order wherein they will make it appr yt it was ordered yt if the inhabitants of the saide Towne did not remoue wth their Families to Conectecott by th' end of this instant moneth or els there was noe priety due to them in the devident of the landes of the saide Towne & yt the hand or the consent of the saide Willm Bassum is herevnto. And if the saide order be not prduced here to the Corte by the 2d Cort after this the Inhabitants are to pay the plte damages.

The first of November, 1636.

S'ieant Seely plte.
Inhabitants of Watertowne defts.
The Jury finde for the plte that hee is to have as an adven-
turer & as a man that was in the Condiçon that Bassam vnder whom he claymed was in.

Guilford, June 16: 1665.*

This is to certify unto all whom it may concerne, that upon his certaine knowledge, by the advice of the Court, Wethersfeild men gaue so much unto Sowheag as was to his satisfaction for all their plantations lyeing on both sides the great Riuer, with the Islands, viz. six miles in breth on both sides the Riuer, & six miles deep from the River westward, and three miles deep from the Riuer eastward. Thus testifysth George Hubbard. By me George Hubbard.

Taken upon oath Before me Willm Leete;

This is a true copy of the originell being examined & compared therewith this 18 of May, 1667, p'me

John Allyn: Secret'y.

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Mr. Ludlowe,        Mr. Phelps,
Mr. Swaine,         Mr. Westwoode,
Mr. Steele,         Mr. Warde.

It is ordered that a Warrant be directed to Daniell Finch to suınon Rich: Gildersleeue to appr' the next Corte or other meetinge of the Com'rs to bringe in an Inventory of Mr. Oldames estate wch was sometyme in his handes as alsoe to suınon any other to appr' that hath in his handes or canne declare where any of th' estate of the saide Mr. Oldâ is yt is not as yet revealed.

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A CORTE HELD ATT NEWE TOWNE 1st NOVMB', 1636.

Mr. Ludlowe,        Mr. Phelps,
Mr. Pyncheon,       Mr. Westwoode,
Mr. Swaine,         Mr. Warde.
Mr. Steele,

It is ordered that S'ieant Seely shall betweene this & the next Corte consider of such noates & Inventories as haue come to his handes or knowledge concerninge the estate of

*This certificate, is inserted at the foot of the 2d Page of the original, in the hand writing of Mr. Allyn.

2*
Mr. Oldam & then deliuer them into the Corte vpon oath & in the meane to p'duce any noate or Inventory to Mr. Swayne & Mr. Warde that he hath or cann come by y't may make for the furtherance of the discovery of the estate of the saide Mr Oldā, to th' end the Cort may then prceede in y't business as they shall see cause.

It is ordered y't S'rjeant Stickland is to haue for 7 days seruice to the Rivers mouth, aboute Cattle of Mr. Michell & the lo: or their Agents, 21s. The rest y't went in the same seruice 14s. a peece, every Plantaçon to defray the chardghe of their owne men for the p'sent & y't the constables shall make a rate to that purpose.

It is ordered that Mr. Clement Chaplin shall take into his Custody the goodes of Mr. Oldam deceased, according to an Inventory in Corte & in the Custody of Daniell Finch & he the saide Mr. Chaplin is to be responsiue for them as the Corte shall thinke meete, & if the saide Mr. Chaplin thinke meete he may sell them or any of them.

It is ordered y't Jo: Reeues is to retorne to his Mr, Mr. Stiles whoe hath his Indenture & the saide Mr Stiles is to pay Willm Quicke 15s. for his passage, if not the C[orte] will take order in the same as they shall see meete.

A Corte at New Towne 27 Decr. 1636.

Mr. Ludlowe, Mr. Westwoode,  
Mr. Swaine, Mr. Phelps,  
Mr. Steele, Mr. Warde.

It is ordered y't Daniell Finch shall haue for sixe dayes imploymt about Mr. Oldames estate & a Corte 13s.—6.

It is ordered y't Mr. Clement Chaplin shall diligentie inquire after any the goodes of Mr. Oldam deceased & if there bee any p'rson or p'rons y't he can finde y't hath or hadd any of the saide goodes in his handes & will not deliuer the same nor an Inventory of them he may summon him or them to appr' the next Corte to answere the same.

It is ordered y't all the Creditors of Mr. Oldā in the River of Conectecott bringe in their debts before the next Corte or
e[ls] he shall not be deemed as a Crediter in th' estate that is now extant.

21 Febr. 1636.
Mr. Ludlowe,       Mr. Phelps,
Mr. Steele,         Mr. Westwoode.
Mr. Swaine,

Whereas it was ordered yt Samuel Wakeman, Geo: Hubbert, & Anncest Stoughton were to consider of the boundes of Dorchester towarde the Falls & of Watertowne towards the mouth of the River; The saide Samuell Wakeman & [Geo:] Hubberd thinkes meete yt the plantaçon of Dorchester shall extend towards the Falls, on the same side the plantaçon standes, to a Brooke called Kittle Brooke & soe over the greate River vpon the same line that Newe Towne & Dorchester doth betweene them. And soe it is ordered by the Corte.

It is ordered that the plantaçon nowe called Newtowne shal be called & named by the name of Harteford Towne, likewise the plantaçon now called Watertowne shalbe called & named Wythersfeild.

Samuell Wakeman & Ancient Stoughton doe thinke meete that the boundes of Wythersfeild shalbe extended toward the Rivers mouth in the same side it standes in to a Tree sixe miles downeward from the boundes between them & Harteford [marked wth] N: F: & to [runn in an east] & west line, [& over] the great River, the saide Wythersfeild to begin att [4] the mouth of Pewter pott Brooke & there to runn due east into the Countrey 3 miles & downeward sixe miles in breadth, wch is ordered accordingly.*

It is ordered yt the plantaçon called Dorchester shalbee called Windsor.

The boundes betweene Weathersfeild & Harteford are agreed on the side wherein they stand to be att a Tree m'ked N: F: & to wch the Pale of the saide Harteford is fixed, to goe into the

* The words in brackets, (now illegible in the original Record) are here supplied from a certified copy of this and the next preceding order, made in 1708. Towns & Lands, Vol. iv. Doc. No. 1.
Countrey due east & on the other side of the greate River from Pewter pott Brook att the lower side of Hocannō due east into the Countrey, wch is nowe ordered accordingly.

The boundes betwenee Harteford & Windsor is agreed to be att the vpper end of the greate meadowe of the saide Harteford toward Windsor att the Pale that is nowe there sett vpp by the saide Harteford wch is abuttinge vppon the great River vppon a due east line & into the Countrey from the saide Pale vppon a due west line as paralell to the saide east line as farr as they have now paled & afterward the boundes to goe into the Countrey vppon the same west line. But it is to be soe much shorter towards Windsor as the place where the Girte that comes alonge att th' end of the saide meadowe & falls into the saide greate River is shorter then their Pale & over the saide greate *River the saide Plantaçon of Windsor is to come to the River-ets mouth that falls into the saide greate River of Conectecott and there the saide Harteford is to runn due east into the Countrey, wch is ordered accordingly.

It is ordered yt noe yonge man yt is neither maried nor hath any servaunte, & be noe publicke officer, shall keepe howse by himself, wthout consent of the Towne where he liues first, had, vnder paine of 20s. p" weeke.

It is ordered yt noe Mr of a Family shall giue habitaçon or interteinment to any yonge man to soiourne in his family, but by the allowance of the inhabitants of the saide Towne where he dwelles vnder the like penalty of 20s. p" weeke. These 2 last orders to take effect the first of Aprill next.

**ATT A CORT ATT HARTEFORD, MICH 28th, 1637.**

Mr. Ludlowe, Mr. Steele,
Mr. Welles, Mr. Phelps,
Mr. Swaine, Mr. Warde.

It is ordered yt Mr. Frances Stiles shall teach Geo. Chapple, Tho: Coopr & Tho: Barber his servaunts in the trade of a Carpenter accordinge to his prmise for there service of their

* [In margin] The Riuerett on the other side by the Indians is called Podanke.*
The 1st day of May 1637, Edm all went all to Egdstond.

John Steel (Secretary, 1636-1639.)
OF CONNECTICUT.

terme behinde 4 dayes in a weeke onelie to sawe & slitt their owne worke that they are to frame themselves wth their owne hands togeather wth himself or some other Mr workmen, the tyme to begin for the prformance of this order 14 dayes hence wtout faile.

It is ordered yt every Juryman shall haue sixe pence for every accon that is given to them vppon evidence, to bee paide by him the Accon goes against.

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THE first day of May, 1637, Genrall Corte att Harteford.

Mr. Ludlowe, Mr. Wells, Mr. Swaine, Mr. Steele, Mr. Phelps, Mr. Warde.

Comittees.—Mr. Whytinge, Mr. Webster, Mr. Williäs, Mr. Hull, Mr. Chaplin, Mr. Talcott, Mr. Hosford, Mr. Mychell, Mr. Sherman.

It is ordered that there shalbe an offensiue warr agt the Pequoitt, and that there shalbe 90 men levied out of the 3 Plan-taçons, Harteford, Weathersfeild & Windsor (vizt) out of Harteford 42, Windsor 30, Weathersfeild 18: vnder the Coande of Captaine Jo: Mason & in Case of death or sicknes vnder the Coänd of Rob'te Seely Leït, & the'ldest Síeant or military officer survivinge, if both these miscary.

It is ordered that Harteford shall send 14 Armour in this designe, Windsor 6.

It is ordered that there shalbe 1th of good beare for the Captaine & Mr & sick men, if there be only 3 or 4 gallons of stronge water, 2 gallons of sacke.

It is ordered that Windsor shall pruíde 60 bushells of Corne, Harteford 84 bushells, Weathersfeild 36 bushells, of this each plantaçon to bake in biskett the on half if by any meanes they cann, the rest in grounde meale. Weathersfeild tenn bushells to bee allowed vppon Accompt.

Harteford is to pruíde 3 firkins of suett, 2 firkins of Butter, wth yt att Rivers mouth, 4 bushells of Oatemeale, 2 bushells of Pease, 500 of fish, 2 bushells of salt; Weathersfeild 1 bushell of Indian Beanes; Windsor 50 peeces of Porke, 30lb of Rice, 4 Cheeses.
PUBLIC RECORDS

It is ordered that every souldier shall cary wth him 1lb powder, 41b of shott, 20 bulletts; 1 barell of Powder from the Riuers mouth, [a light] Gunn if they cann.

[It is ordered] yt Mr. Pincheons shallop shall be taken to be imploied [in this desi]gne.


It is ordered yt there shalbe sent forth 30 men out of the seu'all plantaçons in this River of Conectecott to sett downe in the Pequoitt Countrey & River in place convenient to maynteine o'r right yt God by Conquest hath given to vs, & Leiften' Seely shall haue the Comande of them. The men are to be raised 14 out of Harteford, tenn out of Windsor, 6 out of Wythersfeild.

It is ordered yt 60 bushells of Corne shal be pvided for the designe abouesd, Windsor 20, Harteford 28, Wythersfeild 12, 1th of Pease, 2 bushells of Oatemeale, 150 pounde of Beefe, 80lb of Butter, (vizt) Windsor 30, Wythersfeild 30, Harteford 20, fish.

26 JUNE, 1637, HARTEFORD GEN'ALL CORTE.

It is ordered that 10 men more shalbe leived out of the plantaçons aforesaid to goe in the designe agt the Pequoitts as an adition to the formr 30, (vizt) 5 out of Harteford, Windsor 3, Weathersfeild 2.

It is ordered yt Mr. Haine & Mr. Ludlowe shall goe to the mouth of the River to treate & Conclude wth or frendes of the Bay either to joine wth their forces in psecutinge or designe against or enemies or if they see cause by aduise to interprize any Accon accordinge to the force we haue. And to parle wth the bay aboute or settinge downe in the Pequoitt Countrey.

It is ordered yt there shalbe 1 hogg pvided att Wythersfeild for the designe in hande, wch is conceiued to be Nathaniell Footes, 20lb of Butter, half C of Cheese; Harteford 20lb of Butter, half hundred of Cheese; Windsor 1 Ram goate, 20lb of Butter, half C of Cheese, 1 gallon of stronge Water; Harteford 1 C of beepe from Mr. Whittinge, Windsor 3 bushells of mault, 2 from Wythersfeild, Mr. Wells 2.
HARTFORD. GENERALL CORT, TUESDAY, NOV: 14th, 1637.

Mr. Haines, Mr. Ludlowe, Mr. Wells, Mr. Phelps, Mr. Swaine, Mr. Mychell, Mr. Hull, Mr. Whytinge, Capt: Mason, Mr. Warde, Goodman Smith, Goodman Bacon.

It is ordered that every common souldier that went in the late designe against o" enemies the Pequoites shall have 1s. 3d. pr day for theire service at sixe dayes to the weeke, the Sergants 20d. pr day, the Leiftenant 20s. pr weeke, the Capt'n 40s. pr weeke, any man that was publiquely imploied in the said service and dyet themselves shall have 2s. pr day; and that the saide payment shalbe for a moneth although in strictnes there was but three weekes and 3 dayes due; such as did returne from the Forte and never went in the service to bee allowed but for 12 dayes.

It is ordered that the pay in the second designe shalbe the same with the former, and the tyme a month as abouesayde.

HARTFORD. 9° FEBR. 1637.

Mr. Haynes, Mr. Ludlowe, Mr. Wells, Mr. Plum, Mr. Mychell, Capt: Mason, p'sent.

Whereas vpon serious Consideracon wee conceiue that the plantaçons in this River wilbe in some want of Indian Corne, And on the same Consideracon wee conceiue if every man may be at liberty to trucke with the Indians vpon the River where the supply of Corne in all likeliwood is to bee had to furnish o" necessities, the market of Corne amonge the Indians may be greatly advanced to the prejudice of these plantaçons, wee therefore thinke meete and doe soo order that noe man in this River nor Agawam shall goe vpp River amonge the Indians or at home at their houses to trade for Corne or make any Contract or bargaine amonge them for corne either privately or publiquely vpon the paine of 5s. for every bushell that hee or they shall soo tr[ade] or contract for; this order to endure vntill the next Generall Courte and v[til] the Courte take other order to the contrary, and at the saide generall Courte there wilbe a setled order in the thing.
It is ordered that there shalbe a particular Courte on the first Tuesday of May at Hartford, and that then Mr. Oldā businesses and John Jesopps are to be handled, therefore the several Creditors are then to come and make their claimes.

It is ordered that Mr. Clement Chaplin shalbe Treasurer for this next yeare to Collect and gather such Rates as are now to [6] be levied in the severall plantaçons, and that there shalbe under Collectors to whom the said Mr. Treasurer may direct his Warrants in every plantaçon, and that the said Treasurer may give order to the said Collectors to pay the severall bills of their plantaçons and give it in Accoompte to the said Mr. Treasurer, and after the bills be paide to returne in the rest to the said Mr. Treasurer: the collectors are, for Hartford Willm Wadsworth, Windsor Henry Wolcott the elder, and Andrew Warde for Wethersfieild and John Bur for Agawam.

It is ordered there shalbe forthwith a levey of sixe hundred and twenty poundes to be levied for to defray the charges of the late designes of warr that is already past, Aggawam 86l. 16s, Windsor 158l. 2s, Harteford 251l. 2s, Wethersfeild 124l. The payment to be made either in monney, in Wampum at fower a penny, or in good and marchantable beaver at 9s. pr pounde.

It is ordered that there shalbe generall notice giuen in all the plantaçons that if there be any Armr, gones, swordes, belts, Bandilers, kittles, pottes, tooles, or any thinges els that belongs to the commonwealth, that were lost, landed or leaffe in any plantaçons, they are to be delivered into the handes of the saide Constables of the said townes, and the said Constables to bring them to the next Courte at Harteford, and if after the said notice there be any thinges found in any mans house or custody, it concerning the said Commonwealthe, they shalbe subiect to the sensure of the Courte for their tenure or concealing.

It is ordered yt the generall Courte now in being shalbe dissolved and there is noe more attendance of the members thereof to be expected except they be newly chosen in the next generall Courte.

*This blank in the original.
8th die Martii, 1637.

A Gen'ALL Cort houlden att Harteford.

Mr. Haines, Mr. Ludlowe, Mr. Pincheon, Mr. Welles, Mr. Plum, Mr. Phelps, Mr. Mychell, Mr. Smith.

Committees: Capt: Mason, Mr. Hopkins, Mr. Steele, Mr. Talkott, Mr. Webster, Mr. Hull, Mr. Ford, Tho: Marshall, Adr: Warde, Geo: Hubberd, Jo: Gibbes. Thurston Raynor absent.

Thurston Raynor being chosen a Committee for the Towne of Wethersfeild being now absent is fined 1s, to be forthwith paid.

Whereas Mr. Pincheon was questioned aboute imprisoning an Indian at Aggawam, whipping an Indian and freeing of him, the Courte is willing to passe over Mr. Plumms failings against an Indian.

It is ordered with the consent of Mr. Pincheon that the saide Mr. Pincheon will deliver att Harteford goods Marchantable Indian Corne att 5s. pr bushell as farr as 500 bushells will goe at, if hee can save by that, for the residue hee is to have 5s. 2d. pr bushell, provided also that that proportion that Windsor is to have shalbe landed there at Mr. Ludlowes, for that proportion that Wethersfeild is to have they are to fetch it att Harteford. In consideration whereof the is a restrainte of any to goe vpp the River to trade with the Indians for Corne; as alsoe if any Indians bring downe any Corne to vs wee are not to exceede 4s. pr bushell; as alsoe in case of necessity that any family or families doe complaine of present necessities they are to repaire to 3 magistrates which may advise them for the supply, although it be to the dispensing with this order; provided alsoe that if the said Mr. Pincheon bee inforced to raise the price with the Indians of sixe sixes of Wampom a pecke then the plantacons are to increase the pay of 5s. pr bushell, if he can abate any thing hee will sett of soe much of 5s. pr bushell. The payment to be made in wampom at 3 a penny or marchantable beaver at Xs. pounde.

9th die. It is ordered that whosoever doth disorderly speake privately during the sittinge of Courte with his Neibour or twoe
or 3 togethether, shall presently pay 1s, if the Courte soe thinke meete.

[7] It is ordered that Captaine Mason, Mr. Allen, Mr. Warde, shall go to Agawam and treate with the Indians of Waronocke concerning the tribute towards the charges of or warres, to the value of one Fathom of Wampom a man. Nawattocke a fathom and a quarter, Pacomtuckett one fathom and a quarter.

It is ordered yt Mr. Ludlowe, Mr. Hopkins, Mr. Michaeell shall have power to deale with Elias Parkman about his vessel to goe to the Narragansett to trade for Corne and they are likewise to take vpp such commodities as may freight the saide vessel to the end aforesaide, and doe therein what they shall see meete that may tend for the publique good in that way, and that the plantaçons shall beare the chardge of the saide Freight and have the proceede of the Corne and trade accordinge to the proporçon of the last publique rate to the warrs, as alsoe of what comes from Agawam.

It is ordered that noe Commissioners or other person shall binde, imprison or restraine, correct or whipp any Indian or Indians whatsoever in his owne case or in the case of any other, nor giue them any menacing or threatning speeches, except it be in case any Indian or Indians shall assault or affront theire person or persons, or shall finde them either wasting, killing or spoiling any of theire goodes or estate, and he or they shall finde them soe doing, and in that case if they refuse to come before a magistrate they may force them to goe and binde them if they refuse. But if any iniurie or trespasse be offered or done by any Indian or indians or their dogges, he or they are to complaine to some magistrate or magistrates, provided allwaies that any twoe magistrats togethether may vppon any speciall occasion send for any Indian or Indians to come before them and if they see cause to restraine or imprison him or them and in case of refusall or contumacy or other extraordinaried misdemeanor or occasion, to send force to apprehend or take him or them if they see cause.

It is ordered that there shalbe fiftie Costlets provided in the plantaçons, vid. Harteford 21 Costlets, Windsor 12, Weathersfeild 10, Agawam 7, which are to bee provided within 6 monthes at farthest. And the saide Costlets are to be veiwed by the
military officer that is provided for that purpose, and if he dis-
allowe them as insufficient they are to provide better. And
alsoe ye the saide Townes are to giue in the names of such as
are to finde the saide Cosletts, att the next generall Courte, and
then such as shall faile to provide by the day aforsaide shall
forthwith pay 10s., and five shillings a moneth vntill he hath sup-
plied them; and it shall alsoe be lawfull for the saide military
officer to call for the saide costeletts to viewe whether they
[be] in repaire or noe.

It is ordered that Captaine Mason shalbe a publique military
officer of the plantacons of Conecticote, and shall traine the mil-
itary men thereof in each plantacons according to the dayes ap-
pointed, and shall have 40l. p' annum, to be paid oute of the
Treasury quarterly, the pay to begine from the day of the date
hereof. This order to stand in force for a yeere and vntill the
generall Courte take other order to the contrary.

It is alsoe ordered that the saide Captaine Mason shall have
liberty to traine the saide military men in every plantacon tenn
dayes in every yeere, soe as it be not in June or July, giving a
weekes warning before hand and whosoever ye is allowed a
souldier and faile to come at the time appointed by the saide
publique officer to pay for his defaulte 3s. for ye time, and if it
be vsuall for the second offence 5s, and if not amended the saide
delinquent is to bee bounde to answere it att the next Courte.

Itu, it is ordered that all persons shall beare Armes that are
aboue the age of sixteene yeres except they doe tender a suffi-
cient excuse [to] the Corte & the Cort allowe the same. The
Comrs & Church officers for the present to bee exempted, as
[8] alsoe for the tyme to come after they have beene a Com-
issioneer or Comrs or Church officer to bee likewise for all
tymes afterward exempted for bearing Armes, Watchinges &
Wardinges.

It is ordered that there shalbe a magace of powder and shott
in every plantacon that the supply of or military men if occasion
serve, videlicet, Hartes'd twoe barrels, Windsor 1 barrell of
powder, 300 weighte of leade, Weathersfeild 1 barrell of pow-
der, 300 of leade, Aggawam halfe a barrell of powder, 150 of
leade; and every military man is to have continually in his
house in a readines halfe a pounde of goode powder, 2 lb of bul-
lets suitable to his piece, one pound of match if his piece be a
match locke, and whosoever failes of his halfe pounde of pow-
der and 2 lb of [bullets] and match to pay Vs. for every tyme yt
is wanting; the plantaçon or plantaçon for not providing the
saide magacen of powder and lead within this 3 monethes to
pay 2 lb forty shillings, and tenn shillings for every moneth
vntill it bee p'vided.

It is ordered that there shalbe a measure of each plantaçon
brought to Harteford on the next perticular Courte and then
there wilbe a setled Course for an measure in each plantaçon.

The generall Courte is appointed on the 22th of this instant
moneth, the p'ticular the day after it.

It is ordered that all orders formerly made concerning mili-
tary discipline vntill the orders of this Courte shalbe voide.

* Whereas, It was ordered octo die [Martii] last that there
should be a restrainte of tradinge for Corne in regarde of some
† with Mr. Pincheon to supply the plantaçons, vppon consideraçon of Mr. Pincheons that hee is somewhat
fearefull of supplying the plantaçons, and whereas there is a
Clause in case of necessitie 3 magistrates may dispence with
the order, It is therefore ordered that Mr. Ludlowe and Cap-
taine Mason or either of them, taking likewise such with them
as shalbe meete, shall trade to supply their owne necessities
and the necessities of some other that are in wante.

It is ordered that in the setting forth Elias, that Mr. Phelps,
Mr. Whiting and Mr. Mychell is to agitate that busines for the
Comonwealth.

Vppon the complainte of Aramamett and the Indians cohab-
ting with him, aboute Leiftenant Holmes denying the planting
of the old grounde planted the last yeere aboute Plymouth
house, It was ordered that they should plante the old ground
they planted the last yeer for this yeere onely, and they are to
sett their wigwams in the olde grounde and not withoute.

* The date or caption of this Session of the Court is omitted in the original Record. No
break occurs, (except a slight one between the line commencing "Whereas," &c. and the pre-
ceding paragraph,) from the commencement of the proceedings of the March Session, on page
[6].
† A blank in the original.
OF CONNECTICUT.


Mr. Haines, Mr. Ludlowe, Mr. Pincheon, Mr. Wells, Mr. Plum, Mr. Phelps, Mr. Smith, Mr. Michell, 
Comittees; Mr. Hull, Mr. Webster, Mr. Talkott, Mr. Moxâ, Mr. Burr, Mr. Steele, Mr. Hopkins, [Capt:] Mason, [Mr.] Ward, [Thurston] Rayner, [Tho:] Ford, [Tho: Mars]hall, [Geo: Hubberd.]

Captaine Mason, Thomas Ford, Thomas Marshall, Thurston Rayner, George Hubberte, are fined Is. a peece for failing att the hower appointed which 7 of the Clocke.

It is ordered that there shalbe sixe sent to Warranocke Indians to declare unto them that wee have a desire to speake with them, to knowe the reasons why they saide they are affraide of vs, and if they will not come to vs willingly then to compell them to come by violence, and they may leave 2 of the English as pleadges in the meane time and to trade with them for Corne if they can.

[9] It is ordered that Captaine Mason, Thomas Stanton, Jeremy Adams, John Gibbes, Searieante Stares and Thomas Merricke, and if Thomas Merricke be gone to Aggawam then Captaine Mason to take another whom he please, shall goe in the saide service; and if hee see cause to leave hostages hee may; if hee see cause to goe to Aggawam he may.

It is thought meete that the Costlets that were in the last service shalbe made good to the Commonwealth and made as serviceable as before, and that Richard Lord shall take such Costlets into his Custody as are in the meeting house of Harteford and make them vpp, and when they bee fitted vpp the saide Lord is to bring in his noate and the Courte to appointe one to veiw ye same, and when they are certified to bee in good kelter there must be speedy course taken by ye Courte for the speedy payment of the said Lord.

It is ordered that there shalbe a warrant directed to ye severall Collectors of each plantations to make their returns to the Treasurer within these 25 dayes or els to answere their contempte att the next particular Courte.

Whereas there is a desire of o' neibours of Harteford that there may be a publique highway for Carte and horse vpon the
vpland betweene the said Harteford and Windsor as may be convenient, it is therefore thought meete that Henry Wolcott the younger and Mr. Stephen Terr[e] and Willi’m Westwood and Nathaniell Warde shall consider of a fitting and convenient high way to bee marked and sett oute, and bridges made over the swampes, and then itt being confirmed by the Courte, the inhabitants of Harteford may with making a comely and decent Stile for foote and fence vpp vpdp r end of the meadow; this to be done by Mun[day] seavennights vppon penalty of 10s. every defaulte.

It is ordered that with the consent of Mr. Pincheon, that the said Mr. Pincheon shall within these 18 dayes pay Mr. Whiting 40l. by sending downe as much Corne as the saide 40l. comes to, or els to pay him the saide Mr. Whiting in marchantable beaver at 9s. pr pounde provided that if in the Bay the saide Mr. Whiting cann put it away att higher rate the saide Mr. Pincheon to have the benefitt of it, if it be put away at losse the saide Mr. Pincheon to stand to it, and the saide Mr. Pincheon may write to his frends to see that the saide Mr. Whiting doth his best for the saide Mr. Pincheons advantage.

It is ordered that the Indian Corne that is brought into the plantacons for the supply of theire necessitis, either by agreement with Mr. Pincheon or any other way of a generall trade, shall goe att 5s. 6d. in money, in wampum att 3 a penny, 6s. pr bushell, or if in beaver according to the order att 9s. pr pounde, yett this is not any way to infringe the bargaine formerly made with Mr. Pincheon for soe much Corne as he brings in.

It is ordered that these men followinge shall receive the Corne aforesaid for the plantacons according to their proporcon agreed on, and shall keepe one exact account of what every man hath att the rates aforesaid; the men appointed for this service are Henry Wolcott ye younger for Windsor, Edwarde Stibben and Thomas Scott for Harteford, For Wethersfeilde Mr. Plum. It is alsoe ordered yt such as are in want of Corne or like to betwene this and harv[est] must give in theire names and wants to ye parties aforesaid of the severall plantacons, and they are to retorne it in ye next particular Courte, provided yt the receivers of Corne aforesaid are not to deliver any Corne without the present payment formerly menconed.
It is ordered that Thomas Staunton shall have for the service he hath done for the Countrey already past, ten poundes.

[10] It is ordered that Thomas Staunton shall be a publicke officer for to attend the Corte vpon all occasions, either General or particular, as alsoe any meetinge of the Magistrates to interprett betwixt betweene them and the Indians, as also is to have for it 10l. p'. Anm.

It is ordered yt Captaine Mason & Jeremy Adames shall goe on Thursday next, accordinge to or' promise to trade w'th the Indians for Corne and to settle a Trade between vs and them aboute Corne.

It is ordered that the order of the 9th of March last be againe renewed.

It is ordered where any Company of Indians doe sett downe neere any English plantacon that they shall declare whoe is their Sachem or Cheife & that the said Cheife or Sachem shall paye to the said English such trespasses as shalbe committed by any Indian in the said plantacon adjoyninge, either by spoilinge or killinge of Cattle or Swine either w'th Trappes, dogges or arrowes & they are not to pleade that it was done by Strangers vnsesse they cann p'duce the p'ty and deliu're him or his goodes into the Custody of th' English; and they shall paye the double if it were voluntarily done.

Whereas there was some complainte made against Mr. Willm Pincheon of Agawam for that as was conceiued & vpon p'se app'red he was not soe carefull to p'mote the publicke good in the trade of Corne as hee was bounde to doe, It is ordered the said Mr. Pincheon shall w'th all convenient speede pay as a fine for his soe failinge 40thie bushells of Indian Corne for the publicke & the said Corne to be deliuered to the Treasurer to be disposed of as shalbe thought meete.

Whereas vpon full debate & hearinge the matters of Injiuries & difference betweene Soheage, an Indian the Sachem of Pyquaagg nowe called Wythersfield, & th' English Inhabitants thereof, and It app'res to the Cort that there hath beene divers Injures offered by some of the said English inhabitants to the said Soheage, as alsoe the said Soheage & his men haue likewise committed divers outrages & wronges against the said English, yet because as was conceiued the first breach was on the
saide English pite, All former wronges whatsoeuer are remitted on both sides and the saide Soheage is againe received in Amytie to the saide English, & Mr. Stone, Mr. Goodwin & Tho: Staunton are desired to goe to the saide Soheage & to treate with him accordinge to the best of their discretion & to compose matters betweene the saide English and the saide Soheage, and vpon their reporte there shalbe som setled course in the thinge.

It is ordered there shalbe 1s. pr skin of beaver to be paide to the publicque out of the Trade of beaver, to be paide into the Treasury every half yeere: this order to stand for an yeere & vntill the Cort take other order to the Contrary.

It is ordered that none shall trade in this River wth the Indians for beau'r but those that are hereafter named (vizt) For Agawam Mr. Pyncheon, for Windsor Mr. Ludlowe, Mr. Hull; for Harteford Mr. Whytinge, Tho: Staunton; Wythersfield Geo: Hubberd & Rich: Lawes; and if any trade for beauer other then are fornamed they shall forfeit 5s. pr pounde to be paide pr eury pounde they soe trade.

[Pages 12-22, blank: these pages were probably designed for the insertion of the Constitution, Oaths, &c., which were subsequently recorded on pp. 215-227 of the original as now paged.]

[320] Forasmuch as it hath pleased the Allmighty God by the wise disposition of his diuyne prudence so to Order and dispose of things that we the Inhabitants and Residents of Windsor, Harteford and Wethersfield are now cohabiting and dwelling in and vpon the River of Conectecotte and the Lands thereunto adioyneing; And well knowing where a people are gath-
ered together the word of God requires that to mayntayne the peace and vnion of such a people there should be an orderly and decent Gouerment established according to God, to order and dispose of the affayres of the people at all seasons as occasion shall require; doe therefore assotiate and conioyne our selues to be as one Publike State or Co[m]onwelth; and doe, for our selues and our Successors and such as shall be adioyned to vs att any tyme hereafter, enter into Combination and Confederation together, to mayntayne and p'searue the liberty and purity of the gospell of our Lord Jesus wch we now p'sesse, as also the disciplyne of the Churches, wch according to the truth of the said gospell is now practised amongst vs; As also in or Ciuell Affaires to be guided and gouerned according to such Lawes, Rules, Orders and decrees as shall be made, ordered & decreed, as followeth:—

1. It is Ordered, sentenced and decreed, that there shall be yerely two generall Assemblies or Courts, the on the second thursday in April, the other the second thursday in September, following; the first shall be called the Courte of Election, wherein shall be yerely Chosen fro tyme to tyme soe many Magestrats and other publike Officers as shall be found requisitie: Whereof one to be chosen Gouernour for the yeare ensuing and vntill another be chosen, and noe other Magestrate to be chosen for more then one yeare; p'guided allwayes there be sixe chosen besides the Gouernour; wch being chosen and sworne according to an Oath recorded for that purpose shall haue power to administer justice according to the Lawes here established, and for want thereof according to the rule of the word of God; wch choise shall be made by all that are admitted freemen and haue taken the Oath of Fidellity, and doe co-habitte w'thin this Jurisdiction, (hauing beene admitted Inhabitants by the maior p't of the Towne wherein they liue,* ) or the mayor p'te of such as shall be then p'sent.

[222] 2. It is Ordered, sentenced and decreed, that the Election of the aforesaid Magestrats shall be on this manner: every p'son p'sent and qualified for choyse shall bring in (to the p'sons deputed to receaue the) one single papr w'th the name of him written in yt whom he desires to haue Gouernour, and he

* This clause has been interlined in a different hand writing and at a more recent period.
that hath the greatest number of papers shall be Governor for that yeare. And the rest of the Magestrats or publike Officers to be chosen in this manner: The Secretary for the tyme being shall first read the names of all that are to be put to chosie and then shall severally nominate them distinctly, and every one that would have the person nominated to be chosen shall bring in one single paper written vpon, and he that would not have him chosen shall bring in a blanke: and every one that hath more written papers then blanks shall be a Magestrat for that yeare; \( w_e \) papers shall be receaued and told by one or more that shall be then chosen by the court and sworne to be faythfull therein; but in case there should not be sixe chosen as aforesaid, besides the Governor, out of those \( w_e \) are nominated, then he or they \( w_e \) haue the most written papers shall be a Magestrate or Magestrats for the ensuing yeare, to make vp the foresaid number.

3. It is Ordered, sentenced and decreed, that the Secretary shall not nominate any person, nor shall any person be chosen newly into the Magestracy \( w_e \) was not \\urenominated in some Generall Courte before, to be nominated the next Election; and to that end yt shall be lawfull for ech of the Townes aforesaid by their deputyes to nominate any two whô they conceaue fitte to be put to Election; and the Courte may ad so many more as they judge requisitt.

4. It is Ordered, sentenced and decreed that noe person be chosen Governor aboue once in two yeres, and that the Governor be alwayes a meber of some approved congregation, and formerly of the Magestracy \( w_t \) in this Jurisdiction; and all the Magestrats Freemen of this Commonwealth: and that no Magestrate or other publike officer shall execute any jury of his or their Office before they are severally sworne, \( w_e \) shall be done in the face of the Courte if they be present, and in case of absence by some deputed for that purpose.

[224] 5. It is Ordered, sentenced and decreed, that to the aforesaid Courte of Election the several Townes shall send their deputyes, and when the Elections are ended they may proceed in any publike searuice as at other Courts. Also the other Generall Courte in September shall be for makeing of lawes, and
any other publike occasion, w^ch concerns the good of the Commonwealth.

6. It is Ordered, sentenced and decreed, that the Governor shall, ether by himselfe or by the secretary, send out sumons to the Constables of eur Towne for the cauleing of these two standing Courts, on month at lest before their seuerall tyme: And also if the Governor and the gretest p^te of the Magestrats see cause vpon any spetiall occasion to call a generall Courte, they may giue order to the secretary soe to doe wthin fourerteene dayes warneing: and if vrgent necessity so require, vpon a shorter notice, giueing sufficient groundes for yt to the depuytes when they meete, or els be questioned for the same; And if the Governor and Mayor p^te of Magestrats shall ether neglect or refuse to call the two Generall standing Courts or ether of thè, as also at other tymes when the occations of the Commonwealth require, the Freemen thereof, or the Mayor p^te of them, shall petition to them soo to doe: if then yt be ether denied or neglected the said Freemen or the Mayor p^te of them shall haue power to giue order to the Constables of the seuerall Townes to doe the same, and so may meete togethers, and chuse to themselves a Moderator, and may p^ceed to do any Acte of power, w^ch any other Generall Courte may.

7. It is Ordered, sentenced and decreed that after there are warrants giuen out for any of the said Generall Courts, the Constable or Constables of ech Towne shall forthw^th give notice distinctly to the inhabitants of the same, in some Publike Assembly or by goeing or sending fro houwse to houwse, that at a place and tyme by him or them lymited and sett, they meet and assemble thè selues togethers to elect and chuse certen depuytes to be att the Generall Courte then following to agitate the afayres of the comonwelt; w^ch said Depuytes shall be chosen by all that are admitted Inhabitants in the seuerall Townes and haue taken the oath of fidellity; p^uided that non be chosen a Deputy for any Generall Courte w^ch is not a Freeman of this Commonwealth.

[226] The foresaid depuytes shall be chosen in manner following: euery p^son that is p^sent and qualified as before expressed, shall bring the names of such, written in seuerall papers, as they desire to haue chosen for that Employment, and these 3
or 4, more or lesse, being the nuber agreed on to be chosen for
that tyme, that have greatest nuber of papers written for the
shall be deputyes for that Courte; whose names shall be en-
dorsed on the backe side of the warrant and returned into the
Courte, with the Constable or Constables hand unto the same.

8. It is Ordered, sentenced and decreed, that Wyndsor, Hart-
ford and Wethersfield shall have power, eeh Towne, to send
lower of their freemen as their deputyes to every Generall
Courte; and whatsoever other Townes shall be hereafter added
to this Jurisdiction, they shall send so many deputyes as the
Courte shall judge meete, a resonable proportion to the nuber of
Freemen that are in the said Townes being to be attended
therein; with deputyes shall have the power of the whole Towne
to give their voyts and allowance to all such lawes and orders
as may be for the publike good, and unto wh the said Townes
are to be bownd.

9. It is ordered and decreed, that the deputyes thus chosen
shall have power and liberty to appoynt a tyme and a place of
meeting together before any Generall Courte to advise and
consult of all such things as may concerne the good of the pub-
like, as also to examine their owne Elections, whether accord-
ing to the order, and if they or the greatest pte of them find any
election to be illegall they may sechd such for present fro their
meeting, and returne the same and their resons to the Courte;
and if yt prove true, the Courte may fyne the pty or ptyes so
intruding and the Towne, if they see cause, and give out a
warrant to goe to a newe election in a legall way, ether in pte
or in whole. Also the said deputyes shall have power to fyne
any that shall be disorderly at their meetings, or for not coming
in due tyme or place according to appoytment: and they may
returne the said fynes into the Courte if yt be refused to be
paid, and the Tresurer to take notice of yt, and to estreeete or
levy the same as he doth other fynes.

10. It is Ordered, sentenced and decreed, that every Generall
Courte, except such as through neglecte of the Gouernor and
the greatest pte of Magestrats the Freemen themselves doe
call, shall consist of the Gouernor, or some one chosen to moder-
ate the Court, and 4 other Magestrats at lest, with the mayor
pte of the deputyes of the seuerall Townes legally chosen;
and in case the Freemen or mayor prte of the, through neglect or refusall of the Gouernor and mayor prte of the magestrats, shall call a Courte, yt shall consist of the mayor prte of Freemen that are present or their deputies, with a Moderator chosen by the: In which said Generall Courts shall consist the supreme power of the Conoonwelt, and they only shall have power to make lawes or repeale the, to graunt lenyes, to admitt of Freemen, dispose of lands undisposed of, to sewerall Townes or persons, and also shall have power to call ether Courte or Magestrate or any other prson whatsoever into question for any misdeemour, and may for just causes displace or deale otherwise according to the nature of the offence; and also may deale in any other matter that concerns the good of this common wealth, excepte election of Magestrats, which shall be done by the whole body of Freemen.

[227] In which Courte the Gouernour or Moderator shall have power to order the Courte to give liberty of spech, and silence unceasable and disorderly speakeings, to put all things to voate, and in case the voate be equal to have the casting voice. But none of these Courts shall be adhorned or dissolved without the consent of the mayor prte of the Court.

11: It is ordered, sentenced and decreed, that when any Generall Courte vpon the occasions of the Commonwealth have agreed vpon any suime or somes of mony to be lenyed vpon the sewerall Townes within this Jurisdiction, that a Comittee be chosen to sett out and appoynt wt shall be the proprion of every Towne to pay of the said leny, provided the Comittees be made vp of an equall number out of each Towne.

14th January, 1638, the 11 Orders abouesaid are voted.

[216] The Oath of the Governor, for the [present.]

I N. W. being now chosen to be Governor within this Jurisdiction, for the yeare ensuing, and until a new be chosen, doe sweare by the greate and dreadfull name of the everlueing God, to promote the publicke good and peace of the same, according to the best of my skill; as also will mayntayne all lawfull pruileges of this Commonwealth; as also that all wholesome lawes that are or shall be made by lawfull authority here estab-
lished, be duly executed; and will further the execution of Justice according to the rule of Gods word; so helpe me God, in the name of the Lo: Jesus Christ.

**The Oath of a Magistrate, for the present.**

I, N. W. being chosen a Magistrate within this Jurisdiction for the yeare ensuing, doe sweare by the great and dreadfull name of the euerliueing God, to promote the publike good and peace of the same, according to the best of my skill, and that I will mayntayne all the lawfull priuiledges thereof according to my vnderstanding, as also assist in the execution of all such wholesome lawes as are made or shall be made by lawfull authority heare established, and will further the execution of Justice for the tyme aforesaid according to the righteous rule of Gods word; so helpe me God, etc.

[215] **The Oath of a Constable.**

I, A. B. of W, doe sweare by the greate and dreadfull name of the euerliueing God, that for the yeare ensuing, and vntill a new be chosen, I will faithfully execute the office and place of a Constable, for and within the said plantacion of W: and the lymitts thereof, and that I will endeavor to searue the publike peace of the said place, and Commonwealth, and will doe my best endeavor to see all watches and watchs executed, and to obey and execute all lawfull comaunds or warrants that com fro any Magestrat or Magestrats or Courte, so helpe me God, in the Lo: Jesus Christ.

[11] Ja: 14th 1638. It is Ordered that the tresurer shall deliuer noe mony out of his hands to any prson without the hands of two Magistrats if the som be above 20s.; if it be vnder then the tresurer is to accept of the hand of on; but if it be for the payment of some bylls to be alowed, wh are referred to some Comittes to consider of whether alowed or not, That such bylls as they alowe & sett there hands vnto the Tresurer shall accept, & give satisfacth.
Jo. Haynes: (Governor.)

(Mudhouse) (Dep. Governor.)

Geo. Wyllys

Edw. Hopkins

Tho. Welles

John Webster

William 1760

(Magistrates)

(Deputies)

John Stell

John Pratt

William Spencer

Tho. Ford

D. Shaw

Maj. 2300/25

Silverium argent 16.00, husband

John Mason

Tho. Stanton
[April 11th, 1639.

At a Generall Meeting of the Freemen] for the Election of Magistrates, according [to the] orders.

Jno. Haynes Esq'r., was chosen Governor for the yeare ensuing] and vntill a new be chosen.

Mr. Roger Ludlowe, Deputy.

Mr. George Willis, Mr. Edward Hopkins, Mr. Thomas Wells, Mr. Jno. Webster, Mr. Wm. Phelps, were chosen to assist in the Magistracy for the yeare ensuing, and all tooke the oathes app[ointed] for them.

Mr. Edward Hopkins was chosen Secretary and [Mr. Thomas] Wells Tres'r. for the yeare ensuing.*

Committees : Mr. Jno. Steele, Mr. Spencer, Jno. Pratt, Edw: Stebbing, [Mr.] Gaylard, [Henry] Woolcott, [Mr. S]toughton, [Mr.] Foard, Thurston Rayner, James Boosy, George Hubbard, Ric : Crabb.

Elty Pomry of Windsor complayned that he had a mare taken away by the Pequatts, w^h after the warrs [ ] was killed by the Naanticke Indians; he desir[ed] therefore the helpe of the Court to be releevd [and that] some order may be taken with them for restitucon. [The] Courte tooke the same into serious consideracon and [thinke] it according to their duty and good reason to p'tect [the] persons and estates of all the members of the Com[onwealth] soe farr as lyth in their power in a way of Just[ice,] and accordingly p'mised as oppportunity shall be off[ered] to deale with those Indians about it.

The like was desired by Mr. Ludlow in regard of [ ] of his, and the like p'mise made to him.

The Court in regard of the state of the present ty[me] and the many ocations that ly vppon men, thought f[itte to] referr the p'ticulars hereafter mentioned to a Co[mittee,] vizt. the

* Pages 23-26 of the original are more mutilated and defaced than any other portion of the Volume. Thus far, on page [23] the words in brackets have been supplied from a copy made in 1743, and attested by George Willys, Secretary, which is printed with the Proceedings in the Mason case, p. 143.
Treaty with Vncus concerning the land by him and other Indians between Hartford and W[indsor,] as also with Pequannocke Indians, who are now to answer any letters sent from or neighbors of Q[uishinipiac] and to ripen orders formerly in agitation against [the] next meeting of the Court: They are also desired to putt Mr. Goodwin in mind of finishing the treaty of the Towne of Wethersfeeld with Seq[uassen] concerning the land beyond the River: and [the] Governor, Mr. Deputy, Mr. Willis, Mr. Hopkins, Mr. Mr. Steele & Mr. Spencer were intreated to attend [the said] services.

It is ordered that the watch be renewed in each [Towne, and] begin the second day of the next weeke.

The Court was adjourned till the third Thursday in [Two or three lines are torn from the top of this page, which contains the record of a Particular Court.]

Jno. Edmunds, Aaron Starke and Jno. Williams were censured for vnicleane practises as folls. Jno. Williams [Edmunds?] to be whipt att a Carts[tail] vppon a lecture day at Hartford. Jno. Williams to stand vppon the pillory from the ringing of the first bell to the end of the lecture, then to be whipt at a Carts [tail,] and to be whipt in like manner att Windsore within 8 dayes following. Aaron Starke to stand vppon the pillory and be whipt as Williams, and to haue the letter R burnt vppon his cheeke, and in regard of the wrong done to Mary Holt to pay her parents 10l. and in defect of such to the Commonwealth, and when both are fit for that condition, to marry her.

It is the mind of the Court that Mr. Ludlow and Mr. Phelps see some publique punishment inflicted vppon the girle for concealing it soe long.

Mr. Williams brings his action of trespass against Matthew Allen for 74 Rod of Corne destroyed through defect of his fence: Thomas Moore for 10 Rod, Mr. Woolcott for 60 Rod, Ann Marshall for 2 Rod, George Phelps for 8 Rod, Jno. Porter for 70.

The Jury find for the pls, to pay for 224 rod of Corne
spoyled, three pounds; for keeping of the ground 20 dayes, 30s; Costs 10s.

[In margin,]


Thomas Bull informed the Court that a muskett with 2 letters I W was taken vp att Pequannocke in pursuit of the Pequatts, wch was conceaved to be Jno. Woods who was killed att the Rivers mouth. It was ordered for the present [that] the muskett should be delivered to Jno. Woods freinds vntill other appeare.

August the first, 1639.

Jno. Bennett & Mary Holt were both censured to be whipt for vnclenee practises, and the girles Mr is inioyned to send her out of this Jurisdiction before the last of the next month.

These following were censured & fined for vnseasonable and imodrate drinking att the pinnace.

Thomas Cornewell, 30s. Samuell Kittwell, 10s. Jno. Latimer, 15s. Thomas Vpson, 20s. Mathew Beckwith, 10s.

Jno. Moody had an attachment graunted vpon the goods of Thomas] Gaines, in the hands of Mr. Stoughton, for a debt [of 5^{lb} weight of Tobacco.]

[25] A Generall Court att Hartford, the 8th of Aug. 1639.

Jno. Haynes Esq'r. Gov'r.
Roger Ludlow, Dep'ty.
Mr. Willis, Mr. Wells, Mr. Webster, Mr. Hopkins, Mr. Phelps.

Comittees. Mr. Talcott, Mr. Spencer, [Jn]o. Pratt, Mr. Hull, Mr. Porter, Mr. Tappin, Mr. Ward, Geo. Hubbard, James Boosy, Mr. Hill, Mr. Stoughton.

The Constables of Hartford were fined 2s. 6d. for not return.
ing their warrants according to order, being much favoured in regard it was the first tyme and one of them sicke.

Mr. Wells, Mr. Hill and Mr. Ward were intreated to auditt the last Tres'rs acco.

The order of the 9o March, 1637, concerning powder and shott is renewed, and yf it be not provided by the severall Townes within 6 weeks, the penalty to be taken without any mitigaçon.

Whereas there was an order of the 18th of Febr. 1638, for surveying the armor and other military provisions in each Towne once a quarter, wch hath hitherto beene too much neglected, for the execution hereof Mr. Spencer was now chosen for Hartford, Mr. Hill for Windsor and James Boosy for Wethersfield, and they are to begin before the last of this month:

And in case any of these persons before chosen be negligent in this great trust committed to him, he shall pay 20s. for every default; and they are to make returne of such wch they find defective, the nex Prticular Court after each tyme of their view, and during the tyme of this service they are freed from watching, warding and trayning.

It is ordered that all the military men shall be trayned att least 6 dayes in the yeare; the tymes are to be chosen at the discretion of the Capt., only the monthes of May, June and July are excepted vnles it be vppon spetiall occasion.

The Tresurers acco being audited, the Country was found indebted to him 16l. 10s. 6d.

Mr. Governo', Mr. Deputy and Mr. Wells, or any two of them, are intreated to goe to the Rivers mouth to consult with Mr. Fenwicke about a treaty of combinaçon wch is desi[red] againe to be on foott with the Bay.

The occasions of the Commonwealth being taken into consideraçon, it was thought fitt and ordred that a Rate of 100L. be made in these plantaçons, and Mr. Talcott, Mr. Hull and Mr. Tapping are intreated to prportion it vppon the several plantaçons, to be payd in, the one halfe within [one] month and the other within 3 monthes.

The Court is adiorned till the 15 of this month.
A Meeting of the Generall Court, which was Adiourned untill this day.

Mr. Deputy declared that he with Mr. Wells and Mr. Hooker had repayred to Mr. Fennicke according to the direction of the Court, whom they found every wayes suitable to their minds, and in particular for the present agitation with the Bay he is willing the State here should proceed to a mutuall agreement for an offencie and defencie warr and all other offices of loue, but desires that matters of Bounds may be respitted vntill he understand further the minds of the rest that are equally interested with him in the patent of the River. Upon consideration hereof, Mr. Governo^ was intreated to write an answere to Mr. Winthropp that the Court is very ready and willing to entertaine a firme combinacon for a defencie and offencie warr, and all other mutuall offices of loue and friendship, according to the propositions formerly agreed, which are the desires also of Mr. Fennicke with whom they haue consulted in the case. But the matter of bounds he desires may be a little respited vntill he haue opportunity to intimate his owne apprehensions, or some others who have equall interest with himselfe arrive in these Coasts, whom he hopes to see the next spring.

Mr. Tres^, had order to call in for all the fines due to the Cuntrey, and for such monyes as are due from the traders for Bevar.

The manifold insolencies that haue beene offered of late by the Indians, putt the Court in mind of that which hath beene too long neglected, viz^, the execution of justice vpon the former murtherers of the English, and it was vpon serious consideration and debate thought necessary and accordingly determined, that some speedy course be taken herein, and for effecting hereof it was concluded that 100 men be levyed and sent downe to Mattabesecke, where severall guilty persons reside and haue beene harbored by Soheage, notwithstanding all meanes by way of persuasion haue beene formerly used to him for surrendring them vpp into or^ handes; and it is thought fit that these counsells be imparted to or^ friends att Quinnipi-
[ocke] that provision may be made for the safety of the new plantations, and upon their joint consent to proceed or desist.

The 100l. rate was laid upon the several Townes in this portion:

<table>
<thead>
<tr>
<th>Town</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>43.00 00</td>
</tr>
<tr>
<td>Windsore</td>
<td>28 06 8</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>28 13 4</td>
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</tbody>
</table>

100 00 0

The Courte was adiorned to the 26 of this month.

[27]  

August the 26th, 1639.

Mr. Webster informed the Court that according to the determination of the last meeting, Mr. Deputy, Mr. Willis and himself acquainted or friends of Quinnipiocke with their purposes concerning the murthers, and desired the concurrence of their apprehensions therein, who fully approving of the thing yet intimated their thoughts somewhat to differ from ours in the present execution of it, in regard of some new plantations that are now beginning and some inconvenience which may fall upon these parts of the Country by a noise of a new war, which may hinder the coming of ships the next year.

Whereas divers of the Pequatts who were given to Vncus and Antinemohave planted againe part of the land which was conquered by us contrary to our agreement with them, It was thought fitt and ordered, that 40 men be proportioned out of the several plantations and immediately sent away to gather the Corne there planted by them.

The men are proportioned for the several Townes thus,

<table>
<thead>
<tr>
<th>Town</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Windsor</td>
<td>13</td>
</tr>
<tr>
<td>Hartford</td>
<td>17</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>10</td>
</tr>
</tbody>
</table>

40

It was referred to Mr. Governor, Mr. Willis, Mr. Phelps, Capt. Mason and Mr. Ward, to agitate this businesse and bring it to an issue with what speed may be, and they have power to presse 20 armes, 2 shallopss and 2 Canowes, for this service.
It was concluded that there be a publique day of thanksgiving in these plantacons vpon the 18th of the next month.
This Court is dissolved.

Sept. the 5th, 1639.

Jno. Haynes Esqr. Gov'r.
Mr. Hopkins, Mr. Wells, Mr. Phelps, Mr. Webster.
Richard Lyman complayneth against Sequassen for burning vpp his hedge wth, before Mr. Governo', formerly he promised to satisfy for, but yett hath not done it. Sequassen appeared and promised to pay within 4 dayes, or elce an attachment to be graunted.

Edward Hopkins compt. in behalfe of Mr. Jno. Woodcocke, against Fr. Stiles, for breach of Covenants, in 500l.
Mr. Stiles desires respite till the next Court in regard of witnes in the Bay: Graunted.

Jno. Moody contra Blachford, for a fowling pееce he bought and should have payd for it 40s. p' bill of. The Jury find for the pl. 41 damages, costs 6s.

Ric. Lord against Thomas Allen for 40s. debt. Mr. Allen appeared not. Mr. Spencer witnessed that he borrowed 40s. in the Bay, of Ric. Lord and promised to repay it here. 2s. 6d. graunted for costs and an attachment vpon his goodes.
Fr. Stiles contra Jno. Woodcocke in an action of debt for 2 hhds malt & a hhd of meale.

[28] Samuel Ireland was fined 10s. for contempt of ye Court in not appearing vpon a warrant served vpon him. Vpon his submission he payd 5s. & was acquitted.

Thomas Gridley of Windsore was complayned of for refusing to watch, strong suspition of drunkennes, contempteous words against the orders of Court, quarrelling and striking Mr. Stiles his man: he was censured to be whipt att Hartford and bound to his good behavior. He entred a recognizance of 10l. for his good behaviour.
Mr. Haynes, Mr. Ludlow, Mr. Willis, Mr. Wells, Mr. Webster, Mr. Phelpes, Mr. Hopkins.
Edwa. Hopkins contra Fr. Stiles, in behalfe of Jno. Woodcocke, in an accōn for breach of Covenants. Covenants produced. The Jury find that the deft. hath in his hands 80/. and 150/. for the purchase of the house, and for not taking in 400 acres of ground according to Bargaine, that Mr. Stiles should take the house backe againe and repay backe the 230/. with 70/. damages: costs 10s.*

It is ordered that the souldiers for the last exploit shall be payd for 9 dayes, att 2s. pr day, the mony to be payd to the Constable of every Towne and he to deduct the cost of the provitions he pressed for them.

SEPT. THE 10th, 1639. A GENERALL COURT.

Jno. Haynes, Esqr.
Mr. Willis, Mr. Hopkins, Mr. Wells, Mr. Webster, Mr. Phelpes.

Committees: Mr. Steele, Mr. Talcott, Mr. Spencer, Jno. Pratt, Mr. Gaylord, Capt. Mason, Mr. Hill, Mr. Hull, Mr. Tapping, Mr. Ward, James Boosy, George Hubbard.

The Constables of Windsor were fined 5s. for not returning the warrant of the Committees that were chosen for that Towne.
Mr. Deputy was fined 5s. for being absent.
Mr. Hopkins, Mr. Wells, Mr. Steele and Mr. Spencer were intreated to ripen some orders that were left vnfinished the former Court, as about provition of settling of lands, testamentes of the deceased, and recording spetiall passages of Providence.
The Court was adiorned vntill the second thursday in the next month, vnlesse spetiall occasions occurr to call it sooner.

* An imperfect record of this trial and verdict is made at the bottom of page [35.]
Mr. Deputy informed the Court that he hath understood since his returne, offence hath beene taken att some of his proceeding in his late journey to Pequannocke, and the parts thereabouts: he therefore desired to make knowne what had beene done by * him therein, w^h was this; At his coming downe to Quinnipiocke the hand of the Lord was vppon him in taking away some of his Cattle, w^h prevented him in some of his purposes there for selling some of them: Afterwards att his coming to Pequannocke he found cause to alter his former thoughts of wintering his Cattle there, and understanding that the beginnings of a Plantacon beyond that was not caryed on according to the agreement made with those who were interested in ordering the same, and that by some things w^h appeared to him, his apprehensions were that some others intended to take vp the sayd place, who had not acquainted this Court with their purposes therein, w^h might prejudiciall to this Comon wealth, and knowing himselfe to be one of those to whom the disposal of that plantacon was committed, he adventured to drive his Cattle thither, make provition for them there,† and submitts himselfe to the Court to judge whether he hath transgressed the Comission or nott.

The Court taking the premises into consideracon, did vnanimously conceaue that his proceeding could not be warranted by the Comission, nor can he be excused of neglect of his duty, that he had not given notice to these plantacons of what he did, notwithstanding his allegations of the inconveniences w^h otherwise might have accrue; yett that the thing may fully appeare as it is, and matters ordered in a comely maner, It is conceaued fitt that a Comittee be chosen to repair thither and take a view of the aforesayd occations, and yt in their judgments both persons & things settled by him be soe as comfortably be confirmed, they may remayne as they are, or otherwise altered att their discretions; and they are to report things how they find them, to the next Generall Court, that then a full issue may

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* [Margin] "Mr. Ludlow his Apology for taking vp Vncos;"
† [Margin] "and to sett out himselfe and some others house lots to build on there."
be given to the matter in hand, as things shall then appear; and Mr. Governor and Mr. Wells were intreated to attend this service, and they are desired to conferr with the planters att * Pequannocke, to give them the oath of fidelity, make such free as they see fitt, order them to send one or two deputyes to the two Generall Courts in September and April, and for deciding of differences & controversies under 40s. among them, to p'pound to them & give them power to choose 7 men from among themselves, with liberty of appeale to the Court here; as also to assigne Sirieant Nicholls for the present to trayne the men and exercise them in military discipline; and they are farther desired to speake with Mr. Pruuden, and that Plan[tacon] that the difference betweene them and Pequannocke plantaçon may be peaceably decided, and to this end that indifferent men may be chosen to judge who have most right to the places in controversy and most need of them, and accordingly determined as shall be most agreeable to equity and reason.

[30] It is ordered that Mr. Willis, Mr. Webstr and Mr. Spencer shall review all former orders and lawes and record such of them as they conceive to be necessary for publique concernment, and deliver them into the Secretaryes hands to be published to the severall Townes, and all other orders that they see cause to omitt to be suspended vntill the Court take further order.

Mr. Fenwicke, Mr. Whiting, Mr. Hill and Mr. Ward are nominated by the Court to be presented to the vote of the Cuntrey for magistratts att the Court in April next, prvided Mr. Fenwicke and Mr. Whiting shall be freemen by that tyme.

The Townes of Hartford, Windsore and Wethersfield, or any other of the Townes within this jurisdiction, shall each of them haue power to dispose of their owne lands vndisposed of, and all other cofmdities arysing out of their owne lymitts bounded out by the Court, the libertyes of the great River excepted; as also to choose their owne officers, and make such orders as may be for the well ordering of their owne Townes, being not repugnant to any law here established, as also to impose penaltyes for the breach of the same, and to estreat and levy the same, and for non-payment to distrayne, and yf there

* [In margin] "Gou'r & Mr. Wells sent to Peq."
be noe personall estate, to sue to the Court to sell his or their house or land, for making satisfaction. Also each of the aforesayd Townes shall haue power by a generall consent once every yeare to choose out 3, 5 or 7 of their cheefe Inhabitants, whereof one to be chosen moderator, who having taken an oath pro-
vided in that case, shall haue a casting voice in case they be equall; wch sayd p'sons shall meett once in every 2 monthes & being mett together, or the maior part of them, whereof the moderator to be one, they shall haue power to heare, end and determine all controversies, eyther trespasses or debts not exceeding 40s. provided both partyes live in the same Towne; also any two of them or the moderator may graunt out suñons to the party or partyes to come to their meetings to answere the actions; also to administer oath to any witnesses for the clearing of the cause, and to giue judgment and execution against the party offending. But yf eyther party be grieved att the sentence, he shall haue liberty to appeale to a higher Court, prvided it be before judgment and execution be graunted. But yf it fall out there be noe ground for the appeale, the Court to confirme the judgment and giue good costs, and fine or punish the prty appealing.

The Townes aforesayd shall each of them prvide a Ledger Booke, with an Index or alphabett vnto the same: Also shall choose one who shall be a Towne Clerke or Register, who shall before the Generall Court in Aprill next, record every man's house and land already graunted and measured out to him, with the bounds & quantity of the same, and whosoever shall neglect 3 monthes after notice given to bring into the sayd Towne [31] Clerke || or Register a note of his house and land, with the bounds and quantity of the same, by the nearest estimaçon, shall forfeit 10s. and soo 10s. a month for every month he shall soo neglect. The like to be done for all land hereafter graunted and measured to any;* and all bargaines or morgages of land whatsoever shall be accounted of noe value vntill they be recorded, for wch entry the Register shall receaue 6d. for every parcell, delivering every owner a coppy of the same vnder his hand, whereof 4d. shall be for himselfe and 2d. for the Secretary of the Court. And the sayd Register shall, every Generall

*[In margin:] "Heere insert so much ye printed booke fol: 24: from A: to B."

5
Court, in Apryll and September, deliver into the same a transcript fayrely written of all such graunts, bargaines or ingage-
ments recorded by him in the Towne Booke, and the Secretary of the Court shall record it in a booke fayrely written
provided for that purpose, and shall preserue the coppy brought in vnder the hand of the Towne Clerke. Also the sayd Towne
Clerke shall haue for every serch of a parcell 1d. and for every coppy of a parcell ijd; and a coppy of the same vnder the hands
of the sayd Register or Towne Clerke and two of the men chosen to governe the Towne, shall be a sufficient evidence to
all that haue the same.

After the death and decease of any person possessed of any
estate, be it more or lesse, and who maketh a will in writing or
by word of mouth, those men wch are appointed to order the
affayres of the Towne where any such person deceaseth, shall
within one month after the same, at furthest, cause a true In-
ventory to be taken of the sayd estate in writing, as also take a
coppy of the sayd will or testament and enter it into a booke or
kepe the coppy in safe custody, as also enter the names vpon
record of the Children and Legatees of the Testator or deceased
person, and the sayd orderers of the affayres of the Towne are
to see every such will and Inventory to be exhibited into the
publique Court, within one quarter of a yeare, where the same
is to be registered; and the sayd orderers of the affayres of the
Towne shall doe their indeauour in seeing that the estate of the
Testator be not wasted nor spoyled, but improved for the best
advantage of the Children or Legatees of the Testator, accord-
ing to the mind of the Testator, for their and euer of their use,
by their and every of their allowance and approbacon. But
when any person dyeth intestate, the sayd orderers of the affayres
of the Townes shall cause an Inventory to be taken, and then
the publique Court may graunt the administracon of the goodes
and Chattells to the next of kin, jointly or severally, and divide
the estate to wifie (yf any be,) children or kindred, as in equity
they shall see see meet; and yf noe kindred be found, the Court
to administer for the publique good of the Comon, provided there
be an Inventory registered, that yf any of the kindred in future
tyme appeare they may haue justice and equity done vnto
them; and all charges that the publique Court or the orderers
OF CONNECTICUT.

of the affayres of the Townes are att about the trust committed to them, eyther for writing or otherwise, it is to be payd out of the estate.

Within 20 dayes after the end of this Court, the Secretary shall provide a copy of all the penall lawes or orders standing in force, and all other that are of generall concernement for the governement of the Commonwealth, and shall give direction to the Constables of every Towne to publish the same within 4 dayes more, att some publique meeting in their severall Townes, and then shall cause the sayd lawes and orders to be written into a booke in their severall Townes, and kept for the use of the Towne, and soe for future tyme for all lawes or orders that are made as aforesayd, each session of the Generall Courts; and once every yeare the Constables, in their severall Townes, shall read or cause to be read in some publique meeting all such lawes as then stand in force and are not repealed; and the Secretary of the Court shall have 12d. for the copy of the orders of each session of every generall Court, from each of the Townes.

Also, the Secretary of the Court shall have xijd. for every action that is entred, to be payd by him that enters the action, and he that is cast in the suit to allow it in costs.

Whatsoever member of the generall Court shall reveale any secrett wch the Court inioynes to be kept secrett, or shall make knowne to any person what any one member of the Court speakes concerning any person or businesse that may come into agitation in the Court, shall forfeit for every such fault ten pounds, and be otherwise dealt withall, at the discretion of the Court. And the Secretary is to read this order att the beginning of every generall Court.

For the better keeping in mind of those passages of Gods providence wch haue beene remarkable since our first undertaking these plantacons, Mr. Deputy, Capt. Mason, Mr. Stone, Mr. Goodwine, Mr. Chapleyn, and George Hubberd, are desired to take the pains severally in their severall Townes and then ioynlyt together, to gather vp the same, and deliver them into the generall Court in Aprill next, and yf it be judged then fitt, they may be recorded; and for future tymes whatsoever remarkable passages shall be, yf they be publique, the sayd partyes
are desired to deliver in the same to the generall Court. But yf any pticular prson desires to bring in any thing, he shall bring it vnder the handes of two of the aforementioned ptyes that it is true, and then present it to the generall Court, that yf it be there iudged requisite it may be recorded; provided that any generall Court for the future may alter any of the partyes beforementioned or add to them as they shall iudge meet.

The Court was dissolved.

[33] NoVembr the 7th, 1639. A Prticular Court.

Jno. Haynes Esqr., Mr. Wells, Mr. Webster, Mr. Phelps.

Richard Gildersley contra Jacob Waterhouse, in an action of debt. Jury find for plf. 14l. 18s. 9d. Costs & damages 6s.


<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a hogg.</td>
<td>2l. 0s. 0d.</td>
</tr>
<tr>
<td>Damages,</td>
<td>1. 17. 4.</td>
</tr>
<tr>
<td>Costs of suite,</td>
<td>0. 6. 0.</td>
</tr>
<tr>
<td></td>
<td>3. 17. 4.</td>
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</tbody>
</table>

The Court adviseth vpon informacon given that the levying of Mr. Michell his fine be forborne vntill the next Generall Court.

The Court admitteth the relict of Jno. Brundish of Wethersfield deceased to be Administratrix for the use of her and her children.*

Decr. the 5th, 1639. A Prticular Court.

Jno. Haynes Esqr., Roger Ludlow, Mr. Hopkins, Mr. Willis, Mr. Wells, Mr. Webster, Mr. Phelps.

Richard Westcoat contra Jno. Plum, in an action of trespasse, to the value of 10l. The Jury find for the plf. 6 Bushells of Corne: costs of suit 12s.

* An Inventory of the estate of John Brundish is recorded at page [70]
January 16th 1634

A General Court

Mr. Governor informed the Court that the occasion of calling them together at this time was on the m[is]pity of some who resided on what is called Nutmeg Island, they having sent word to them that they would come to their meet. A petition from a person bearing the name of Brown and another from Mr. Bannister to go with Mr. John Browne and another from Mr. John Brown from the town to the island, were presented by them to the Court.

Edw. Hopkins

(Secretary, 1639-1640)
Jno. Plum contra Wm. Westcoat in an action of the case, not performing the trust of a Cowkeeper, to his damage of 20l. The Jury find for the Deft.; costs 12s.

JANUARY THE 2d, 1639. A PARTICULAR COURT.

Wm. Clarke, servant to Jno. Crow, was fined 40s. for misde-meanor in drinking, and corporall punishment was remitted upon his promise of his care for the future to avoyd such occasions.

Execution was granted to Richard Westcoat.

It was thought fitt and ordered that Frauncis Norton and Thomas Coleman shall haue power to call before them such as Mr. Plum shall suggest to them, to be (as he conceaues) joint offenders in the damage layd vpon his swine in the case of Ric. Westcoat, eyther in regard of any other Cattle that were knowne to be in the sayd Corne, or weaknesse of fence, or neglects in keeping shutt any gate or gates into the sayd Corne, and ye,f they can with the consent of the partyes, to divide the sayd damages layd vpon Mr. Plum. But ye,f they agree not, to returne their opinions concerning the same into the Court.

[34] JANUARY THE 16th, 1639. A GENERALL COURT.

Jno. Haynes Esqr., Roger Ludlow Esqr., Mr. Willis, Mr. Hopkins, Mr. Webster, Mr. Welles, Mr. Phelpes.

Comittees. Mr. Steele, Mr. Spencer, Mr. Talcott, Jno. Pratt, Mr. Hill, Mr. Hull, Mr. Gaylord, Mr. Stoughton, Mr. Ward, Thurston Rayner, James Boosy, Ric. Crabb.

Mr. Governor informed the Court that the occation of calling them together att this tyme was att the importunity of o'neighbors of Wethersfeeld, who desired to haue some answere to their request concerning Vncoa, and therevpon he related that himselfe with Mr. Wells, according to the order of Court, went thither, and tooke a view of what had been done by Mr. Ludlow there, and vpon due consideracon of the same they haue thought fitt, vpon Mr. Ludlowes assenting to the tearmes propounded by them, to confirme the same.
It is ordered both for the satisfaction of those of Hartford & Windsore, who formerly mooved the Court for some enlargemeut of accommodation, and also for their neighbors of Wethersfeeld who desire a plantation there, that Mr. Phelps, Mr. Hill, Thomas Scott, Wm. Gibons, Robert Rose and James Boosy, shall as soone as with any conveniency may be, view those parts by Vnxus Sepus which may be suitable for those purposes and make report of their doings to the Court which is adiorned for that end to the 20th of Feb. att 10 of the clocke in the morning.

Febr. the 20th, 1639. A session of the Generall Courte.

Mr. Hull moved the Court in behalfe of Thomas Foard of Windsore, that in regard the workemen are much taken vp and employed in making a bridge and meeting house with them, and his worke hundred of impaling in the ground which was graunted him by the Court for a hogg parke, that there may be graunted him a yeare longer tyme for the fencing it in; which was vppon the reasons aforesayd condescended to.

Or neighbors of Wethersfeeld, in regard the weather hath not hitherto suited for the viewing of Vnxus Sepos, and that a General Court ere long will fall in course, intimated their willingness to deferr the issue of the busines vtill then; onely it was conceaued fitt and ordered accordingly, that Mr. Wells, Capt. Mason and George Hubberd be added to the former Comittee, who are with their view to understand the desires of their neighbors of Wethersfeeld, and to consider of such bounds as they judge fitt for them, and to returne their opinions to the Court.

Mr. Deputy was intreated to consider of some orders concerning an inquiry into the death of any that happen eyther accidentally or by violence, and for disposing the estate of persons that dy intestate, and for ye power of the magistrate in inflicting corporall punishment, and present it to the next Court, as also what course may be best taken with any that shall buy or possesse lands within this Jurisdiction, that the publique good may be best promoted.

The Court was dissolved.
[35]  **Febr. the 6th, 1639.** A Particular Court.

Jno. Haynes Esq.¹

Roger Ludlow Esqr., Mr. Willis, Mr. Hopkins, Mr. Welles, Mr. Webster, Mr. Phelpes.

Jno. Porter was sworne a Constable for Windsore, Nathaniel Eli for Hartford, Robert Rose for Wethersfeeld, for the yeare ensuing.

Whereas there was graunted the first of August last an execution to Roger Williams and others of Windsore, vpon the goodes of Mr. Mathew Allen, for 5l. damages and costs, in a tryall of 12 men, wch execution was served by the officer of the Court and goodes or Cattell sold for performance of the same, and the remainder offered by the sayd officer to Mr. Allen, wch he refused. The officer now brought fourer pounds six shillings into the Court, wch was delivered into the hands of Mr. Tres. vntill further orders.

Mr. Oldams estate being examined the account of it as it stands in this Jurisdiction is as followeth:

<table>
<thead>
<tr>
<th>Estate of Mr. Oldam deceased is debtor,</th>
</tr>
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<tbody>
<tr>
<td>£.</td>
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<tr>
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<tr>
<td>To Mathew Marvine,</td>
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<tr>
<td>To Richard Lord,</td>
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<tr>
<td>To Wm. Lewis,</td>
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<tr>
<td>To Edward Mason,</td>
</tr>
<tr>
<td>To Jeffery Ferris,</td>
</tr>
<tr>
<td>To Henry Browning,</td>
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<tr>
<td>To Thomas Staunton,</td>
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<tr>
<td>To Thomas Scott,</td>
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<tr>
<td>To Mr. Chapleyne,</td>
</tr>
<tr>
<td>To Mr. Pincheon,</td>
</tr>
<tr>
<td>To Andrew Warner,</td>
</tr>
<tr>
<td>To Edwa. Stebbing,</td>
</tr>
<tr>
<td>To Mr. Talcott,</td>
</tr>
<tr>
<td>To Mr. Jno. Haynes,</td>
</tr>
<tr>
<td>To Mathew Allen,</td>
</tr>
<tr>
<td>To Lieutenant Seely,</td>
</tr>
<tr>
<td>To Edward Hopkins, &amp; Mr. Mathew Craddocke,</td>
</tr>
</tbody>
</table>

| £133. | 0. | 9. |

Pc Contra is Credit,

By Lieutenent Seely, £28. 15. 2.
By Jno. Chapman, £4. 13. 0.
By Ric. Lawes, £6. 4. 11.
By Mr. Chapleyne, £39. 15. 2.
By Thomas Allen, £6. 16. 6.

Jan. the 6th, 1640.

Wm Lewis abated out of his debt on the other side 2l. 16s., wch he was to allow for a hogg he bought of Mr. Oldam.

It was thought fit and ordered that this Acc be sent to the Bay, and yf a just acc be also returned from thence in a rea-
sonable tyme, an equal division may be made of the whole; yf not, the estate here shall be divided among the Creditors here.

Frauncis Norton and Thomas Coleman deliuered into the Court their apprehensions touching the case betweene Mr. Plum and Ric. Westcoatt, wch being taken into full consideration by the Court, It was ordered that the judgment by the jury shall stand, and execution to be graunted to Westcoatt; but it is thought fitt that Jeffery Ferris shall allow Mr. Plum two bushells of Corne, towards the damages layd vpon his swine, in regard his fence is found to be insufficient, and his Cowes were proved to be in Westcoatts corne, and Mr. Chester is to allow Mr. Plum one bushell of Corne, in regard his bore was found to be in the sayd Corne as well as Mr. Plums.

[36] And it was further ordered that Jeffery Ferris, in regard he challenged the partyes interested by the Court for searching out the sayd businesse, not to be indifferent men, and denied to attend them according to the order of Court, shall pay as a fine to the Cuntrey 20s.; and in regard he was one occasion of much charge to Mr. Plum in bringing many witnesses this day, vpon his suggestion to the Court that they would not speake that that in the face of the Court wch they did before the Commissioners, wch was found otherwise, he was adjudged to pay 10s. to Mr. Plum towards his charges; and Richard Westcoat, for misleading Jno. Whitmore, was fined 10s. to the Cuntrey.

March the 5th, 1639. A Particular Court.

Jno. Haynes Esqr. Governor.
Roger Ludlow Esqr. Dep’ty.
Mr. Hopkins, Mr. Wells, Mr. Webster, Mr. Phelpes.

This present day there was returned into the Court by Mr. Gaylard, one of the overseers, a Copy of the estate of the children of Thomas Newbery deceased, dated the 10th of Febr. 1639, subscribed by Mr. Ludlow, Mr. Phelpes, Mr. Huett, Mr. Hill, George Hull and Wm. Hosford.

Whereas a difference hath arisen betweene Mr. Smith and some others of Wethersfeeld, about the measure of some ground,
Of Connecticut.

45

... being long debated it was thought fitt that it be referred to some indifferent men to issue, and Mr. Wells and Mr. Webster are intreated by the Court, in the first and fittest season to goe downe to Wethersfield, and to settle the same as in equity and justice they shall see fitt, that peace and truth may be continued. But it was judged very equall and reasonable, in regard Mr. Smith in setting vp his posts proceeded in a legall and iust way, that he be not putt to the charge of taking vp and setting downe his posts againe: the rule that Mr. Wells and Mr. Webster are to goe by is one of the other 3 ranges of meadow, and they may call whom they thinke meet in Weathersfield to assist in the busines.

Whereas there was an attachment graunted to Ric. Lord vpon the goodes of Thomas Allen, for 42s. 6d. debt and costs, the attachment was served and 6 cushions, 3 Barstable ruggs, 6 paire of Childrens shues, one paire of Boots, and an old Cloakebagg were put into the hands of Thomas Staunton vntill the action be tryed, and further order taken therein.

Mr. Deputy returned a recognisance into Court wherein James Northam was bound by him for his appearance this day. But he came not.

[37] Aprill the 2d, 1640. A Particular Court.


Mr. Willis, Mr. Welles, Mr. Webster, Mr. Phelpes, Mr. Hopkins.

Mary Brunson, now the wief of Nicolas Disborough, Jno. Olmested, Jonathan Rudd and Jno. Peerce were corrected for wanton dalliance and selfe pollution.

This day Rachel Brudish of Weathersfield presented an Inventory of her husbands estate,* wch amounted (all debts being payd) to 90l. 5s. 4d. and the house and land was rated at 130l. And it was thought fitt and ordered that the relict of the sayd Jno. Brundish shall haue to her owne use the 90l. 5. 4.; and the land with the house to be for the childrens portions, vizt. 30l. to the sonne and 25l. a peece to each of the 4 daughters to be

* Recorded at page [70.]
payd into the Court for their use when each of them come to the age of sixteene yeares and in the meane tyme the widow to haue the use of the land for bringing vp the children.

It was also ordered that yf the sayd Rachell doe thinke fitt to sell the house and land, she may haue liberty soe to doe, provided before she make any sale thereof she giue sufficient security into ye Court for the payment of the childrens portions at the tymes prefixed, and for the due education of them; and having soe done, she may make her best advantage of the sayd house and landes, provided also that yf any one or more of the children depart this life before they come to the age of 16 yeares, his or their portion is to be divided equally among those that survive.

[39] APRILL THE IXth. 1640. THE COURT OF ELECTION.

Mr. Hopkins Esqr. Gouer.
Mr. Haynes, Deputy,
Mr. Wyllis,
Mr. Ludlow, absent
Mr. Welles,
Mr. Phelps,
Mr. Webster,

Deputyes : Mr. Steele, Mr. Talcott, Mr. Spenser, Ed: Stebbing, Willm. Gaylard, Tho: Ford, Mr. Stoughton, Mr. Hull, Thurston Rayner, James Boosy, George Hubberd, Rich: Crabbe.

These were made Free:—


Hartford : Daniell Garrette, Robert Wade, Tho: Seldon. Mr. Parke at Wethersfyeld.

It is Ordered that the Gouernor shall giue Mr. Ludloe his Oath, for the place of Magestracy.

It is Ordered that yf any Indean be discouered by the Watch in the night wth in any of the Plantations of this Jurisdiction, or
be found by the ward in the day breakeing open any house or offering any desparate assault, which may indanger the life of any person, it shall be lawfull for the watch or ward in such case to shutte any such Indean or Indians, if he or they shall not subject themselves to the watch or ward. And that Tho: Steynton shall, within fowerteene dayes, giue notice of this Order to all the Chiefe Indians who haue ordinary recourse to these Plantations.

It is Ordered that the Towne of Wyndsor shall haue liberty, vntill the Generall Courte in September next, to bring in the Records of their lands.

It is Ordered that Mr. Haynes, Mr. Ludloe & Mr. Welles shall setle the diuision of the bounds betwixt Paquanocke & Uncowaye, by the 24th day of June next, according to their former Commission: And also that they tender the Oath of Fidelity to the Inhabitants of the said Townes, and make such free as they shall aproue of.

**Aprill the Xth. 1640.**

Forasmuch as many stubborn & refractory Persons are often taken within these libertyes, and no meet place yet prepared for the detayneing & keeping of such to their due & deserued punishement, It is therefore Ordered that there shall be a house of Correction built, of 24 foote long & 16 or 18 foote broad, with a Celler, ether of wood or stonne, according as Mr. Talcotte, Ed: Stebing, Tho: Ford and James Boosy shall thinke meete, who are chosen by the Courte to lette out the worke, appoynt out the place & to order and directe whatsoever occasions and businesses that may fall out for the compleate finishing the said house, which is to be done by the next Courte, in September.

Forasmuch as many Persons intangle themselves by rashe & inconsiderat Contracts for their future joyneing in Maridge Covenant, to the great troble and greife of themselves and their frynds; for the avoyding whereof, It is Ordered, That whosoever intend to joyne themselves in Maridge Covenant shall cause that their purpose of Contracte to be published in some publike place & att some publike meeting in the seuerall
Townes where such persons dwell, at the lest, eight dayes be-
fore they enter into such Contracte, whereby they ingadge
[41] theselves ech to other; and that they shall forbeare to
joyne in Marigde Couenant at lest eight dayes after the said
Contracte. And also the Magestrate who solemnizeth Mariedge
betwixt any, shall cause a record to be entered in Courte of
the day & yere thereof.

It is Ordered, that Mr. Moody of Hartford, and Ensigne
Stoughton of Wyndor, shall be p'sered Liuetenants, and Mr.
Rocester of Wyndor shall be p'sered Ensigne, for the severall
bands in the said Townes.

It is Ordered, that the Liuetenants & Ensignes shall be freed
frō watching & warding, and the Seargeant frō warding and
halfe their watch.

**April XI. 1640.**

It is Ordered, there shall be a Rate of a hundred pound
lewed vppon the Country, weh is to be p'portioned by Mr. Tal-
cott, Mr. Stoughton & James Boosy;—who haue p'portioned
the said Rate as followeth:

<table>
<thead>
<tr>
<th>Place</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>43l. 0. 0.</td>
</tr>
<tr>
<td>Wyndor</td>
<td>28. 10. 0.</td>
</tr>
<tr>
<td>Wethersfyeld</td>
<td>28. 10. 0.</td>
</tr>
<tr>
<td><strong>Sum</strong></td>
<td><strong>100l.</strong></td>
</tr>
</tbody>
</table>

Mr. Steele is returned Recordor for the Towne of Hartford,
and hath brought into the Courte 114 coppyes of the severall
pr'cells of land belonging to & conserneing 114 pr'sons.

Mr. Rocester is returned Recordor for the Towne of Wynd-
sor.

Mr. Michell is returned Recordor for the Towne of Wethers-
fyeld, but he is found vnceapable of the place, lying vnder cen-
sure of the Courte, and he and the Towne who chose him to
that place are to haue notice to apeare at the next adiourn-
ment of the Courte. They are to haue liberty to bring in the
Records of their lands vntill the Generall Courte in September
nexte.

The Courte adioyrned vntill the 2d Thursday in June, 1640.
The Particular Courte May the viii th, 1640.
Mr. Ed. Hopkins Esqir. Gou'r.
Mr. Haynes, Deputy.
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

George Abbott of Wyndsor, searuant to*
he is adiudged to pay five pound fyne for selling a pystoll &
powder to the Indeans, and to be bound to his good behauior.
He is to be disposed of by the Courte for further searvice, to
his Master or some other as they shall judge meete, for his pay-
ing the said fyne.

Simon Hoyette and his family are to be freed fro watch &
ward vntill there be further Order taken by the Courte.

Andrew Bacon and John Barnard haue returned into the
Courte a Inventory of the goods of Tho: Johnson deceased, to
the some of 11l. 5s. 10d.

At the request of Mr. Phelps, in the behalfe of Mr. Rocester,
an attachment is graunted for the Constable of Wyndsor to dis-
treyne & take into his custody 20 bush^ of Corne, of James
Nortons of Quinipwucke, and that to keepe vntill the said
James shall appeare at the Courte at Hartford and there an-
swere what shall be laid to his chardge.

Mr. John Shareman of Wethersfyeld is to be freed fro
watching vntill the Courte take further Order.

John Hopkins of Hartford is also freed fro watching vntill
further Order be taken by the Courte.

Whereas there was an Agreement betwixt the Inhabitants of
Wethersfyeld and Liuetenant Seely that the differences betwixt
them in sute for Lands, should be referred to Arbitriment by
partyes betwixt them agreed vppon, vizt. Mr. Hooker & Mr.
Welles, and in case they two should differ, they were to chuse
a third, for the issuing thereof, who did accordingly make choyce
of Mr. Webster, the Court also consenting thereunto, It is now
the Apprehension of the Courte that the foresaid partyes shall
stand to the award as yt is delinuered in by the said Mr. Web-
ster, vizt. That the said Inhabitants of Wethersfyeld shall pay
to the said Liuetenant, 150 bush^ of Corne, and this the Court
adiudgeth to be paid by ech mans proportion through't the

* This blank occurs in the original.
whole Meadowes. The said Liuetenant is also to be alowed 20s. for his chardges and delay of payment.


Mr. Ed: Hopkins Esqr. Gou'.
Mr. Haynes,
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

Ed: Veare of Wethersfyeld is fined Xs. for cursing & swereing, and also he is to sitt in the stocks at Wethersfyeld, two howers the next Trayneing day.

Willia. Hill of Hartford, for buying a stolen peece of Mr. Plums man, and brekeing open the Coblers Hogshed & Packe, for boath these mysdemenors hes fyned fower pownds to the Country.

Nicholas Omsteed for his laciuious caridge & fowle mysde- menors at sundry tymes wth Mary Brunson is adivjudged to pay twenty pownd fyne to the Country, and to stand vppon the Pillery at Hartford the next lecture day dureing the time of the lecture. He is to be sett on, a lytle before the begining & to stay thereon a little after the end.

The foresaid Nicholas Omsteed acknowledgeth hymself to be bound in a Recognizance of xxxl. to the Country, to repaire the foresaid next lecture day by nyne of the clocke to the Constable of Hartford, to submitt to the said judgment of the Courte.


Mr. Ed: Hopkins Esqr. Gou'.
Mr. Haynes, Deputy.
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

Deputyes:—Mr. Steele, Mr. Talcott, Ed: Stebing, Willm Gaylard, Mr. Stoughton, Mr. Hull, Thurston Raynor, James Boosy, Richard Crabbe.
OF CONNECTICUT.

It is Ordered, that if any deputy shall be absent vpon such occasion as the Gouernor for the tyme being shall approue of, or by the Prudence of God shall decease this life, wthin the adiynrment of any Courte, that yt shall be at the liberty of the Gou to send forth a warrent in such case, for supply there-of, vpon resonaile warneing.

It is Ordered, that the highway betwixt Hartford & Wynd-sor, as yt was laste sette forth vpon the vpland, shall be made sufficiently passable, by ech Towne lyeth wthin their owne bownds, wthin the space of on month, and there shall be liberty granted to use the highway through the meadowes vntill the said vpland highway be so sufficiently mended, for horse and drifte, as yt shall be aprooved of by Mr. Plum, James Boosy, Henry Wolcotte & Tho: Scotte, and then the highway through the medowe to cease.

Richard Gyldersly was conuented before the Courte for casteing out pritiuous speeches, tending to the detriment & dishonnor of this Comonwelth, and was fyned to pay to the Country forty shillings, and was bownd to his good behauior, in a Recognizance of 20/ to apeare at the next Generall Courte, to the wch he submitted himselfe.

Whereas the Dutch Cattle are impounded for trespassing the Englishmens Corne, It is the iudgment of the Courte that the Dutchmen shall be made acquainted wth the trespasse, and satisfaction demaunded, the wch if they refuse to pay, the Cattell are to be kepte in the pownd three dayes, and then to be pryzed & sold, and the trespasse to be satisfied, togetherness the chardge of impounding, keepeing & tending the said Cattle dureing their custody.

Yf Mr. Michell shall giue satisfaction to Mr. Chaplin in some publike meeting, as prte of his censure, by acknowledging his fault, in such forme and manner as he hath related to this Courte, It is referred to the prticuler Courte to continue or take off his former censure as they shall see cause.

The said Mr. Michell, for vndertaking the office of Towne Clarke or Recordor, notwithstanding his vncapablenes of such office by censure of Courte, he is fyned to pay to the Country twenty Nobles.

That prte of the Towne of Wethersfyeld who chose the said
Mr. Michill to office, notwithstanding the censure of Courte, are fined to the Country five pounds.

Its desired that Mr. Gouernor & Mr. Deputy should returne an answer to the laste letter sent from the Dutch Gouernor.

Mr. Gouernor, Mr. Deputy & Mr. Wyllis are desired to treate with the Ilandors & Vncuus, consenring the Mohegins kylling the Indean with a peecce, and to put yt to issue, if they can, or returne yt agayne to the Courte.

Forasmuch as our lenity & gentlenes toward Indeans hath made the growe bold & insolent, to enter into Englishemens howses, and vnadvisedly handle sowrds & peeces and other instruments, many times to the hazard of the lymb of liues of Englishe or Indeans, and also to steale diuers goods out of such howses where they resorte; for the pruenting of such mischeifs, yt is Ordered, that whatsoeu'r Indean shall hereafter medle with or handle any Englishemans weapons of any sorte, ether in their howses or in the fyelds, they shall forfeit for euery such default halfe a fadom of wampu; and if any hurt or injury shall followe, to any persons life or lymb (though accidental) they shall pay life for life, lymb for lymb, wound for wound, and shall pay for the healeing such wounds & other damages; and for any thing that they steale, to pay double, and suffer such further punishment as the Magestrats shall adiudge the. The Constable of any Towne may attach and areste any Indean that shall transgresse in any such kynd before mentioned, and bring the before some Magestrate, who may execute the penalty of this Order vpon offendors in any kynd excepte life or lymb; and any person that seeth such defaults may secute & shall haue halfe the forfeiture.

June the 15th, 1640. The Order concerning Artificers & laborers for wages, is renewed during the pleasure of the Courte.

The particular Courte is to conclude the conditions for the planting of Tunxis.

And also to secute the murtherers as they shall see cause, vpon consultation with the Bay and other neighbor Plantations aboute the sea coste.

It is Ordered, that the Magestrats shall send for the Tribuit of the Indeans aboute Cuphege, Vncoway & there aboute.
It is Ordered, that in all appropriated ground, the owners thereof shall bound every particular piece with sufficient merestones, and so to preserve & keep them.

It is Ordered, that Mr. Ludlowe, Mr. Hopkins & Mr. Blakman shall survey & divyde and sett out the bounds betwixt the Plantations of Cuphege & Vncoway, provided if they cannot accord, Mr. Welles at his next coming to those parts shall issue yt.

It is Ordered, that what persons or persons within this jurisdiction shall, after September, 1641, drinke any other Tobacco but such such as is or shalbe planted within these libertyes, shall forfeit for every pownd so spent five shillings, except they haue license from the Courte.

Whereas by an Order the 14th of January, 1640, none is to be chosen a Magestrate but such as are pounded in some generall Courte before, yet notwithstanding, as Cuphege & Vncoway are somewhat farre distant from this Courte, and there is a necessity of the dispensation of justice in those Townes, therefore in the meane & untill the next Generall Courte of Election, yt it thought meet & so ordered, that Mr. Willia Hopkins of Cuphege be a Commission to joyne with Mr. Ludlow in all Executions in their particular Courte or otherwise, & is now sworne to that purpose.

[46] Whereas by an Order the seaventh of December last, the difference betweene Mr. Allen & Wyndsor conceerninge land purchased of Plymoth, was, by consent, referred to Mr. Haynes, Mr. Ludlowe, Mr. Hopkins, & Mr. Phelps, to end the same, & what is agreed on by the is to be yielded vnto on both sides; according to which Order & reference we who are mentioned in the saide Order haue seriously weighed all such arguments as haue bine tendred vnto vs on both sydes, and we cannot see but Mr. Allen ought to be subiecte, for the said land & purchase, to the lawes & Orders and Jurisdiction of this Commonwealth, and by a necessary consequence, subject to that Plantation of Wyndsor, wherein the said land lies, & to all such resonable & lawfull Orders as are agreed there for the publike good of the same, and in equall portion to bear his share in all rates there, see as while he or his successors liue elsewhere then he or they are to pay only according to his portion of land there, & prett & benefitts thence arising, and such stocke as is resident or usually employed in & thereupon. And of judgment for the
present is, that the said Mr. Allen nor his successors should not be rated in any other place for that land and estate he hath there, as afores'd. It is intended that Mr. Allen haue notice giuen him, in convenient tyme, of all such orders as doe or may concern him, and that the orders, be such as ly wthin his compasse & power to accomplishe & prforme in a resonable way.

Dated the 4th of Ja: 1638, and subscribed by

Jo: Haynes,
Ro: Ludlowe,
Ed: Hopkins,
Will’ Phelps.

An Oath for Paqua' and the Plantations there.

I A. B. being by the Prudence of God an inhabitant wthin the Jurisdiction of Conectecotte, doe acknowledge myselfe to be subject to the goure'ment thereof, and doe sweare by the great and dreadfull name of the eternall God to be true and faythfull vnto the same, and doe submitt boath my p'son & estate thereunto, according to all the holsome lawes & orders that ether are or hereafter shall be there made by lawfull au-thority : And that I will nether plott nor practice any euell agaynst the same, nor consent to any that shall so doe, but will tymely discou" the same to lawfull authority established there; and that I will mayntayne, as in duty I am bownd, the honor of the same & of the lawfull Magestrats thereof, promoteing the publike good thereof, whilst I shall so continue an Inhabitant there, and whensou' I shall give my vote, suffrage or pr'xy, being cauled thereunto, touching any matter wh' consners this Commonwelth, I will giue yt as in my conscience may conduce to the best good of the same, without respect of p'son or favor of any man; so helpe me God in the Lo: Jesus Christ.

[48] July the 2d, 1640. The Pr'ticuler Courte.

Samuell Smith plc agt Andwe Waird.
Richard Coker plc agt John Cable.
Richard Lord plc agt Tho: Robinson.
Ed: Hopkins Esquire, Goue.
Mr. Haynes, Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.


John Haynes, Esquire, plt agt John Cockerryll defendt in an action of debt of xijd. The Jury find for the plan. The defendt is to pay damages xijd. and costs of sute viij s. The Courte graunts the pl execution agt the body or goods of the defendt for the foresaid damages and Costs.

Mr. Mytchel hath this day returned into Court his acknowledge to Mr. Chaplin, and for that, wth other considerations, for former extraordinary chardges whch he hath formerly borne for publike seruice at the Forte, the Court hath remitted his former censure.

Nicholas Senthion, for not appeareing to witnesse agaynst Aron Starke, is fyned to pay fiue pownd to the Country.

John Porter, one of the Constables of Wyndsor, is to keepe the said Aron Starke wth locke and chaine and hold him to hard labour & course dyet vntill he be cauled to bring him forth vppon the next somons.

The said Aron being accused of [bestiality, confessed that he had committed the crime.]

John Euens, for his contempte agt the Townsmen, is fyned xs.

Andrew Bacon and John Barnard an appoynted to sell the goods of the Cobler* deceased, formerly taken by Inventory given into Courte by the said partyes.

It is Ordered, that whosoeuer enters any action in the Court, the Plan. shall pay the costs of Court, though the action be not tryed, and the Jury to haue their p'ts.

George Wolcott acknowledge himselfe to be bownd in a Recognizance of ten pownd that his brother Henry Wolcott shall p'secut an action of the case & bring it to tryall agt

* Thomas Johnson. See account of sales, p. [75].
Church of Hartford, for impounding the hoggs of Henry Wolcott his father, and will subject to the issue thereof as yt shall be adiudged the next Court holden at Hartford.

Thos: Welles.

Henry Wolcotte plt agaynst Church defendt, in an action of the case, wherein the said Henry complaines agt the said Church for takeing into his custody & deteyneing thirty swyne of Henry Wolcotts the elder, father to the said Henry, to the damage of

Willia Whiting Gentm. plt. agt. Jaspr Rowlings defendt. in an action of debt 20s. debt.

Leonard Chester plt. agt John Edwards, Nathaniell Foote, defendt in an action of trespas, for brech of order; to the damage of 4 l.

Saqueston testifies in Court that he nevr sould any ground to the Dutch, nether was at any tyme conquered by the Pequoyts, nor paid any trybuit to the. And when he sometymes liued at Mattanag and hard by his fryends that liued here, that he and his men came & fought wth the.

Whereas there was an Order of Court made for the vewing of the hie waie leading frō Hartford to Wyndsor, amongst others, there was appoynted James Boosy and John Plum, who haue, according to direction of Court, vewed the same; and that pte wch was shewed vs by Tho: Scott, wch lyeth betweene Hartford Towne and the lyne wch deuid betweene yt and Wyndsor, we find to be mended sufficiently, so as men may both ryde and goe one foote, and make drifte of Cattle, comfortablie: but that parte in Wyndsor bound was nothing done when wee vewed yt, wch was about the seauententh of July, 1640.


September the 4th, 1640.

Henry Packs (?) his Wyll.

It is my Will to bestow vpon the Church the Clocke that Brother Thorneton had bought, to Mr. Wichfyeld my best Coate and whoight (?) Cappe, to Mr. my best doublets.
Ed: Masons Inuentory.
A true Inuentory of the goods and Chattells of Edward Mason of Wethersfyeld, late deceased, viz.

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<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
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<tr>
<td>Impr^s The Cloathes of the said Edward,</td>
<td>4</td>
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<tr>
<td>Itê, in Halle, brasse, Pewter etc.</td>
<td>7</td>
<td>16</td>
<td>0</td>
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<tr>
<td>Itê, in the parlour, a fetherbed, w^th chests, lynens and other things,</td>
<td>13</td>
<td>0</td>
<td>0</td>
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<td>Itê, in the Celler,</td>
<td>2</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Itê, Englishe Corne, w^th Indean Old and New,</td>
<td>41</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Itê, in the Chamber, a fetherbedde w^th others,</td>
<td>9</td>
<td>10</td>
<td>0</td>
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<tr>
<td>Itê, twenty sixe borrowe hogg^s,stores &amp; sowes,</td>
<td>31</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itê, 3 Ewes, one Ewe kydd, 2 weathers,</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itê, Tooles &amp; all other Implyments belonging to the trade of the said Edward</td>
<td></td>
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Valued p^r

Williâ Swayne,  
George Hubberd,

Test Leo: Chester.

[51]  

OATH FOR THE JURY.

You shall swere that you A. B. shall duly try the cause or causes now giuen you in chardge, betweene the pl^t & def^t or pl^ts & defend^ts, according to yo^r evidence giuen in Courte, and accordingly a true verdict giue; yo^r owne counsell & yo^r fellowes you shall duly keepe; you shall speake nothing to any one, of the busines & matters in hand, but amongst yo^r selues, nor shall you suffer any to speake vnto you about the same, but in Court: when you are agreed of any verdicte you shall keep yt secret till you deliuer yt vp in Court: so helpe you God.

SEPTEMBER THE X^th, 1640.

It is Ordered, that Ed: Hopkins Esq^r. now Gouernour, shall haue the benefitte and liberty of free trade at Waranocoe & att any place thereabout, vppe the Riuier, and all other to be re-streyned for the terme of seauen yeres, and the land to be pur-chased for the Co^m^onwelth.
The Generall Court, February the viijth, 1640.

Edward Hopkins Esq'r, Gour't.
John Heynes Esq'r, Depty.
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

Deputyes — Mr. Steele, Mr. Talcott, John Pratt, Ed : Stebbing, Samuell Smith, George Hubbert, James Boosy, Richard Crabb, Captain Mason, Mr. Hill, Mr. Hull, Will' Gaylord.

Forasmuch as Sequin hath so long delayed in making satisfaction for the mare that was killed by his Indeans, the Court thinks meet that a promptory answer be required of him, and in case full satisfaction be not thereupon giuen, that present intelligence shall be giuen to Quinipiouck & or' neighbour Plantations, that we shall accoumpte of him as or' enimy, in regard of that affront & many other insolent caridges of his, and shall speedily right or'selues of him. The Gouernour & Mr. Deputy are desired by the Court to agitate & issue the whole busines.

Forasmuch as the Court, takeing into consideration the present condition of these Plantations, doe find a great expence yerely to be laid out to fetch in supply frō other pts in such commodities as are of necessary vse, and not knowing how this Commonwealth can be long supported vnlesse some staple Comodity be raysed amongst or'selues whch may in some sort answer and defray the chardge,—haue therefore thought requisite that all incouridgement be giuen for the full imployment of men & cattle for the improuement of such ground as the Country affords for English grayne where yt may be raysed wh lst chardge ; for the speedy furthering thereof liberty is graunted to all such persons within these Plantations as stand disposed to imploy theseselues or their estats in husbandry as aforesaid, to find out any suitable ground within these libertyes yet vnposses, where the said Englishe grayne may be soonest raysed, and haue graunted to ech Teeme a hundred acres of plowing ground and twenty acres of meadow, prvided they improue twenty acres the first yere, whch is to be accoumpented frō the date of these presents, & eighty acres the second yeare, and the whole hundred the third yeare. And for the orderly preceeding therein,
the Court hath desiered the Wor\textsuperscript{11} Edward Hopkins Esq\textsuperscript{r}. Gour\textsuperscript{r}, Mr. Deputy & Mr. Willis to appoynt and sett forth the forme and order how ech mans p\textsuperscript{r}portion shall be laid out, togeth\textsuperscript{r} w\textsuperscript{th} a competent quantity of vpland to the same, and to alowe to the owner of ech Teeme a competent lott for a workman w\textsuperscript{ch} may be helpfull to manadge the busines and carry on the worke; as also to admit inhabitants (if any place so found out shall be judged meete for a plantatio) and to sett out their bownds; and those p\textsuperscript{s}sons who first giue in their names to the Comittee, to vndertake the worke and attend to haue their diuisions sett forth, shall be first searued in order as they com, next after the Comittee haue made choyce for theselues: But if any p\textsuperscript{s}on so vndertakeing the manadgeing of a hundred acres, or a lesse p\textsuperscript{r}portion, vppon the terms before mentioned, shall neglect to p\textsuperscript{r}forme the conditions before specified, or be vnable to accomplish the same, the Court hath researued power to dispossesse him or the of the ground, giueing such resonable satisfaction for the chardge bestowed thereupon as the said Court shall judge meete. And if any p\textsuperscript{s}on or p\textsuperscript{s}sons tendreing theselues to vndertake the manadgeing of 100 acres as aforesaid shall be judged by the Comittee vnable or vnmeet for the worke, not likely to p\textsuperscript{r}forme the conditions in so great a quantity, they may ether refuse to admitt such or alowe a lesser p\textsuperscript{r}portion to them.

It is also Ordered, that what stocke shall be remoued to any such place, shall be levied to the Towne fr\textsuperscript{o} whence yt came, as if yt were resident there; And the chardge disbursed for makeing wayes or any co\textsuperscript{m}on benefitt to such place, shall be paid by the land w\textsuperscript{th}in the said liberty, as yt shall be taken vppe \[57\] and possest. || But when such Place shall becom a Plantation & be at chardge to mayntayne Officers w\textsuperscript{th}in theselues, then other considerations may be had by the Courte.

Whereas yt is thought necessary for the comforable support of these plantations, that a trade of Cotten wooll be sett vppon and attempted, for the furthering whereof yt hath pleased the Gouerno\textsuperscript{r}, that now is, to vndertake the furnisheing and setting forth a vessell, w\textsuperscript{th} convenient speed, to those parts where the said co\textsuperscript{m}odity is to be had yf yt proue phesable: In considera-

\[57\]
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specified, It is ordered by the Authority aforesaid, that vppon the Returne of the said vessell, the Plantations by p'portion shall take of the said Cotten, at such valuable consideration as yt may be afforded, according as chardge shall aryse and acreue thereupon; the pay for the said Cotten wooll to be made in Enlishe Corne or Pype-staues as the Country shall afford: The p'portions to be diuiyded and laid vppon the Plantations by p'portion shall take of the said Gotten, at such valuable consideration as yt may be afforded, according as chardge shall aryse and acreue thereupon; the pay for the said Gotten wooll to be made in Englishe Gorne or Pype-staues as the Gountry shall afford.

And for the better p'searuing of Tymber, that the Country may haue p'visions of Pype-staues for the furthering the said trade of Cotten wooll, It is Ordered that no Tymber shall be felled w'thout the bownds of these Plantations, w'thout lycence frō the p'ticuler Courte, nor any Pype-staues to be sould out of the Riuer w'thout alowance frō the said Courte, nor transported into foraigne p'ts vntill they be vewed (by such Co'mitte as the said Court shall appoynt) and appr'ued by such to be vendable, boath for the goodnes of the Tymber, and due p'portion & size thereof.

The p'ticuler Court also is desiered to take order for the vewing of Pequot Country and disposing of the Tymber there, as also to settle Inhabitants in those p'ts yt they see cause, so far as yt may be acted w'thout chardge to the Country.

For the p'resenting of differenses that may arise betwixt the Plantations frō trespasses by Cattle w'ch are ofte necessitated, by reson of their bordering on agt another, It is Ordered, that Nathaniell Wa'rd, Andrewe Warner, Mr. Plum, Robert Rose, Mr. Porter & Tho: Ford, shall take into their serious considerations how the grownd belonging to the seuerall Plantations may be best impr'ued, so as to sute ech others conuenience, whereby their Corne may be p'serued and their Cattle keepte w'ch lest chardge of fencing or herding, as may most conduce to the co'mon good, and deliver in their app'hentions to the next Generall Court.

Whereas yt is obsearued that many skins and felts of Cowes & goats, through want of p'ruident p'searneing and seasonable bringing forth to dressing, suffer great losse, It is Ordered, that whatsoeu'r skins are or shall be in any mans hands w'thin these libertyes shall be carefully p'searued and seasonably brought in
to such as improve the, under such penalty as the Court shall inflict upon the neglect thereof, and that care be taken in fleeing the skins, the neglect whereof occasioneth great losse.

[58] Whereas yt is obserued as experience hath made appeare, that much grownd within these libertyes may be well improved in hempe & flaxe, and that we myght in tyme haue supply of lynnen cloath amongst ourselues, and for the more speedy procuring of hempseed, It is Ordered, that every particular family within these Plantations, shall procure & plant this present yeare at lest on spoonful of Englishe hempseed, in some fruitful soyle, at lest a foote distant betwixt our seed, and the same so planted shall preserve and keepe in husbandly manner for supply of seed for another yeare.

It is also Ordered, that the second yeare, every family that keeps a Teeme, though not aboue two or three draste Cattle, shall sowe the second yeare at lest on rood of hempe or flaxe, and eur person that keeps any Cattle, namely, cows, heifers or steers, shall sowe 20 pitcher, & eur family, though he keepe no Cattle, shall sowe ten pitcher, and ech particular of the foresaid families shall in husbandly sorte preserve & tend their several portions, or in default thereof are to undergo the censure of the Court.

It is further Ordered, that eur particular family within these plantations shall also provide this present yeere, at lest halfe a pound of hemp or flaxe.

It is Ordered, that Country Rates yet behind vpayd, shall be accepted by Mr. Tresurer in marchandable Indean Corne at three shillings the bush:

It is also Ordered, that whatsoeuer debts shall be made within the libertyes of these Plantations, after the publishing of this Order, ether by labour of men or cattle or contract for commodities, yt shall be lawfull for the buyer or hierer to pay it in marchantable Indean corne at three shillings fower pence the bush:

It is Ordered, that the late Order conserving Wampû at sixe a penny shalbe dissolved, and the former of fower a penny and two pence to be paid in the shilling shall be established.

The Order for the regulating of worke and wages is dissolved.
It is ordered that Mr. Heynes, Mr. Wells and Captain Mason shall goe downe to Paquanucke, to settle the bounds betwixt them and the Plantations on boath sids them, according as they judge equall, as also to heare and determin the difference betwixt the inhabitants of Cuphege amongst themselues. They also, wth Mr. Ludlow, are to require the Tribuit of the Indeans about those p’ts, that is behind vnpaid, due by articles formerly agreed vppon, as also to inquire out the pr’ticuler Indeans that are vnder ingadgement, wth the lymitts of the ground formerly belonging to them, and vppon refusall to proceed wth the as they shall see cause.

Mr. Willia Whiting of Hartford & Frances Styles of Windsor are admitted freemen.

Mr. Whiting & Mr. Allen of Hartford and Mr. Hill of Windsor are nominated to stand in election for magistrats the next Courte.

Vppon the heareing of Mr. Robert Saltingstons petition, the Court hath graunted that the Gouernour, Mr. Deputy, Mr. Willis & Mr. Welles shall heare and determin the pr’ticulers therein mentioned, pr’vided the Towne of Windsor consent thereunto, vnto wch reference the sd Mr. Saltingston hath agreed.

Arther Smiths sallery is to cesse after three months frō this pr’sent tyme.

It is Ordered, that the deputyes wch searue at any Generall Court shall be freed frō watch, ward & trayneing, vntill the next Court following that wherein they searued.

Mr. Webster and Mr. Phelps are desiered to consult wth the Elders of boath Plantations to pr’pare instructions agt the next Court for the punisheing of the sin of lying wch begins to be practised by many pr’sons in this Co mônwельth.

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**THE OATH OF A FREEMAN.**

I, A. B. being by the P’uidence of God an Inhabitant wth in the Jurisdiction of Conectecott, doe acknowledge myselfe to be subiecte to the Gouerment thereof, and doe sweare by the great and fearefull name of the euerliueing God, to be true and fayth-
full vnto the same, and doe submitt boath my person and estate thereunto, according to all the holsome lawes and orders that there are, or hereafter shall be there made, and established by lawfull authority, and that I will nether plott nor practice any euell agt the same, nor consent to any that shall so doe, but will tymely discouer the same to lawfull authority there established; and that I will, as I am in duty bownd, mayntayne the honner of the same and of the lawfull magestratts thereof, p'moting the publike good of yt, whilst I shall soe continue an Inhabitant there; and whensoeuer I shall giue my voate or suffrage touching any matter w^h consers this Common welth being cauled thereunto, will give yt as in my conscience I shall judge, may conduc to the best good of the same, w^thout respect of persons or favor of any man. Soe helpe me God in or Lord Jesus Christe.

Aprill the xth, 1640.

April the 10th, 1640.

Its the apprehensions of the Courte that by the meadow vndevided wth apportion of vpland, mentioned in the agreement betwixt the 34 men & the Towne & Church in Wethersfield, is vnderstood all the meadowing wthin the bownds of Wethersfield on this side the Riuer yet vndevided, wth apportion of vpland on this side & the other side the Riuer; And that the said 34 men haue an equall right or p^portion vnto the residue of the vpland vndevided, wth the Church and the residue of the Towne, ether in co\(\text{mon}\) wth the or in any other kynd, according as yt shall be Ordered by the three men chosen on ech side, or in case they differ, by the the said sixe men and a seventh man taken into the, according to the agreement before the Assembly, prueded this hinderers not the nyne men fr\(\text{o}\) acting according to the agreement by the Counsell in deuisions that are in hand.

There is 15 acres for Mr. Deynton and a frynd of his, to be sett out by the foresaid sixe men, wth two howse lotts and p^portion of vpland thereunto belonging.
The Generall Court. Aprill the ixth, 1641.

John Heynes Esq'. Gouer's.
George Willis Esq'. Deputy.

Magistr's:—Ed: Hopkins Esq', Rodger Ludlow Esq', absent; Mr. Will: Hopkins, absent; Mr. Phelps, Mr. Webster, Mr. Whiting, Tresurer, Mr. Welles, Secretary.

Deputyes:—Mr. Steele, Mr. Taylcoate, Ed: Stebbing, Capten Mason, Mr. Hull, Mr. Gaylor, George Hubberd, Samuell Smith, Richard Crab, James Boosy; John Pratt, absent; Tho: Ford, absent.

For the better preserving of Corne and meadow on the east side of the Greate River, yt is Ordered, that there shall no hoggs or swyne of any sorte be put ouer thither or keepte there at any tyme after the publishing this Order, within the tearme of on yeare, and all those that are now at this present on that side, are to be remoued thence within on weeke after the publisheing hereof, vnder the penalty of five shillings upon euery hogge for euery weeke that any such remayne there.

Notwithstanding the late Order concerning the restraynt of excesse in apparrell, yet divers persons of seuerall ranks are obsearued still to excedde therein: It is therefore Ordered that the Constables of euery Towne within these libertyes, shall obsearue and take notice of any particular person or persons within their seuerall limitts, and all such as they judge to excedde their condition and ranks therein, they shall present and warne to appeare at the particular Court; as also the said Constables are to present to the said Court all such persons who sell their commodietyes at excessive rats; And the said Court hath power to censure any disorder in the particular before mentioned.

Whereas yt was Ordered that euery family should plant a spoonefull of hempe seed, at a foote distant euery seed: vpon complaint that the said hempseed cannot be p'cured, It's Ordered, that such persons who haue aboue the quantyty of a spoonefull, and deny to sell to others that are vnprouided, they shall plant so many spoonefulls themselves, according to the said Order, as they deny to sell to others that want and desire to buy yt of the at a resonable rate.

Vpon Mr. Wyntrops motion to the Courte for Fyshers Iland, It is the mynd of the Courte, that so farre as yt hinders
the Lake. Under the direction of every of ourvdwn.

Theretofore, and for the benefit of all mankind, and it is of

The whole of our states, and forever after shall remain and

The foregoing signed by the several persons named in the

(John Well)
OF CONNECTICUT.

not the publike good of the Country, ether for fortifieing for
defence, or setting vppe a trade of fisheing or salt & such like,
he shall haue liberty to proceed therein.

Its Ordered, that the Plantations shall alow tenn poumd to
the Gouernour and others that vndertake wth him to send sixe
men to abyde in Mohegin country for to plant corne, neere
Vncoas, for the incouridgement of his men to stay wth him,
the wch sixe men are to remayne in the said Parts to the end
of their haruest.

Rich: Gyldersly his fyne of 40s. is to be forborne vntill the
Generall Court in September.


Forasmuch as the Court haueing lately declared their appr-
hensions to the Country conserneing the excesse in wages
amongst all sorts of Artifciers and workemen, hoping thereby
men would haue bine a law vnto theselves, but finding little
reformation therein, The said Court hath therefore Ordered,
that sufficient able Carpenters, Plow wrts, Wheelewrights, Ma-
sions, Joyners, Smithes and Coopers, shall not take aboue 20d.
for a dayes worke fr6 the xth of March to the xith of October,
nor aboue 18d. a day for the other pte of the yeare, and to
worke xi howers in the day the sumer tyme, besides that wch is
spent in eateing or sleeping, and ix howers in the wynter: also,
mowers, for the tyme of mowing shall not take aboue xxd. for
a dayes worke.

It is Ordered, also, that all other Artificers, or handicrofts
men and cheife laborers shall not take aboue xviijd. a day for
the first halfe yeare as aforesaid, and not aboue 14d. p\textsuperscript{r} day for
the other p\textsuperscript{r}te of the yeare; and w\textsuperscript{r}souer worke is lett or taken
by the great or p\textsuperscript{r}sell, by any workemen, laborers or artificers
w\textsuperscript{r}souer, shall be valued by the p\textsuperscript{r}portion aforesaid.

Also, Sawyers shall not take aboue 4s. 2d. for slitt worke or
three inch planke, nor aboue 3s. 6d. for boards, by the hundred.
Also, boards shall not be sold for aboue 5s. vid. the hundred.

It is also Ordered, that fower of the better sorte of Oxen or
Hорsses, w\textsuperscript{r} the tacklin, shall not be valued at aboue 4s. xd.
the day, frō the xi\textsuperscript{th} of March to the xi\textsuperscript{th} of October, and to worke frō the xi\textsuperscript{th} of March to the xi\textsuperscript{th} of May vj howers, and frō the xi\textsuperscript{th} of May to the xi\textsuperscript{th} of October viij howers, except they be imployed in breakeing vp of vpland grownd, for wch worke they are alowed 4s. xd. though they worke but vj howers: also the said cattle shall not be alowed aboue 4s. pr day frō the xi\textsuperscript{th} of October to the xi\textsuperscript{th} of March, and to worke sixe howers, and so for a greter or lesser nuber of Cattle according to the said prportion.

And yts Ordered, that if any prson ether directly or indirectly, shall giue or take any greter wages for the worke ether of men or cattle then the pryses before mentioned, shall abyde the censure of the Court.

[78]

September the 2\textsuperscript{d}, 1641.

John Haynes Esq\. Gouer\.  
George Willis Esq\. Deputy,  
Ed: Hopkins Esq\#, Tho: Welles, Mr. Phelps, Mr. Webster.  
The Jury.—Mr. Plum, Jur. Tho: Stolton, Henry Clarke,  
John Byssell, Henry Wollcott, Robert Parks, Robert  
Rose, Robert Abbott, John Talcott, Will: Lewis, John  
Clarke, Andrew Bacon ; Jur.  

Mathew Allen pl\# ag\# John Coggen deff, in an action of  
slander, to the damage of a thousand pownds The Jury find  
for the pl\# da\#ages 20l. Costs vijs. Mr. Hill hath vndertake  
to satisfie the 20l. for Mr. Allen, when the Court shall require  
yt.

Tho: Munson pl\# ag\# John Hall defend\#, in an ac\# of defa-  
mation. The Jury find for the pl\# da\#ages 20s. Costs, vijs.  

Frances Styles pl\# ag\# Ed: Hopkins Esq\#, defend\#, in an ac-  
tion of the Case. The Jury find for the pl\# da\#ages xv\#. xs.  
Costs, vijs.

Samuell Gardner for his affront of the watch is fyuned xs, and  
is to acknowledge his fault the next trayneing day.  

Robert Saltingston gent. plan\# ag\# Edward Hopkins Esq\#,  
defend\#, as an assigne to Mr. John Woodcoke, in an action of  
the case, to the da\#age of 200l.
For the 4th action of Math: Allen Plt agt John Coggen defd, the Jury find for the plt damages xx/. Costs, vijs.

Mr. Hill of Wyndor vndertaks to satisfie Mr. Allen the 20/. for Mr. Coggen when the Courte shall appoynt yt.

For the 5th acn of John Coggen plt agt Math: Allen defn, the Jury find for the defen. Costs vijs. Mr. Coggen denied to appeare to his action wth the Jury was cauled to giue in their verdicte, aleading he hath not his full testimony.

[79] Mr. Robert Saltingston hath an attachment graunted agt Mr. Edward Hopkins, whereby he hath attached halfe the Myll standing by the New Bridge.

[80] A Generall Court held the ixth of Sep: 1641.

John Haynes Esqr. Gour.
George Willis Esqr. Deputy.

Ed: Hopkins Esqr, Mr. Welles, Mr. Phelps, Mr. Webster.

Deputyes:—Mr. Steele, Mr. Talcott, Ed: Stebbing, John Pratt, Capten Mason, Mr. Hill, Mr. Hull, Mr. Clarke, Mr. Swayne, Nath: Foote, Robert Rose, Samuell Smith, John Burr, John Sticklin.

The Order for the restreyneing of the felling of Tymber is repeled, pruided that no Tymber be falen wthin three myles of the mouth of Matabezeke river, nor at unseasonable tymes, vizt. frō the beginning of Aprill to the end of Septeber, and that it be improued into pipestaues or some other marchantable commodity wthin on month after the felling thereof, or carted togather; and that the Tymber so improued shall not be transported frō the Riuier but for dischardge of debts or fetching in some necessary provisions.

It is Ordered, that the size of Pipestaues shall be 4 foote 4 inches in length, halfe an inch at lest in thicknes, besids the sappe: they are to be 4 inches in breth, if vnder to goe for halfe staues, and non are to goe if vnder 3 in breth. And there shall be appoynted in every Towne wthin these libertyes, one experienced man to vew & obsearue all such staues as aforesaid, and ech p'sell by him approued of shall be sealed, who shall be sworne to that searuice. And all such p'sells so
approved & sealed, shall passe to the Marchant at 5l. the thousand, to be deliuered at the Riuers mouth, at wch place the Country hath vnertook to prvid for Mr. Hopkins, by the beginning of June next, 70000, vizt. Wethersfield 30000, Wyndsor, 20000, Hartford 20000, if Mr. Hopkins can pruid shipping and aford to giue that price.

Mr. Hopkins is desiered by the Courte, if he see an op'tunity, to arbitrate or issue the difference betwixt the Dutch and vs, as occasion and op'tunity shall be offered when he is in Ingland.*

Mr. Fowler, Mr. Astwood & Mr. Tappe of Mylford are desiered by the Courte as neighbours (if they please to take such paynes,) to settle the bownds betwixt Paquanucke and Vnco-way, as they shall judge meete, or vppon their suruey thereof to report their app'hensions to the seuerall Townes, vppon wch if they shall not accord and consent thereunto, the Court will thereupon issue the same.

Mr. Gouernr and Mr. Whiting are desiered to take the late Tresurier's accompt.

Mr. Willis and Mr. Hopkins are desiered, if they haue an op'tunity, to further the league of Vnity wth the Bay.

The Gouernour, Mr. Phelps and Capten Mason are desiered to treat wth Mr. Phenicke, conserneing liberty for making salt in Long Iland and takeing fishe, who haue power also to contract wth whó they can prcure for effecting the same.

For the pruenting and avoyding that fowle and grosse sin of lying, yt is Ordered, that when any prson or prsons shall be accused and proued guilty of that vice, yt shall be lawfull for the pticular Courte to adiudge and censure any such prty, ether by fyne or bodily correction according as they shall judge the nature of the fault to require; this to hold to the next Court.

It is Ordered, that whosoever trads for any Indian planted Corne, after the publisheing this Order, shall pay to the Country 4d. for euery bush: pruided they buy it not for to supply their owne necessit.

The Secretary is appoynted to giue to Mr. Hopkins, vnder his hand, the nuber of the bush: of Corne pr'sented to the Courte by the Plantacons.

* See a letter from Sir Wm. Boswell, English ambassador at the Hague, in relation to the encroachments of the Dutch—in Appendix, No. 1.
A Generall Court held the ixth of November, 1641.

John Heynes Esq'r. Gouern'.
George Willis Esq'r.
Mr. Welles, Mr. Phelps, Mr. Webster, Mr. Whiting.

[Deputies:—Mr. Steele, Mr. Talcoat, Ed: Stebing, John Prat, Mr. Plum, Mr. Swayne, Samuell Smith, Nath: Foote, Capten Mason, Mr. Hill, Mr. Hull, Will' Gaylard.

Whereas by reason of the great scarcity of mony, execution being taken of seuerall persons goods, that have bin sold at very cheap rats to the extreame damage of the debtor, It is therefore Ordered, that whatsoever execution shall be granted upon any debts made after the publisheing this Order, the Creditor shall make choyse of one p'ty, the debtor of a second, and the Court of a third, who shall pryse the goods so taken vppon execution as aforesaid and deliver the to the Creditor.

The former Order concerninge the payment of debts to be made by Indean Corne is repealed.

It is Ordered that Mr. Welles, Mr. Steele, Mr. Plum and James Boosy shall runne the lyne west into the Country betwixt Hartford and Wethersfield, to begin at the great Riuer against the marked tree.

The Country Rate of *granted the last Court may be paid in Old Indean Corne at 3s. the bushl new at 2s. vid, Inglishe wheat at 4s.

Its Ordered, that 160 bushl of Corne shall be sent in by the Country to the Gouernour, to be levied vppon the Townes by the p'portion of the last rate.

The Cort is adiournd to the first Wensday in January, to meet at the Gouernours house after the Lecture.

Decr. the ixth, 1641. The Particular Court.

John Heynes Esq'r. Gour.
George Willis Esq'r. Depty.
Mr. Whiting, Mr. Webster, Mr. Welles.

The Jury.—Andrew Bacon, Jur: Tymothuy Standly,

Frances Styles plt agt Robert Saltingston, gent., defent, in an action of the Case to the damage of 70l. The Jury find for the plt damages 51l. Costs vijs.

Robert Saltingston, gent., plt agt Frances Styles defent, in an action of the Case to the damage of 800l. The Jury find for the defent. Costs xs.

Frances Styles plt agt Robert Saltingston, gent., defent, in an Action of debte to the damage of 100l. The Jury find for the plt, eighty one pownd twelve shillings damages according to the award, and the double costs of the Court.

Robert Saltingston gent. plt agt Frances Stiles defent, in a second action of the Case to the damage of 500l.

Robert Saltingston gent. plt agt Frances Stiles defent, in a third action of the Case, to the damage of 50l.

The Jury is to be warned for Thursday com fortnight.

[86]

January the 5th, 1641.


George Willis, Esq. Dep.

Mr. Welles, Mr. Phelps, Mr. Webster, Mr. Whiting.

[Deputyes ]—Mr. Steele, Mr. Tailcoate, Ed: Stebbing, Jo: Pratt, Mr. Plume, Mr. Swayne, Saı̈: Smith, Nath: Foote, Capten Mason, Mr. Hill, Mr. Hull, Will’ Gay-lard.

Mr. Huits Petition for the Iland at the Falls, is graunted.

Its Ordered, that Capten Mason shall haue 500 acres of grownd, for him and his heires, about Pequoyt Country, and the dispoyse of 500 more to such souldears as joyned wth him in the searuiice when they conquered the Indeans there.

The Court adiorned to the 19th of this month. . . . To the 26th. . . . To the first Wensday in March.

The Courte desiereth Mr. Whiting, Capten Mason, Mr. Pluın and Henry Clarke to take course for the pçureing some pieces of Ordnance from Piscataq’ or elsewhere; the frayght is to be
at the chardge of the Country. And also to take order for erecting some fortifications where they thinke meete for searvice, and to doe therein as they shall see cause.

Yf The Towne of Windsor puid a Ferry Boate to attend the River, they are to be alowed 3d. for a single Passenger and two pence a person w^a they carry more then one att a frayght, and twelue pence for a horse.

[88] The Generall Courte for Election of Magistrats,
the second Thursday in Aprill, 1642.

George Willis Esq^r, Gou".
Roger Ludlow Esq^r, Dep.

Magestrats: John Haynes Esq^r, Mr. Phelps, Mr. Webster, Capten Mason, Mr. Welles, Mr. Whiting: these p^sent. Ed: Hopkins Esq^r, Will’ Hopkins: absent.

Deputyes: Mr. Steele, Mr. Taylcoate, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Hull, Will’ Gaylard, Henry Clarke, Mr. Pluû, Mr. Swayne, George Hubberd, James Boosy, Phillip Groues.

It is the app^hension of the Generall Courte that the p'ticular Courte should not be inioynd to be keepte aboue once in a quarter of a yeare.

It is ordered, that the p'ticular Courte shall haue liberty to dispose of ten thousand acres of grownd in Pequoyt Country, as yt lyeth togather, w^th lest p'judice to others that may hereafter succeed thë, for the further planting the Country.

Its Ordered, that the Gou'nor and Mr. Heynes shall haue liberty to dispose of the ground vppon that p'te of Tunxis River cauled Mossocowe, to such inhabitants of Wyndsor as they shall see cause.

It is Ordered, that there shall be an Artillary Yard, where the Company shall haue liberty to exercise their Arms once a month, and chuse their Officers according to the course of Artillary men, and there shall be 300 acres of grownd alowed thereunto for their incouridgement therein, in some conuenient place, where yt may be found for the benefitt and vse of the Company successively.
It is Ordered, that there shall be a restraynt for any person within this Jurisdiction from trading with Indians in Long Island, until the Courte in September com twelue month, only Tho: Steynton and Richard Lord have liberty to goe one voyage, for the putting off the small commodities they have spared for that end, and to gather in their old debts.

Tho: Ford is to enjoy the 200 acres of ground formerly granted to him, and his neglect of improving yt, within the time formerly limited, is remitted.

The Courte adjoyned to the last Wensday in this month.

The Courte adjoyned to the xi\textsuperscript{th} of May.

**May the xi\textsuperscript{th}, 1642.**

Its Ordered, that the magistrates, or the greatest part of them, shall have liberty to agitate the busines betwixt vs and the Dutch, and if they thinke meete to treate with the Gouernor concerning the same.

It is granted, that Wyndor lyne shall run upon Mr. Saltinngstall his land, neere the falls, according to their other lots, spared yt spared not aboue a poynet and halfe towrds the north, and yt prejudice Mr. Saltingstall shall susteyne thereby, the Country shall make good.

And whereas the foresaid ground formerly granted to Mr. Saltingstall, was to have been impaled within three yeares after the grant, he is now released of that ingadgement, and the land confirmed to him. He, the sd Mr. Saltingstall doth promise to lend the Country two pieces of Ordnance, Sakers or Minions, and if he require the before the Country can spare the, he is to pay for the frayght.

[89] It is ordered, that no man within these liberties shall refuse marchantable Indean Corne at the rate of 2s. vid. the bushel, for any contracte made for the labour of men or cattell or commodities sold after the publisheing this Order.

The Courte is adjoyned to the last Wensday of July, excepte the Gouer see cause to call it before.

May the 2d. The Court hath appoynted that Mr. Hill shall satisfie Mr. Coggens debte of 20l. to Mr. Allen, within a month after the date hereof, according to his promise, vpon the verdict of the Jury vpon the sute of the action of slaunder.
July 25th, 1642. The Court is adioynred for a fortnight.
August the 9th. The Courts dissolved.

A Generall Courte, August the 26th, 1642.

Roger Ludlow Esq', Deputy.
Jo: Heynes Esq', Mr. Welles, Mr. Phelps, Capten Mason.
[Deputyes] Mr. Steele, Mr. Talcote, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Hull, Mr. Clark, Will'. Gaylord, Mr. Swayne, Mr. Parke, George Hubbert, Robert Rose.

It is Ordered, that there shall be a letter writt fro the Courte to the Bay to further the prosecution of the Indeans, to p'uent their mischeuos plotte in their late Combination.*

It is Ordered, that the Clarke of the band in euery Towne wthin these liberties, shall haue an Oath giuen him by the Gou'nour or some Magistrate, to vewe the arms in their seu^all Plantations, and make returne of such as are defectiue or want the quantity of powder or bullitts according to Order of Courte, and also of such as are absent at tymes of Trayneing.

It is Ordered, that the Inhabitants wthin these liberties shall not suffer any Indean or Indeans to com into their howses, only the Magistrats may admitte of a Sachem, if he com not wth aboue two men.

It is Ordered, that there shall be a gard of 40 men to com compleat in their Arms to the meeting euery Sabbath and lecture day, in euery Towne wthin these liberties vpon the Rier.

* "The letters and other intelligence" from Connecticut, relating to the alleged designs of Miantonimo "to draw the Indians into a confederation" against the English, were laid before the General Court of Massachusetts, at its session in September. Information of the plot had been communicated to Mr. Ludlow, then residing at Uncowa, (now Fairfield,) by one of the neighboring Sachems, about the 20th of August. See, in Mass. Hist. Coll. 3d Ser. iii. 161, "A true relation of a conspiracy of Maantanemo, the great Sachem of the Naragancetts, Soheage or Bequin, the Sachem of Matabeseeck, and Sasuwin or Sequassen, the Sachem of Sicaogg, for destruction of the English and generally throughout New England, as it hath beene discovered by a Sachem living neere Mr. Ludlowe, as also of another Indian of Long Island to Mr. Eaton of New Haven, and of another Indian in the River of Connecetcut."
Septem 5th, 1842. The Courte manifest their willingnes, according to their abilities, to further the imployment of the Shipcarpenter & Roper motioned by Mr. Whiting.

The Court agree to take an Oath to keepe secret what they shall determine and conclude to conceale, as followeth:—

There shall be a Comitte chosen to make preparation agt [*] and the murtherers, (this to be kept secret,) and to defeat the Plott of the Indeans meeting about Tunxis.

[90] The Gou'r, Mr. Heynes, the Capten and the rest of the Magestrats, are chosen for a Comitte to agitate the businesses before mentioned.

Septem the 8th, 1642.

George Willis Esqr'. Go'r.
Jo: Heynes Esqr', Mr. Welles, Mr. Phelps, Capten Mason.
[Deputyes :] Mr. Parke, Mr. Swayne, Mr. Clarke, Wm. Gaylord, Andrew Bacon, Mr. Talcot, Mr. Westwood.

Forasmuch as the Indeans growe insolent and combyne these togeather, being suspected to prepare for warr, It is Ordered, that no Smith within these libertyes shall doe any worke for the, nor any person within these libertyes shall trade any Instrument or matter made of iron or Steele within the, nor deliver any that are alreddy made, without licence from two Magistrats, nor buy any of their venison vntill further liberty be graunted.

It is Ordered, that eu'ry Towne within these libertyes, prepare caridges for the pieces that cam fro' Piscataq'.

It is Ordered, that for the securing of the Plantations there shall be two wards men at lest, in eu'ry seuerall Towne within these libertyes, to give notice of any sudden daynger that may com vppon the Plantations, and to execute the Order for keeping out Indeans; And also that there remayne within eu'ry Towne a competent number of men dayly, for the defence thereof, vizt. Hartford 40, Wyndsor, 30, Wethersfield 20.

* Blank in the original. The order doubtless refers to Sowheag or Sequin, who had been charged with secreting the murderers of the English.
Its agreed that Wyndsor shall take offe the worth of 90l. in Cotten Wooll, frō Mr. Hopkins; Wethersfield, the worth of 110l.; Hartford 200l.; wth liberty to the Plantations to prpor- tion yt according to their former Rats, if Wyndsor and Wethersfield shall wthin on month desire yt.

The Courte is adiyrned for a month, vnless the Gou" see cause to caull yt sooner.

Sept. the 17th, 1642.

Its Ordered, that the Clarke of the Band in euery Plantation wthin these Libertyes, shall giue in to the deputyes of their seu'all Townes, an exacte list of all the Trayne men frō 16 yeares to 60: and the deputyes to deliu' the same to the Coṁ- itte who haue power to levy the said Townes for the p'secution of the warre.

Sept. 29th, 1642.

The Courte aduiseth that a letter be returned to the Dutch in answer to their letter brought by Mr. Whiteing. Mr. Heynes, Mr. Hopkins and Mr. Whiteing are desiered to write yt, as also to write to Mr. Dudlie and Mr. Bellingha conserving what the Dutch Gouernor reporteth that they haue wrote to him about o" differences etc.

That the Country may be better enabled to kill yearely some Beves for supply of Leather, It is Ordered, that no Calues shall be killed wthin these Plantations, wthout the approbation of two men wthin ech Towne, by the Court to be appoynted for that searuice, vppon forfeiture of ten shillings to the Country. For Hartford, Wm. Butler, George Steele; Wyndsor, John Bissell, John Portor; for Wethersfield, Leo: Chester, Rich: Trotte.

Vppon a bill exibited by Mr. Tailcoate, there appeareth due to Mr. Eldridge, 4. 4. 6.

October the 4th, 1642.

Its ordered, there shall be 90 Coats p'vided wthin these Plantns, wthin ten dayes, basted wth cotten wooll and made defensiue ag' Indean arrowes; Hartford 40, Wyndsor 30, Wethersfield 20.
The Courts adiorned for a month, vnles the Gou'r see cause to call yt sooner.

THE PRIO'r COURT, 14th of Octob'r, 1642.

George Willis Go'r, Esq'.

Jo: Heynes Esq', Ed: Hopkins Esq', Mr. Phelps, Mr. Webster, Mr. Whiting, Mr. Welles.


The ac'n of Seargeant Fyler pl't. in the behalf of the Towne of Wyndor ag't Mat: Allen, def't, in an ac. of the Case. The said Math: Allen is to pay costs for non apperance viijs. vid. The Court following, Seargeant Fyler was adjudged to pay the said costs, having made a reference before the sute.

The sute of Ephraim Huit pl. ag't Tho: Steynton, is wth-drawn by consent.

Bray Rocester pl. ag't Wyddow Hudgison, Executrixe to Will' Hudgison, defen't, in an action of debt to the damage of 16/.

Whereas many sutes com into the Court ag't Tho: Marshfield, and he is wthdrawen and non soluit, The Court hath apjoynted Henry Woolcott & Tho: Ford to take into their chardege or custody all the estate, goods & chattells of the said Tho: Marshfields, as they shall be able to discour yt, and to dispose of yt to the best advantage for the vse of the creditors, and the same to accoumpt to the Court w'n they shall be there-vnto cauled.

Mr. Eldridge pl. ag't Tho: Marshfield def't, in an ac. of debt to the damage of 12/.

Henry Woolcott pl. ag't Tho: Marshfield def't, in an ac. of the case to the damage of 40/.

In the ac. of Richard Trott and Samuell Smith ag't John Plum def't, the Jury find for the pl's. Dañages 15s. Costs viijs. ijd. Execution graunted.
[92] Capitall Lawes established by the Generall Court, the first of December, 1642,

1. Yf any man after legall conviuction shall haue or worship any other God but the Lord God, he shall be put to death. Deu: 13. 6, & 17. 2: Ex: 22. 20.

2. Yf any man or woman be a witch (that is) hath or consulteth wth a familiar spirit, they shall be put to death. Ex: 22. 18: Lev: 20. 27: Deu: 18. 10, 11.

3. Yf any person shall blaspheme the name of God the Father, Son or Holy Goaste, wth direct, expres, p'sumptuous, or high-handed blasphemy, or shall curse God in the like manner, he shall be put to death. Leu: 24. 15, 16.

4. Yf any person shall committ any willfull murther, wch is man-slaughter committed vppon mallice, hatred or cruelty, not in a mans necessary and iust defence, nor by mere casualty against his will, he shall be put to death. Ex: 21. 12, 13, 14: Num: 35. 30, 31.

5. Yf any person shall slay another through guile, ether by poysonings or other such divillishe practice, he shall be put to death. Ex: 21. 14.

6. Yf any man or woman shall ly wth any beast or bruit creature, by carnall copulation, they shall surely be put to death, and the beast shall be slayne and buried. Leu: 20. 15, 16.

7. Yf any man lye wth mankynd as he lyeth wth a woman both of them haue committed abomination, they both shall surely be put to death. Leu: 20. 13.

8. Yf any person committeth adultery wth a married or espoused wife, the adulterer and the adulteres shall surely be put to death. Le: 20. 10, & 18. 20: Deu: 22. 23, 24.

9. Yf any man shall forcebly and wthout consent rauish any mayd or woman that is lawfully married or contracted, he shall be put to death. Deu: 22. 25.

10. Yf any man stealeth a man or mankind, he shall be put to death. Ex: 21. 16.

11. Yf any man rise vp by false witnesse, wittingly and of purpose to take away any mans life, he shall be putt to death. Deu: 19. 16, 18, 19.
12. If any man shall conspire or attempte any invasion, insurrection or rebellion against the Co[m]on welth, he shall be put to death.

And whereas frequent experience giues in sad evidence of seuerall other wayes of uncleanes and lasiuous caridges practised among vs, whereunto, in regard of the variety of Circumstances, p'ticular and expresse lawes and orders cannot suddenly be suted; This Court cannot but looke vppon evells in that kind as very p'nitious and distractive to the welfare of the Co[m]on weale, and doe judge that seuere and sharpe punishment should be inflicted vppon such delinquents, and as they doe approve of what hath bine alreddy done by the p'ticuler Court, as agreeing wth the generall power formerly graunted, so they do hereby conforme the same power to the p'ticuler Court who may proceed ether by fyne, comitting to the howse of correction or other corporall punishment, according to their discretion, desiering such seasonable, exemplary executions may be done vppon offendours in that kynd, that others may heare and feare.

Forasmuch as incorigiblenes is also aijudged to be a sin of death, but noe lawe yet amongst vs established for the execution thereof; For the p'uenting that great evell, It is Ordered, that whatsoeuer Child or searuant w'thin these libertyes, shall be convicted of any stubborne or rebellious caridge against their parents or gouernors, wch is a forerunner of the forementioned evell, the Gouernor or any two Magestrats haue liberty and power fro this Court, to comit such p'son or p'sons to the howse of correction, and there to remayne vnder hard labour and seuere punishment, so long as the Court or the mayor parte of the Magestrats shall judge meet.

Whereas diuers p'sons deprte from amongst vs, and take vp their abode w'th the Indeans in a p'phane course of life, For the p'uenting whereof, Yt is Ordered, that whatsoeuer p'son or p'sons that now inhabiteth or shall inhabite w'thin this Jurisdiction, and shall deprte frō vs and sette or joyne w'th the Indeans, that they shall suffer three yeares imprisonment at lest, in the howse of correction, and vndergoe such further censure by fyne or corporall punishment as the p'ticuler Court shall judge meet to inflict in such case.
For the better furnishing the River with Cordage towards the rigging of Shipps, it is Ordered, that what hempseed any person hath within these liberties, that they shall either sowe yt themselves, or sell yt to some others within the River that may sowe the same.

The late Rate granted, of 50l. is to be made vp a 100l. and to be proportioned vppon the three Townes according to the former Rate, which may be paid in Summer Wheat at 4s. 4d. the bushel, Rye at 3s. vid, Pease at 3s. vid, Indean at 2s. viijd. provided yt be Marchantable Corne, and the Constables of ech Towne are Ordered to receaue no other but at such vnder Rate as they shall esteeme yt at, or in wampù at 6 a penny.

The former Order of Indean at 2s. vid. the bushel is repealed, and the seuall sorts of Corne before mentioned are made payable, vppon the pryses herein specified, for any labour or hyer of men or cattle, hereafter to be done.

The size of Pipestaues is to be 4 foote vi inches in length, the breadth and thickness according to the former Order.

It is Ordered, that noe man within this Jurisdiction shall directly or indirectly amend, repair, or cause to be amended or repaired, any gun, smale or greate, belonging to any Indean, nor shall endeavor the same, nor shall sell or give to any Indean, directly or indirectly, any such gun or gunpowder, or shott, or lead, or mould, or military weapons, or armor, nor shall make any arrowes heads, vpon the payne of ten pownd fyne for every offence at lest, nor sell nor barter any guns, powder, bullits or lead, wherby this Order might be evaded, to any person inhabiting out of this Jurisdiction, without licence of this or the particular Court, or som two Magistrats, vpon the payne of ten pownd for every gun, five pownd for every pownd of powder, 40s. for every pownd of bullits or lead, and so proportionably for any greater or lesser quantity.

Mr. Whiteing & Capten Mason are desiered to take Order to demand the Tribuit due from Long Iland and the Indeans vpon the mayne, and wt they can receaue may be accounted towards that which is due to the Mohegen, and to discharge the prises of the two cloathes, provided he be abated by
the Country for so much of yt as was sould & not traded for Corne; and if any cloath be lefte, yts at his dispose.

The Gou^t, Mr. Heynes, Mr. Hopkins, Mr. Whiting, Capten Mason, Mr. Chester, Mr. Hill and Mr. Trott are desiered to take the accoumpt of what the seuerall Townes will disburse toward the building of a Shippe, (and if they find yt phesable,) they haue power to agree w^h workemen to carry on the worke and to take ingadgements of the Country to p^rforme what they vndertake, and to doe all things requisit for the full accomplisheing of the worke.

The Gou^t, Mr. Heynes, Mr. Hopkins, Mr. Welles & Mr. Phelps are desiered to consider w^^ with the Elders, conserneing the the synns of Curseing father or mother, Incorrigiblenes, Rauishement, Contempt of Ordinances, Lying, and Brech of p'mise, and to make some lawes ag^t th^ & p^sent th^ to the next Generrall Courte.


It is Ordered that no man w^th in this Jurisdiction shall, directly or indirectly, amend, repaire, or cause to be amended or repaireed, any gun smale or greate, belonging to any Indean, nor shall indeavor the same, nor shall sell nor glue to any Indean, directly nor indirectly, any such gun, or any gunpowder or shott or lead or shott mould, or any millitary wepons, armor or arrowe heads, nor sell nor barter any such, vppon payne of ten pownd fyne for every offence att lest, and the Court shall haue power to encrese the fine or to impose corporall punishment where a fyne cannot be had, at their discretion.

Whereas yt appeares that notw^thstanding the former lawes made ag^t selling guns & powder to Indeans, they are yet supplied by indirect meanes, It is thereof Ordered, that if any pr^son, after publicat^ of this Order, shall sell, barter or transporte any guns, powder, bullitts or lead, to any pr^son inhabiting out of this Jurisdiction without lycense of this Court, or frö some two Magistrats, he shall forfeit for eu^y gun ten pownd, for euery pownd of gun powder 5l. & for eu^y pownd of bullitts or lead 40s. & so p^rportionably for any greater or lesser quan-
tity.
The P'tic Court, the 27th of January, 1642.

George Willis Esq', Gour.
Jo: Heynes Esq Ed: Hop: Esqr, Mr. Phelps, Mr. Webster, Mr. Whiting, Cap: Mason, Mr. Welles.

The Jury.*

It is Ordered, that the pr't' Court shall be held the first Thursday in these seu'alls months; March, June, Sep., Decèbr.

The will and Inuention of Richard Lyman deceased is brought into the Court. John Moody maks Oath that yt is the last will of the said Rich: and also the noate then brought in is the note of the Widdow Lyman deceased. The seuerall pr'tyes pr'sent at the pr'senting the said will, agree that John Lyman, if he liue, will be 22 yere ould in Septé. 1645, Robert Lyman 22 in Septé. 1651.


In the Ac. of Henry Woolcott pl. agt Tho: Spenser defent, the Jury find for the pl. dañages vid. & Costs of Court.

In the ac. of Math: Beckwytt pl. agt Math: Allen deft, the Jury find for the pl. dañages viiijs. & chardges of Court. Executn granted.

In the ac. of Elias Putmá pl. agt Ed: Vere deft, the Jury find for the pl. dañages xviijs. & Costs of Court.

Tho: Hurlbut for exacting and incouridging others to take excessiue Rats for worke and ware, is adiudged to pay to the Country 40s.

Tho: Ford is to glue notice to the Wyddow Hudgison to answer Mr. Rocester his sute, the first Thursday in Aprill next, at wēh tyme though he should rec. no answer, he is to answer to the sute himselfe.

*The names of the jurors are not recorded.
The creditors of Tho: Marshfield are to repaire to the Court to haue their sute tryed, the first Thursday in June.

Will' Rescue is to take into his Custody James Hullett, Tho: Gybbert, Lidea Blisse & George Gybbs, and to keepe the in giues* & giue the course dyet, hard worke, sharpe correction.

The ac. of Josp' Raulding pl. agt Tho: Hurlbut is withdrawen by consent, and the chardges of the Court to be paid betwixt the.

John Tynker pl. as assigne to Henry Webb, agt Tho: Marshfield deft, in an ac. of the Case to the damage of 7l.

In the ac. of Ed: Elmor pl. agt Tho: Bailis deft, the Jury find for the pl. damages 35s. and Costs of Court.

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[96] March the 27th, 1643.

George Willis Esqr, Gour.
Jo: Heines Esqr, Ed: Hopkins Esqr, Mr. Webster, Mr. Welles, Mr. Phelps, Capten Mason.

[Deputyes :]—Mr. Steele, Mr. Tailcoat, Mr. Westwood, Andr: Bacon, Mr. Swaine, Mr. Plum, Mr. Chaplin, Robert Rose, Mr. Hill, Mr. Hull, Will' Gailard, Henry Clarke.

Mr. Heines and Mr. Hopkins are desiered to goe into the Bay to p'secute the combination betwixt the and vs and New Hauen, wth full power if they haue op'tunity to concluud the same, and in case that should faile, they are desiered to treat and concluud of a Vnion wth them, researueing the priuilidges we haue in o' fundamental lawes.

The Court consenteth that the former answer shall be returned to the p'tions made by the Lords, the p'ticulers at pr'ent not com'ing to vewe, and if yt please Mr. Fenwicke to joyne wth the Plantations, it shall not infring any of his priu-

lidges wch belong to him.

The Court graunteth Mr. Heynes, a thousand acres of land about Pequoit country, pr'uided it be vewed that it hinder not a plantation.

* gyves.
That part of the Order concerning recording of bargains and mortgages of land (made the 11 of October,) was now by general consent ordered & agreed to be in these words, That noe bargain or mortgage of land whatsoever shall be of any value vntil the same be recorded.

It is Ordered, that Frances Stiles, for his forceble resistance of the Officer of the Court vpon the execution of his office, is finned to pay to the Country fifty pound.

Mr. Plum & Mr. Swaine are nominated to stand in election for Magestrats.

Its the judgment of the Courte that the Dutchmens hoggs should be liable to the same orders as the Towne hoggs, where they trespass.

The decons of Wyndsor are appoynted to supply the searvice that the decons of Roxberry were to pforme, consenerne the distribution of the seuerall portions of Mr. Stoughtons children, and his wiues, if the said decons of Roxberry refuse to doe yt.

[99] April ye 6th, (1643.) The Particular Court.

George Willis Esqr, Governour.

Mr. Whiting, Mr. Phelps, Captaine Mason, Mr. Webster.


Lisley Bratfield plt in an action of trespass agt Tho: Coleman defend: damages 5l.

Bray Rocester plt in an action of debt against Tho: Ford, attur[ney] to Widow Hutchinson, defend: vpon a Bill of 240£. But forasmuch as Tho: Ford before this Court could not receive instruction, ye tryall is defend till next Court.

Jo: Stoder plt in an action of trespass against Jo: Plum, defendt, damage xxs. The action betwene Jo: Stoder & Jo: Plum is by consent withdrawn, & referred fully to be issued by Jo: White & Wm. Gibbings. Ye charges of ye Court is equally to be payd betwene ye pr[yes.]
An attachm't granted to Rob'te Parke for five pounds ten shillings two pence, in ye hands of Anthony Wilson of Vncawa.

In ye action betwene Lisley Bratfield plt, & Tho: Coleman defend: ye Jury doe find for plt, 2l. xs. damage, & ye cost of ye Court & for witnesses xiijs.

Aron Starke is adjudged to be whiped at Winsor to morrow, & then to serve Capten Mason during ye pleasure of ye Court. James Hallet is to returne fro ye Correction house to his master Barclet, who is to keepe him to hard labor & course dyet, during ye pleasure of ye Court, provided that Barclet is first to remove his daughter fro his family before the sayd James enter therein.†

[102] The Court of Election held the 13th of Aprill, 1643.

John Heynes Esq', Gou'.
Ed: Hopkins Esq, Deputy.
George Willis Esq', Roger Ludlowe Esq', Mr. Webster, Mr. Whiting, Tres', Mr. Welles, Sec', Capten Mason, Mr. Woolcott, Mr. Swaine.
[Deputyes:] Mr. Steele, Mr. Talcoat, Mr. Westwood, Andrewe Bacon, Mr. Chaplin, Rob'te Rose, John Robins, John Edwards, Mr. Hull, Will' Gaylard, Mr. Stoughton, Mr. Rocester, Henry Gray.

Whereas, in regard of the diversity of mens judgements amongst Jurors, yt falls out diuers tymes that no verdict is giuen in, or else wth great difficulty; Wherefore yt is thought meet and so Ordered, that the Jurors would wth all dilligence attend the issue and evidence of the Cause before the, to wch they are sworne, and if in that case they cannot agree after all reasons disputed, but some remayne vsatisfied, their reasons are to be tendered to the Court, and to be answered, and then they are

* Blank in the original.
† The record of this session is not in the handwriting of the Secretary, Mr. Welles, who, (as will be seen by referring to the names of the Magistrates,) was not present.
to consult together agayne, and if as yet any cannot bring their judgments to joyne with their fellows in a joyned verdict, the greater part shall give yt in by their vote, and yt shall be deemed to all intents and purposes a sufficient and full verdict, vpon which judgement may be entered and execution and other proceedings to be had therein, as though they had all agreed; provided also, that if yt fall out the case be so difficult that the Jury are equally divided sixe [to] sixe, the Jurors are to tender yt to the Court, with their reasons, and a speciall verdict is to be drawn thereupon; and then the Court are to appoynt a tyme to argue the same, and the vote or greater number of Magistrats are to carry the same, and judgement to be entered thereupon, and execution and other proceedings as in case of a verdict by a Jury.

Whereas, we find by experience that there followes great inconveniences in regard divers are suddenly cauled to answer sutes in the Particular Court, without tymely notice, and so many tymes the most harmeles are soonest overtaken, For the mention whereof, It is Ordered, that from henceforth all partes that issue forth shall be returnable one full weeke before every particular Court, at which tyme the plaintiff or plaintiffs shall, is or are to bring in their plea or declaration to the Secretary, where the defendent or defendants are to repaire and take a copy, and within three dayes to deliver in his or their answer or answers, that men may be prepared to come to judgment; and if yt fall out the plaintiff or plaintiffs faile of putting in his or their declaration or declarations according as aforesaid, the sute to succease and the defendent or defendants not bound to proceed without a new sumons, and if the defendent or defendants faile on his or their parts according to the true intent of this Order, the plaintiff or plaintiffs may proceed vpon his or their declaration or declarations, and the defendent or defendants are likewise subject to a fine of the Court for any misdemeanoar therein. These Orders to stand vntill the next generall Court.

The Clarkes of each Towne that are appoynted to size the weights and measures are Ordered to bring in the standards of boath from the superall Townes to the next particular Court, there to be compared together and made equall. John Banks is re-
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turned Clarke to size the weights and measures for Wyndso, & Fraunces Norton for Wethersfield.

[103] It is Ordered, that one or two of the Magistrats shall be sent to Stratford and Vncoway, to joyne wth Mr. Ludlowe for the execution of Justice, twice this yeare, viz. the last Thurs-day in April and the last in September.

Capten Mason and Mr. Welles are appoynted for the last in April.

It is Ordered, that every Towne vpon the Riuер shall pruide one man in ech Towne to doe execution vpon delinquents, by whipping or other correction as they shall be thereunto cauled by Order frō the Magistrats.

It is Ordered, that good Rialls of ½ and Reix Dollers shall passe betwixt man & man att fiue shillings a peece, in all payments, the debts being made after the publisheing of this Order.

It is Ordered, that Mr. Ludlowe shall be moderator the next pr'ticuler Court, if he be pr'sent, or in his absence and the absence of the Guar. & Deputy, the eldest Magistrat, pruided the Court consist of fiue Magistrats wth the Moderator.

The Guar, the Deputy, Mr. Willis, Mr. Ludlow, Capten Mason, Mr. Webster, Mr. Whiting and Mr. Rocester are desiered to debate wth Mr. Huit conserneing Mr. Styles his petition and other offensiue cariedges, and if they receaue not satisfaction to returne their report to the next Generall Court. They may also take such other helpe as they shall see cause.

The opinion of the Coimmitte to whō the consideration of the petition of our neighbours of Wethersfield was coimitted, was now returned to the Court, and for pr'sent aprooved of, and ordered that one copy thereof be sent to Mr. Smith and another be giuen to the mebers of the Court for the Towne, and the said Coimmitte are desiered by the Court to receaue Mr. Smiths answer, and in case they find him unsatisfied in the aduise giuen, they are desiered to take such an indifferent course that the true state of the question may be pr'pownded, and the aduise of Elders here and elsewheere taken vpon the same, that accordingly an issue may be put thereto.

The Court is adioyrned vntill the first Wendesday in July.
The Copy of the opinion of the Comittee vppon the Petition of those of Wethersfield.

The Petition of those of Wethersfield hath bine taken into sadde and serious consideration, and we doe find the distance & differences to be exceeding great, and some of the such as will necessarily require publique examinatiō and censure, so that till then we cannot expresse or judgments conserneing particularers: We find also that many of those who put vp their names for remoueall were not induced thereunto by any dislike, or ingadgement they haue in the present quarrells, but for want of lotts and other considerations: Yet vppon the vew of the generall, conceauing yt will be disaduantagious to the publique & vncomfortable if not distructive to themselues that so many as are interested in the present differences should remoue, and vppon other considerations, we are of opinion that the best way for recovering and preserving the publique peace is that Mr. Smith lay downe his place, if yt may be done according to God.

[104] The particulr Court, the first of June, 1643.

Roger Ludlowe Esqr, Moderator.
George Willis Esqr, Mr. Webster, Mr. Whiteing, Mr. Welles, Capten Mason, Mr. Swaine, Mr. Woolcotte.


In the ac. of Will' Gailard, as Attorny for Nath. Patten, pt1, against Tho: Marshfield, defenť, the Jury find for the pt1, damages, 20l.

In the ac. of Math: Allen, as Attorny for Tho: Allen, pt1, agt Tho: Marshfield defť, the Jury find for the pt1, damages, 2l. 16s.

In the ac. of Mr. Woolcott, as Attorny for Henry Webb pl1, agt Tho: Marshfield defř, the Jury find for the pl1, damages, 5l. 7s.
In the ac. of Henry Woolcott plt agt Tho: Marshfield deft, the Jury find for the plt, damages, 19s.

In the ac. of Mr. Woolcott, for Mr. Branker plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 15s.

In the ac. of Will' Hill, for Lawrance Ellison plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 4l.

In the ac. of Mr. Will' Whiting plt, against Tho: Marshfield deft, the Jury find for the plt, damages, xxvil.

In the ac. of debt vppon a bill of exchainge, by Mr. Will' Whiting plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 20l. 10s.

In the ac. of Will' Torrey plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 182l. vis. 9d.

In the ac. of Richard Trott plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, xvil. 13s. vid.

In the ac. of Bray Rocester plt, agt Wyddow Hudgison deft, as executrixe to Will' Hudgison deceased; Tho: Ford appearing to the sute, the Jury find for the plt, damages, 23l. The Court graunteth execution to the plt vppon the goods of the defent.


Will' Whiting——

[106] JUNE THE 15th, 1643. [A Particular Court.]

John Heynes Esqr, Gour.

Ed: Hopkins Esqr, Dep.

George Willis Esqr, Mr. Welles, Mr. Webster, Mr. Whiting, Capten Mason, Mr. Swayne, Mr. Woolcott.


In the ac. of Battery and Trespasse of Tho: Waynewright plt, agt his Master, Mr. Henry Smith deft, the Jury find for the defent Costs of the Court.
In the ac. of Henry Woolcotte plt, as Attorney to John Witchfield, agt Tho: Marshfield deft, the Jury find for the plt, dam: 30s.

In the ac. of Henry Woolcotte plt, as Attorney to John Brocke, agt Tho: Marshfield deft, the Jury find for the plt, dam: xi/. 30s.

In the ac. of Nath. Willet & Elizabeth Willett plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 14l. 11s. 2d.

In the ac. of Will' Palmer plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, vii/. 3s. 4.

In the ac. of Henry Woolcott plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 4l. 3s. 4d.

In the ac. of Tho: Ford plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, 4l. 13s. 10d.

In the ac. of Henry Woolcott & Nath: Willet plt, agt Tho: Marshfield deft, the Jury find for the plt, damages, vii/. 13l.

Mr. Eldridge plt, agt Tho: Marshfield in an ac. of debt to the damage of 13l.

Benedict Aluer plt, agt Tho: Marshfield deft, in an ac. of * to the damage of 10l.

Will' Hubbert plt, agt Tho: Marshfield deft, in an ac. of the Case to the damage of 12l.

Mr. Woolcott plt, agt Tho: Marshfield in an ac. of the Case to the damage of 39l. 15s.

Mr. Whiteing plt, as Attorney to Henry Bartlemewe, agt Tho: Marshfield deft, in an ac. of the Case to the damage of 40l.

Tho: Ford plt, as assigne Edward Smith, agt Tho: Marshfield defent, in an ac. of debt to the damage of 30l. 13s. 4d.

[107]

JUNE THE 16th, 1643.

Henry Woolcott & Tho: Ford are Ordered to bring vnto the Gounernour a p'ticuler of the Estate of Tho: Marshfield, as yt consists in land, goods or debts, and that they doe yt wthin on weeke; & Mr. Whiting, Mr. Hull and Will' Gaylard are to

* Blank in the original.
price the particulars, and to make an equal division thereof amongst the creditors, and that portion which is to be sequestered for debts owing by the said Marshfield and yet unpaid, are to be left with Henry Woolcott, who must account for the same. And the creditors are to be accountable for to return such a portion of what they shall receive as shall appear to belong to such creditors from old England as may challenge and make use of any just debts from the said Marshfield, provided they appear within 14 months; to which the creditors consent.

[108] July the 5th, 1643.

John Heynes Esq, Gouv.
Ed: Hopkins, Esq, Dep:
Roger Ludlowe Esq, George Willis Esq, Mr. Webster,
Mr. Welles, Mr. Whiting, Mr. Swayne.
[Deputyes: ]—Mr. Taylcott, Andrew Bacon, Mr. Chapline, Robert Rose, John Edwards, John Robins, Mr. Rocester.

Those of Wethersfield who conceal themselves to be under some wrong in caring of Church and Towne occasions, they are ordered to gather up the particulars grievances or wrongs and present them with their names to the Gouv & Deputy, within three weeks, who are desired to send a copy thereof to Mr. Smith, who is to return his answer within three weeks, that the differences may be ripened at the Court in September, and a final end put thereunto.

Mr. Hopkins is desired to performe the service to be one*

* At the first meeting of the Commissioners of the United Colonies, in September following, "an order from the General Court of Connectacutt was presented and read, dated at Hartford, the fifth of July last, by which it appears George Fenwicke Esq. and Mr. Edward Hopkins were chosen Commissioners for that Jurisdiction." (Rec. of U. Colonies.)

The name of Mr. Fenwick does not appear in the record of the General Court;—but the appointment of Mr. Hopkins as "one of the Committee" seems to imply the recognition of Mr. F. as his associate. The latter represented the 'Lords and gentlemen,' his fellow proprietors under the Earl of Warwick's Patent; as whose agent he maintained the Fort and plantation at Saybrook and claimed the jurisdiction of the lands upon the Connecticut. The agreement between Mr. F. and the General Court, by which Saybrook was ceded to Connecticut was not executed until December, 1644.
of the Committee for this River, to goe to the Bay to agitate the businesses of the Combination, according to the agreement betwixt the united Colonyes, the first Thursday in September, if his shippe occasions be then over, otherwise the Gouer is desiered to supply the place, and to treate and conclude touching appeales in such Cases as shall be by the Commission's judged necessary.

Whereas there hath bin great neglect by the plantation in not providing powder according to order of Court, It is now Ordered, that if the seuerall Townes shall not provide their seuerall quantityes, according to former Order, by the Court in September, all the former forfeitures shall be leuyed uppon the without delay.

It is Ordered, that there shall be liberty for a Market to be held at Hartford weekly, euery Wensday, for all manner of commodities that shall be brought in, and for cattell, or any merchandise whatsoever.

Mr. Webster and Mr. Whiting are desiered by the Court to answer the petition consenring the makeing pitch and tarre.

It is Ordered, that Mr. Huit and Mr. Styles shall be cauled to the next generall Courte, to answer for their miscaridge in their petition formerly giuen into Courte.

It is Ordered, that ehe Towne chuse two surveyors yerely, to looke to the highways, who shall haue liberty to call out euery Teeme & person fitt for labour, in their course, one day euery yeare, to mend the said highways wherein they are to haue a spetiall regard to those Coimon wayses which are betwixt Towne and Towne. The chardge hereof is lefte to the particular Townes for the present, to be ordered according to their owne rules, & in case any surveyor shall not attend the said seauice by cauling out the teemes & persons aforesaid, where need is, he shall forfeit 5s. for euery offence.

[109] It is Ordered, there shall be a Grand Jury of 12 persons warned to appeare eur Court yerely in September, or as many & oft as the Gouernor or Courte shall thinke meet, to make presentment of the breches of any lawes or orders, or any other misdemeanors they know of in the Jurisdiction.

Mr. Chaplin shall haue a coppy of the creditors & debtors to Mr. Oldoms estate, and is to inquire of the debtors to whō they haue paid & to make returne to the next particular Court.
The Treasurer is to have a note to take up all the fines.

Whereas, the prosperity and well being of common weal doth much depend upon the well government and ordering of particular families, which in an ordinary way cannot be expected where the rules of God are neglected in laying the foundation of a family state; For the mention therefore of such evils and inconveniences, which by experience are found not only to be creeping in but practised by some in that kind, It is Ordered, that no person whatsoever, male or female, not being at his or her own dispose, or that remaineth under the government of parents, masters or gardians or such like, shall either make, or give entertainement to any motion or sute in way of marriage, without the knowledge and consent of those they stand in such relation to, under the severe censure of the Courte, in case of delinquency not attending this order; nor shall any third person or persons intermeddle in making any motion to any such without the knowledge and consent of those under whose government they are, under the same penalty.

Mathew Allen plaintiff, against Rich: Fellowes defendant, in an ac. of the Case, to the damage of 20s. The said Mathew Allen acknowledgeth himselfe to be bound to the Country in a Recognizance of 10l. to present the said Rich: Fellowes, the next Court.

[110] SEPTÉMBER THE 4th, 1643. [A P'Ticuler Courte.]

John Heynes Esq'r, Gou'r.
Mr. Welles, Mr. Webster, Mr. W. Swayne, Mr. Woolcott.

In the ac. of Math: Allen plaintiff, against Rich: Fellowes defendant, the Jury find for the defendant, charges of Court & viijd. for poindage.

In the ac. of Math: Allen plaintiff, against Nich: & Will' Clarke defendants, the Jury find for the plaintiff, damages 3l. 3s. 4d. & costs of Court vijs.

The ac. of Math: Allen plaintiff, against Tho: Olcott is forborne vntill the next Court.
In the ac. of John Robins plt, agt Tho: Holibut defnt, the Jury find for the plt, damages 25s. & costs of Court.
Tho: Ford pl't, as assigne to Edward Smith, agt Tho: Marshfield deft, in an ac. of debt to the damage of 30l. 13s. 4d.
Roger Ludlowe Esq', plt, agt Will' Whiting deft.

Septëber the 14th, 1643. A Generall Courte.

John Heynes Esq', Gou'.
Mr. Webster, Mr. Welles, Capten Mason, Mr. Swayne, Mr. Woolcott.
Mr. Steele, Mr. Talcote, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Stoughton, Mr. Hull, Will' Gaylard, Mr. Chapline, Mr. Robins.
The Courte is adiorned for a month.

[112] Septëber the 15th, 1643.

Jo; Heynes Esq', Gour.
Ed: Hopkins Esq', Deputy.
George Willis Esqr, Mr. Webster, Mr. Welles, Mr. Whiting, Capten Mason, Mr. Swayne, Mr. Woolcott.
[Deputies:] Mr. Steele, Mr. Talcott, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Hull, Mr. Stoughton, Will' Gaylard, Mr. Chaplin, Mr. Robins, James Boosy, Samuel Smith.
The Grand Jury. Mr. Phelps, Jur; Willia Pantry, Richard Webb, John Pratt, Nath: Waird, John White, Mr. Trott, Mr. Parke, Mr. Chester, Nath: Foote, Nath: Dickinson, Tho: Ford, Mr. Clarke, Mr. Porter, Mr. Terry; Jur.
The Court adioyrned for a month.

October the 12th, 1643.

John Sadler was to be warned to the next Generall Court.
Whereas Mr. Hopkins, Mr. Willis & Mr. Whiting have promised to use their best endeavors to provide fewer barrels of powder, It is Ordered, that Wyndson shall take off two barrels,
Hartford one barrell and Wethersfield one, ye yt may be had, & to make the best pay the Country affords to suite the occasions of the p'tyes that pruide yt.

It is ordered, that Wyndsor shall haue for the p'sent 30l. of powder out of the Comon stocke, w'ch they are to restore so soone as they can pruide.

It is Ordered, that Mr. Talcott and Andrewe Bacon are to take a record of the debts of the Country oweing in Hartford, Mr. Woolcott & Mr. Hill for Wyndsor, James Boosy for Wethersfield.

Mr. Whiteing and Capten Mason are to examine whether the Country or some p'ticuler p'son are to dischardge the debt due to Roger Anadowne.

Mr. Hopkins, Mr. Whiteing and Capten Mason are to p'sse eight souldiers w'th sufficient arms and p'usions to be sent to Mohegen to defend Vncas,* and to doe such servise in building or otherwise as shall be thought meet, and there to remayne as the said comittee shall see cause.

It is ordered, that the Gou'nor or deputy, or any two Magis-trats, vpon any sudden occation or eminent daynger may presse men and munition for a defensiue warre or to garde & defend the Country in their necessary occasions or passage fro Towne to Towne. Also, the deputyes in the seu'all Townes are desiered to call their p'ticuler Townes togather, to take Order w'thin theselues to be in a posture of defence vpon an alaru, that the seu'rull soulears may know to what quarter to resorte and where to stand vpon their p'sent defence.

Richard Lord† for his miscariedge in drawinge his sowrd and vseeing threatening speeches in containing w'th Tho: Stanton† about tradeing for indean corne, is fynd to pay to the Country fiue† pownd.

* The Commissioners of the United Colonies (who were at this time in session, at Boston,) having decided upon delivering up Miantonimo to be murdered by his captor, Uncas, ("that so execution may be done according to justice and prudence,") were apprehensive that the Narragansetts, or some of the neighboring tribes, allied with or tributary to the Narragansett Sachem, would seek to revenge his death. They therefore directed that measures should be taken to pro-vide for the defence of the Colonies, and "that Hartford furnish Vncas with a competent strength of English to defend him against any present fury or assault of the Narragansetts or any other." (Records of U. Colonies.)

†The names of Richard Lord and Tho. Stanton, and the word 'fiue,' have been partially ob-literated, by drawing a pen across them, at a date evidently long subsequent to that of the record.
It is Ordered that there shall be a rate of forty pound levied, to be paid to Mr. Fenwicke, to be laid out for the repair of the Fort.

For the avoyding of many differences and quarrells that may arise by takeing vppe debts of Indeans, It is Ordered, that whosoever, after the publisheing this Order, shall sell for day, or trust any Indean or Indeans with goods or commodities, shall forfeit to the Country the double some or value of what they do betrust them with; and that no man shall trade with them at or about their wygwams, but in their vessells or Pynnaces or att their owne howses, vnder the penalty of 20s, eech tyme.

To prevent or withstand such sudden assaults as may be made by Indeans vppon the Sabboth or lecture dayes, It is Ordered, that one pr'son in euery seuerall howse wherein is any souleare or soulears, shall bring a muskett, pystoll or some peece, with powder and shott to eech meeting, excepte some on Magistrate dispence with any on, and appoynt some other to supply his roome.

Jacob Waterhowse doth acknowledge himselfe bound in a recognizance of Fifty pound, to attend the next Court to answer for his mysdemeanor towards the Indeans.

The Court is adioyrd until Thursday next.

[113] A Particular Court, held the ixth of No: 1643.

John Heynes Esqr, Gou'r.
Ed: Hopkins Esqr, Dep't
Roger Ludlowe Esqr, George Willis, Mr. Webster, Mr. Welles, Mr. Whiteing, Capten Mason, Mr. Woolcott, Mr. Swayne.


In the action of Nathaniell Dickinson plt, agt John Robins defect, the Jury find for the debt. Costs of Court vijs.

In the ac. of Nathaniell Eldredge plt, agt Tho: Marshfield, the Jury find for the plt, the debt and costs of Court, xl.
In the ac. of Tho: Ford plt, as assigne to Ed: Smith, agt Tho: Marshfield deft, the Jury find for the plt, the debt & costs of Court. The debt, 30l. 13s. 4d.

In the ac. of Math: Allen plt agt, Tho: Olcocke deft, the Jury find for the plt, damages six pownd, five shillings, and costs vijs.

Willi' Lewes his fyne is to be paid at these seu' all tymes, viz. 5l. the 20th of March, and 5l. the 20th of Septeber, and the other xl. three months after.


John Heynes Esq'r, Gour.
Ed: Hopkins Esq'r, Dep.
Roger Ludlowe Esq'r, George Willis Esq'r, Mr. Webster, Mr. Whiting, Mr. Welles, Capten Mason, Mr. Swayne, Mr. Woolcott.

Deputyes: Mr. Steele, Mr. Talcoate, Mr. Westwood, Andrewe Bacon, Mr. Hill, Mr. Hull, Mr. Stoughton Will' Gaylard, Mr. Chaplin, Mr. Robins, Samuell Smith, James Boosy.

Whereas in the fundamentall Order* yt is said (that such who haue taken the Oath of fidellity and are admitted inhabitants) shall be alowed as quallified for chuseing of Deputyes, The Court declares their judgement, that such only shall be counted admitted inhabitants, who are admitted by a generall voate of the mayor pr'te of the Towne that receaueth them.

Whereas yt is obsearued that the late Order for on in a Famil-y to bring his Arms to the meeting house euery Sabboth and lecture day, hath not bine attended by diuers p'sons; It is now Ordered, that whosoever hereafter shall at any tyme neglecte the same, shall forfeit xijd. for every neglect, whereof vid. to the prty that shall informe and vid. to the Country.

* See page 23. (Or. 224.)
It is Ordered that all the souldears in the several Townes within this Jurisdiction shall be trayned sixe dayes yerely* as they shall be appoynted by the Capten or other officer, Vizt. one day in the first weeke of these seuerall months here mentioned, March, Aprill, May, Septeber, October & Noueber; and if the day appoynted prue unseasonable, the Officer is to appoynt the next fayer day. The hower to begin is eight of the clocke. And whosoeuer shall be absent any of the said dayes after the hower limited, or shall not continue the whole tyme shall forfeit 2s. vid. for euery default, excepte such as are lycensed vnder the hands of two magistrats. The Clarkes of the seuerall bands are to distreyne the delinquents within 14 dayes after the forfeutre, and to take vid. for theseselues, the remaynder to be for the mayntenance of drums, cullers & such like; and if any of the said Clarks shall omit to distreine any delinquent for the said terme of 14 dayes, shall forfeit to the Country the double some. The Capten and officers shall haue liberty to relesse such as they approue for expert souldears for halfe a day, at any time. Mr. Ludlowe is desiered to call forth the souldears of the Towns vppon the sea cost, to see the exercise as aforesaid, vntill there be some fitt officers pruided.

Mr. Chaplyn, for diuulginge and setting his hand to a writing cauled a declaration, tending to the defamation of Mr. Smith, is fynded to pay to the Country xil.

Frances Norton, for setting his hand to the said writeing, is fynded 5l.

John Goodridge also, for setting his hand to the said writeing is fynded 40s.

Mr. Plum, for prferring a rowle of diuers greuinces agt Mr. Smith & fayleing of proufe in the prsecutio thereof, is fynded xl.

Robert Rose for joyneing wth Mr. Plum therein is fynded 40s.

Its concluded that a writing shall be prpared and openly read in the seuerall Townes, for the clereing Mr. Smith, and an Order made of ten pound fyne for whosoeuer shall be convicuted vnder two witnesses to diuulge any the said greiuences to his defamation.

The Court is adiurned vntill Wensdey com seuennight.

* "It is judged meet by the Commissioners that there be trayneings at least sixe tynes in each plantacon w bin this confederacon." (Rec. of U. Colonies, Sept. 1643.)
Mr. Webster and Mr. Welles are to take vppe of the Traders for Indean corn, the forfeitures due to the Country.

**Wensday the *day of No: 1643.**

Its Ordered, that there shall be a Rate of 150l. levied vpon the three Towns, wch is to be prportioned by Mr. Taylcott and Andrewe Bacon, Mr. Hill, Willâ. Gaylard, Mr. Chaplin and James Boosy.

The Governor and Deputy are desiered to examine the Tresurers accoumpt and to assigne the bylls for the Country debts, what shall be alowed.

Its Ordered that the plantations shall keepe a day of humiliation vpon Wensday com three weeks.

Mr. Branker is freed frô watching & warding.

[115] Whereas many clamors have bine raysed & spred through seurall pts of the Country, of some indirect proceedings of Mr. Smith of Wethersfield, both in Church administrations & in acting in the ciuell occations of the Towne, whereby the peace of the Coûnon welth was disturbed, wch gauæ occasion to the Court to giue liberty to all who had any iust greiuences in ether kynd agt him to prduce them in publique, and to apoynt a tyme for hereing and determining the same, wch accordingly was attended by seuerall in that Towne, and many complaints made, wherein Mr. Smith was accused and judged by the to lye vnnder much guilt. But vpon a full heareing of all that was aleadged by any in mayntenance of their accusations, It was found that most of their accusations were mistaks, wherein Mr. Smith was much wronged, both by false reports and vniust surmisæs. It was therefore, by vnanimos consent of the whole Court, Ordered, for pruention of the further spreading of the said reports wch tend so much to the prjudice of the publique peace and th' aparent wrong of Mr. Smith, That whosoeuer wthin this jurisdiction shall hereafter be conviected by the testimony of two witnesses, to continue or renewe any of the former complaints (most of the said greiuences haueing bine also formerly hard by the magistrats and elders,) wherein he hath

* Blank in the original. *
bine clered by this Court, shall forfeit to the Country ten pound for every such offence.

_**January 3d, 1643.**_

The Courte takeing the state of or natieue Country into consideration haue Ordered, that there shall be monthly a day of humiliation keeped through the Plantations, according to the course of or neighbours at New hauen, and to begin vppō Wensday the xth of this month.

Mr. Fenwicke is p′pownded to stand in election for a Magistrate, the Court in April.

The Gour & Deputy are desiered to returne an answer to the request of the Ilanders, signified by their letter presented to the Court.

Gyles Whiteing is dismissed frō trayneing & is content to pay 12d. euerie trayneing day, to the Clarke of the land, to wards the mayntenaunce of drums & cullers.

The Court is adiorned for sixe weekees.

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_[116]_ Feb. 14th, 1643.

John Heynes Esqr., Gour.

Ed: Hopkins Esqr; Dep.

George Willis Esqr, Mr. Webster, Mr. Whiteing, Mr. Welles, Capten Mason, Mr. Woolcott, Mr. Swayne.

[Deputyes :] Mr. Steele, Mr. Talcott, Mr. Westwood,
Andrewe Bacon, Mr. Hill, Mr. Hull, Mr. Gaylard, Mr. Stoughton, Mr. Chaplin, Mr. Robins, Samuell Smith, James Boosy.

Nath: & Elizabeth Willet plts, agt Benedict Alueret defent, in an ac. of debt to the damage of 12l.


All pasons that can bring in sufficient proufe that they are aboue 60 yeares of age, are freed frō watching.

Whereas yt is obsearued that many differences arise frō the inequallity of measures that are vsed amongst vs, for the pruent-ing whereof, It is Ordered, that the Clarks in the seuerall
Townes wch are appoynted for the fixeing the said measurers shall once in every yeare appoynt a certen day and place & giue notice to the Inhabitans to bring in their measures to them to be tryed and compared wth the standard; and they shall haue 3d. for the first fitting and sealeing ech measuer, and 2d. for euerly tryall and sealeing, pruïded that non be sealed but of seasoned wood; and it shall not be lawfull for any p'son wthin these libertyes to sell by any other measure but such as are sealed, and whosoeuer shall fayle to bring in his measure to the said Clarke at the tyme & place appoynted shall forfeit 12c. for every default, wch forfeitures shall be gathered by the said Clarks, and they shall haue 4d. in the shilling to theselues; and it shall not be lawfull for any p'son wthin these libertyes to sell by any other measure but such as are sealed, and whosoeuer shall fayle to bring in his measure to the said Clarke at the tyme & place appoynted shall forfeit 12c. for every default, wch forfeitures shall be gathered by the said Clarks, and they shall haue 4d. in the shilling to theselues; and if vppon tryall any measure be found to little they shall cutte out the scale. They are also to size & seale all yards and wayghts.

Forasmuch as many laborers and workemen complayne that they are forced to put offe their Corne wth they receaue for their worke to severall Chapmen, for coñodityes, at a cheper rate then they take yt att, For the pruïenting whereof, It is now Ordered, that whosoeuer wthin these libertyes shall sell any Coñodityes or make any bargaine to be paid in Corne, after the publisheing this Order, shall take the said Corne att the Country rate.

Whereas many complaynts are brought into the Court by reason of diu's abusse that fall out by severall p'sons that sell Wyne and strong water, as well in vessells on the Riuier as also in severall howses, for the pruïenting whereof yt is now Ordered, that no p'son or p'sons, after the publisheing this Order, shall nether sell Wyne nor strong water in any place wthin these libertyes, wthout license frò the p'ticuler Court or any two magistrates.

Whereas the Condition of these severall Plantations in these beginnings wherein we are, is such that necessity constraynes to improvse much of the grownds belonging to the severall Townes in a coñon way, and yt is obsearued that the publique & generall good, wch ought to be attended in all such improuements, receaues much p'riudece through waint of a prudent ordering and disposeing of those severall Coñon lands to such wayes of improuement as are most p'p'' to the, and may best advaunce the publique good, It is therefore Ordered,
that each Towne shall before the sitting of the next Court, chuse from among these seven able and discreet men, who by this Order have power given the, and are required to take the common lands belonging to each of the several Townes respectively, into serious and sadde consideratiō, and after a through disgesting of their owne thoughts, sett downe vnder their hands in what way the said lands may in their judgement be best improved for the common good. And whatsoeuer is so decreed & determined by the said 7 men in each Towne, or any five of the, conserving the way of improvement of any such lands, shall be attended by all such persons that have any pr'priety or interest in any lands that shall be so judged by the said Comittee.

And whereas also, much damage hath risen not only from the vnruylynes of some kynd of Cattell but also from the weaknesse & insufficiency of many fences, whereby much variance and difference hath followed, wh if not prevented for the future may be very prejudiciall to the publique peace; It is therefore likewise Ordered, that the said 7 men soe chosen, or at lest 5 of the, shall sett downe what fences are to be made in any common grounds, and after they are made to cause the same to be vewed, and to sett such fynes as they judge meet vppon any as shall neglect or not duly attend their Order therein. And when fences are made and judged sufficient by the, whatsoeuer damage is done by hoggs or any other cattle shall be paid by the owners of the said cattle, without any gaynesaying or releife by Repleivy or otherwise. And the several Townes shall have liberty once every yeare to alter any 3 of the former 7, and to make choyse of others in their roome: It being pruited that any pr'ticular man or men shall have liberty to inclose any of their pr'ticular grounds, and improve the according to their owne discretiō by mutuall agreement, notwithstanding this Order.

[118] [A pr'ticular Courte.*]
John Heynes Esq', Gou'r.
Ed : Hopkins Esq', Dep.

* The date is not given.
George Willis Esq., Mr. Webster, Mr. Whiting, Mr. Welles, Capten Mason, Mr. Woolcott.


Henry Woolcott pl. agt Bray Rocester deft, in an ac. of the Case, to the dañage of 5l.

John Dymon pl. agt Tho: Gunne deft, in an ac. of trespass for Fals Imprisonment.

John Dymon pl. agt Edward Presson deft, in an ac. of the Case to the dañage of vijl.

Ed: Presson pl. agt Will’ Perwidge deft, in an ac. of the Case to the dañage of xl.

Tho: Steynton pl. agt Tho: Crump deft, in an ac. of Slaughter.

Jaruis Mudgge

Nath: & Eliz: Willet pl. agt Benedict Alueret deft, in an ac. of debt to the dañage of 12l.

Math: Allen pl. agt Tho: Steynton deft, in an ac. of the Case, 28s. dañage.

Mr. Will’ Whiteing pl. agt Tho: Bassett deft, in an ac. of the Case to the dañage of vl 10s.

Mr. Will’ Whiting pl. against Dauid Wilton deft, in an ac. of the Case to the dañage of ixl.

In the ac. of Math: Allen pl. agt Tho: Steynton deft, the Jury find for the pl. dañages 28s. & Costs of Court. Execution granted.

In the ac. of Willia Whiteing pl. agt Tho: Basset deft, the Jury find for the pl. dañages 5l. and Costs of Court.

In the ac. of Nath: & Eliz: Willet pl. agt Benedict Alueret deft, the Jury find for the pl. dañages 5l. & 2d. and Costs of Court.

Tho: Hurlbut his fyne is respited, vppon Peter Bassakers tryall to make nayles wth less losse and at as cheape a rate, then he is to duble the fyne, otherwise to be quit.
OF CONNECTICUT.

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The Jury find that John Ewe, by misadventure, was the cause of the death of Tho: Scott.

The said John Ewe is fyned to pay fiue pownd to the Country and ten pownd to the Wyddowe Scotte.


Edward Hopkins Esqr, Gou'r.
John Heynes Esqr, Dep.
George Fenwicke Esqr, George Willis Esqr, Roger Ludlowe Esqr, Mr. Webster, Mr. Whiting Tres', Mr. Welles Sec., Capten Mason, Mr. Woolcott, Mr. Swayne.
Mr. Steele, Mr. Talcoat, Mr. Westwood, Andrew Bacon, Mr. Trott, James Boosy, Nath: Foote, Sa: Smith, Mr. Hill, Mr. Hull, Mr. Gaylard, Tho: Ford.

Vpon the petition of Benedict Alford for reliefe agt the verdict giuen in by the Jury at the sute of Nath: Willet pl. It is Ordered, that judgt shall be respited till the Court put an issue thereto.

Its the apprehension of the Court that the damages & Costs of Court mentioned in the petition of Benedict Alford, that yt shall be layd vpon Marshfields estate, by the prportion of other creditors, and what that falls short shall be borne by the said Benedict & Mr. Woolcott & Nath: Willet by equall prportions.

The Courts adioyrned to the second Thursday in May.

MAY THE IXTH, 1644.

The Court is adioyrned vntill Munday, the third of June, eight of the clocke, vnder the penalty of 2s. vid. eur default.

JUNE THE 3, 1644.

Whereas many strayngers & passengers that vpon occation haue recourse to these Townes, and are streightened for waint of entertainment, It is now Ordered, that these seueral Townes shall pruide amongst theselues in ech Towne one sufficient inhabitant to keepe an Ordinary, for pruisio and lodging in some comfortable manner, that such passengers or strayngers
may know where to resorte; and such inhabitants as by the seuerall Townes shall be chosen for the said searuice shall be presented to two Magistrats, that they may be judged meet for that imployment, and this to be effected by the severall Townes within one month, under the penalty of 40s. a month, each month ether Towne shall neglect yt.

Whereas many differences arise about dresseing and measuring of Corne, betwixt the buyer and seller, It is now ordered, that the sealer of the measures in eu’ry Towne shall keep a standard whereunto the buyer may resort; and the said measurer hath power, and is appoynted by the Court to determine and issue the differences that may arise both in respect of the measur and also the dresseing & cleanes of the grayne. The mesurer to be paid by the guilty p’ty.

[120] The Court adiorned to the last July, (x a clock) vnles the Gou^ see cause to call yt sooner.

Its Ordered that the two Peeces that came frō Piscataq’ shall be purchased for the vse of the Country; the Gouernour and Deputy are desiered to contract w’t the owners for the.

Whereas by reson of the badnes and rottennes of much yarne and other defects that fall out in the ordering of yt, both lynnen and woollen, many weauers are discouridged to goe on in their trade, It is therefore Ordered, that two experienced men shall be chosen in ech Towne who shall haue power to judge and determine the price or rate that any weauer in the said Towne shall receaue by the yard for such yarne, who shall vewe and make tryall thereof, yppon complaynt made vnto the; and whereas they are many tymes much hindred by seeking for their pay, they are now to retayne their worke in their custody vntill they receaue their pay for yt. Joseph Magott & George Graues are chosen for Hartford, Will’ Gaylard & Eldweed Pomry for Wyndsdor.

The Gouerr & Mr. Fenwicke are desiered and chosen by the Court to be Coimissioners for this Jurisdiction, to agitate such businesses as shall fall out to be attended in behalfe of the Combinatiō, the next meeting in September and for the yeare following.

Mr. Stuelle, Andrewe Bacon & James Boosy are to order &
OF CONNECTICUT.

appoynt some convenient howse in Hartford, for the comly and suitable meeteing of the Commissioners in September next, wherein they may agitate the affairs of the Combination.

(Whereas many stubborne, refrectary and discontented searuant s and apprentices withdrawe themselues from their masters searuices, to improve their tyme to their owne aduantage; for the p\uenting whereof, It is Ordered, that whatsoeuer searuant or apprentice shall heareafter offend in that kynd, before their covenants or terme of searuice are expiered, shall searue their said Masters, as they shall be app\headed or retayned the treble terme, or threefold tyme of their absence in such kynd."

For the p\uenting of differences that may arise in makeing or setting downe of Fences, as well in meadowe as vpland. It is Ordered, that in the setting posts and rayles or hedges, in the meadowes and homelotts, there shall be a liberty for ether party of 12 inches fro the diuident lyne, for breakeing of the grownd to sett the posts, or for the laying on the hedge, but the staks and posts are to be sett in the diuiding lyne; and in vpland there is allowed a liberty of fower foote for a ditch, fro the diuiding lyne, for ether of the bordering partyes where the party of fence belongs vnto the.

[121] The Gou\ is desiered to returne an answere to the Towns of Stratford and Vncocoaue, of Mr. Ludlowe his letter conserneing his p\ositions made to the Court about the manner of Rateing & his chardges for Country imployment.

It is Ordered, that whosoeuer arests or retaynes any mans goods by way of Attachment or Repluy, shall put in good security to prosecute the sute within convenient tyme, and to pay what damages shall arise vppon his neglect or not makeing good his action, and shall pay xijd. for the attachment or repluy & vid. for his recognizance or bond.

Also, no Magistrate shall graunte any warrant conserneing personall actions, but the demaunder thereof shall pay 4d. for yt.

Also, there shall be 2s. vid. payd for the Recording euery Will and Inuentory that is vnder the some of 40l. and iijs. 4d. if aboue 40l.

It is Ordered, that the Towne Clarkes or Registers in the seuerall Townes within this Jurisdiction, shall ech of them keepe a record of the day of marriedge of euery p\son hereafter
married within theire libertyes, and of the day of the birth of euery child hereafter borne, to whô the parent of the child shall within three dayes after the birth of his child certifie the day of the childs birth, and to whô euery man that shall be married shall within three dayes after his mariedge certifie his mariedge day, vnder the penalty of 5s. euery default. The said Register is to receaue vid. for recording the day of mariedge & iid. for recording the birth of the child.

It is Ordered, that no Inhabitant within these libertyes shall suffer any Indean or Indeans to com into their howses, except the Magistrats or Traders, who may admitte of a Sachem if he com not within aboue 4 men; Only Vncus who hath bine a fryend to the Englishes may com with 20 and his brother with 10.

The Order of the 8th of Septeber, 1642, conserneing trading with Indeans, is repealed.

Whereas Mr. Mathew Allen hath presented several petitions to this Court for releefe against the Church of Hartford, in regard of his censure of excommunication, wherein he affirmes he hath beene wronged by the sayd Church; It was the judgment of the Court that the sayd Allyn by his petitions and expressions in Court concerning the sayd businesse, hath layd an accusation vpon the Church of Hartford, and that he ought to bring into the Court the particulars of his accusation, that the Church of Hartford may giue answere thereunto.

[122] June the viith, 1644.

Ed: Hopkins Esqr.
Jo: Heynes Esqr, Dep.
George Willis Esqr, Mr. Webster, Mr. Whiting, Mr. Welles, Capten Mason, Mr. Woolcott.

Clement Chaplin pl. againste Henry Smith and Samuell Smith defts, in an action of the Case. The pl. appeareth not.
Math: Allen pla[t, against Will' Lewis def[t, in an ac. of the Case, to the damage of 14l.
Will' Whiting pl. ag[t Dauid Wilton def[t, in an action of the Case, to the damage of x[.l.
George Steele pl. ag[t John Carrington def[t, in an action of the Case.
Nath: Willet pl. ag[t Will' Edwards def[t, in an ac. of debt.
Will' Perwydge pl. ag[t Math: Allen def[t, in an ac. of the Case.
Robert Howard pl. as attorny to Ed: Welles ag[t Will' Edwards, def[t, in an ac. of debt.
Will' Edwards pl.
Daniell Edwards
1. Will' Lewis pl. ag[t Mathew Allen def[t, in an ac of the Case.
Tho: Osmore pl. ag[t John Plum def[t.
Mr. Woolcot pl. ag[t Tho: Marshefield def[t, in an ac. of the Case to the damage of 43l. Execution graunted.

In the ac. of Clement Chaplin pl. ag[t Henry Smith & Samuel Smith def[t's, the Jury find for the def[t's, costs of the Courts. One witnesse.

In the ac. of Mathew Allen pl. ag[t Wm. Lewis def[t, the Jury find for the pl. that the def[t is to pay rent according to his bargen w'th Will' Cornewell, as he was to pay, for the pr'tion of land he holds, for the terme of three yeres & a halfe paste, and 20s. 4d. costs.

In the action of Will' Whiteing pl. ag[t Dauid Wilton def[t, the Jury find for the pl. the def[t is to returne the steere, and costs of Court 8s. vid.

In the ac. of Will' Perwydge pl. ag[t Math: Allen def[t, Mr. Styles and Will' Pantry are the Arbitrators chosen to value the worke according to their last agreement; & w'n Wm. Perwydge hath giuen security to p'tform the bargen, Math: Allen is to satisfie for the worke as the Arbitrators shall award.
[123] In the ac. of Robert Howard pl. ag[t Wm. Edwards def[t, the Jury find for the def[t, xis. vid. Costs.
In the ac. of Tho: Osmore pl. agt John Plum deft, the Jury find for the pl. five pound five shillings damages & costs of Court.

The actions of Will' Lewis pl. agt Math: Allen deft, are referred to arbitriment of John White & John Taylor.

In the ac. of Henry Woolcott pl. against Tho: Marshefield deft, the Jury find for the pl. 25l. xs. damages & costs of Court.

John Pratt is freed frō watching, according to the promise of the Generall Court.

John Styles is fyned, 2s. vid. John Sadler is fyned, 5s.
Tho: Watts, for trayneing wth a peece chardged, is fyned 20s.
Peter Blachfield is fyned 5s.

Vppon the further evidence that Tho: Steynton hath brought into the Court conserneing a late sute presented agt him by Math: Allen pl., execution is respited vntill the next Court.

The particular Court is to be held the first Thursday in August

Benedictus Aluerd acknowledgeth himselfe bound in a recognizance of xл. to the Country, pruized if in convenient tyme he prseecute the sute vppon an attacht he hath taken agt the goods of John Cooke or answer such damages as may vppon his neglect or not makeing good the action, then this to be voyd.

Tho: Welles.

The 7 men who haue power to Order Fences and sett penalties, haue the like power to graunt execution vppon the forfeiture thereof.

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**JULY THE 4th, 1644.**

Mr. Hill is desiered to assist the Gou'r and Deputy to audicte the Tresurers accoumpte.

There is a Rate of 100l. graunted to be leuied vppon the three Townes.

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**AUGUST THE FIRST, 1644.**

Ed: Hopkins Esq'r, Gou'r.

Mr. Webster, Mr. Whiting, Mr. Welles, Mr. Woolcott.

John Demon pl. agt Ed: Preston, in an acti of the Case, 20 bushl of Ry & 10s. dañages.

Ephra Huit pl. agt Walter Fyler deft, in the behalfe of the Towne of Wyndsor, in an ac. of the Case.

Richard Mylls pl. agt Willi Combstocke & John Sadler defts, in an ac. of Slaunler to the dañage of 200l.

Rich: Mills pl. agt James Norton deft, in an ac. of debte to the dañage of 20l.

Mr. Wm. Whiting pl. agt James Whatly deft, in an ac. of the Case to the dañage of 4l.

James Whatly pl. agt Tho: Osmore deft, in an ac. of the Case.

James Whatly pl. agt Tho: Ketling deft, in an ac. of Slaunler to the dañage of 5l.

In the ac. of John Robins pl. agt Nath: Foote deft, the Jury find for the deft costs of Court.

In the ac. of John Robins pl. agt Rich: Beldon deft, the Jury find for the pl. dañages 5l. according to the Arbitribers, leaueing the former dañages to be issued by the Arbitrators, and costs of Court.

In the ac. of Nath: Foote pl. agt Robert Rose deft, the Jury find for the pl. dañages xiid. and costs of Court.

In the ac. of John Demon pl. agt Ed: Preston deft; the Jury find for the pl. 20 bush. of Ry & 10s. dañages & costs of Court.

In the ac. of Mr. Whiteing pl. agt James Whately deft, the Jury find for the pl. dañages 3l. 16s. country pay, or 3l. mony, and costs of Court.

In the ac. of Ephra Huit pl. agt Walter Fyler deft, the Jury find for the pl. the land he sued for & costs of Court.

[125] In the action of James Whatly pl. agt Tho: Ketling defent, the Jury find for the pl. 13s. 4d. dañages and costs of Court. Execution graunted.
Edward Hopkins Esq^r, Gou^r.
Jo: Heynes, Esqr, Dep.
George Willis Esq^r, Mr. Webster, Mr. Welles, Mr. Woolcott.

The Jury.—Nath: Foote, Nath: Dickinson, Tho: Vfioote,
John Elson, Rich: Webb, Will' Rescue, Tho: Osmor,
Rich: Butler, Joseph Loonies, Franc: Styles, Tho: Dewe,
Tho: Orton; Jur.

Nath: Wylled plant^g Will' Edwards def^t, in an action of
dept.
James Whatly pl. ag^t John Lattimore def^t, in an ac. of Slaun-
der.
James Whatly pl. ag^t Tho: Osmor def^t, in an ac. of the Case.
James Whately pl. ag^t Richard Harris def^t, in an ac. of
slander.
Will' Perwidge pl.
Math: Beckwith & Tho: Hungerford pl. ag^t Will' Edwards
def^t, in an ac. of slander.
Tho: Steynton pl. ag^t Math: Allen def^t, in an actiô of the
Case.
John Lattimor to pay 5s. dañages to James Wakely.
Rich: Mylls to pay 5s. dañages to James Northû.

The Inventory of John Cattell was brought into the Court &
by Will' Gybbins & his wyddowe to administer.

James Hallet, for his thefte, is adjudged to restore fowerfold
for what shall be proued before Capten Mason & Mr. Woolcott,
and to be branden in the hand, the next Trayneing day at
Wyndsor.

In the ac. of James Whatly pl. ag^t Richard Harrison, the
Jury find for the pl. vid. dañages & costs of sute.

In the ac. of Math: Beckwith & Tho: Hungerford pl. ag^t
Will' Edwards def^t, the Jury find for the pl. dañages 20s. &
costs of Court.

* Blank in the original.
John Heynes Esq', Dep. Gou'.
George Willis Esq', Mr. Webster, Mr. Whiteing, Mr. Welles, Mr. Woolcott, Capten Mason.

Deputyes:—Mr. Steele, Mr. Talcoate, Mr. Westwood, Mr. Cullicke, Mr. Hill, Mr. Hull, Mr. Gaylard, Henry Clarke, Mr. Trott, Mr. Oyster, James Boosy, Samuell Smith.

The Court is adioyrned to the 25th of this month, after the lecture.

Mathew Maruen pl. agt Peter Bassaker.

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The Particular Court, the 24th of October, 1644.

Ed: Hopkins Esq', Gou'.
Jo: Heynes Esq', Dep.
George Willis Esq', Mr. Webster, Mr. Welles.

In the action of James Whatly pl. agt Tho: Osmore defent, the Jury find for the pl. dañages 4l. 12s. and costs of Court. Execution graunted.

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The Generall Court, the 25th of October, 1644.

Whereas, Mr. Mathew Allen of Hartford formerly presented a petition to the Court, wherein he charged the Church of Hartford to doe him wrong, the whch he was to haue praed in Court, but hath neglected to make yt appeare, It is now Ordered, that he shall haue a copy of the answer formerly giuen to the petition now sent to him, and be required to bring in his answer thereunto & giue yt in Court the 27th of Noueber, and also answer his former contempt.

It is agreed that the positions concerninge the maynten-annce of mynters, made by the Comissioners of the United
Collonies, shall stand as an Order for this Jurisdiction, to be executed accordingly where there shall be cause.*

[129] The propositions concerning the mayntenance of scollers at Cambridge, made by the said Comissio"rs is confirmed, and It is Ordered that 2 men shalbe appoynted in every Towne wthin this Jurisdiction, who shall demand what evey family will giue, and the same to be gathered and brought into some roone, in March; and this to continue yearely as yt shalbe considered by the Co"missio"rs.† The prsons to demand what will be giuen are

For Hartford, Nathaniell Waierd and Ed: Stebbing.
For Wyndor, Will' Gaylard, Henry Clarke.
For Wethersfield, Mr. Trott, Mr. Wells.
For Stratford, Will' Judson, Jo: Hurd.
For Vncowaue, Jehue Burre, Ephraim Wheeler.
For Southampton,‡ Mr. More, & Robert Band.

* "Whereas the most considerable psrons in these coloyes came into these parts of America that they might intioye Christ in his ordinances, wthout disturbance; And whereas among many other precious mercyes, the ordinances are & have bene dispensed among us wth much purity & power, The Commissioners took it into serious consideracon, how some due mayntenance according to God might be pruied & settled, both for the present and future, for the encouradgment of the Ministers whose labour therein, & concluded to p不用担心 & commend it to each Gen'll Court, that those that are taught in the word in the seu'all Plantacons be called together, that eu'ic man voluntarily set downe what he is willing to allowe to that end & vse; and if any man refuse to pay a meet prportion, that then he be rated by authority in some just & equall way; and if after this any man withhould or delay due paynt the civil power to be exercised as in other iust debts." [Records of U. Colonies, Sept. 5, 1644.]

†This "proposition of a gen'lll contribution for the mayntenance of poore scollers at the College at Cambridge" was presented to the Commissioners, at their meeting in September, 1644, by the Rev. Mr. Shepard.—"and fully approved by them, & agreed to be commendad to the seu'all gen'all Courts as a matter worthy of due consideracon & entertainm't for the advancement of learning, wth we hope will be carefully embraced." Mr. Shepard, after requestng the Commissioners to consider "some way of comfortable mayntenance for that Schoole of the Prophets wch now is," suggests that "If therefore it were commended by you, & left to the freedome of eu'ic family wch is able & willing to giue, throughout the Plantacons, to give yearly but the fourth part of a bushell of corne or something equivalent thereunto,—and for this end, if eu'ic Minister were desired to stirre up the hearts of the people once in the fittest season of ye yeare, to be freely enlarged therein, & one or two faithfull men appointed in each Towne, to receaue & seasonably to send in what shall be thus giuen by them.—It is conceived that as noe man could feel any grievance hereby, soe it would be a blessed means of comfortable prvision for the dyet of dyuers such students as may stand in neede of some support, & be thought meet & worthy to be continued a fit season therein." [Rec. of U. Col., Sept. 1644.]

‡ Southampton had been received under the Jurisdiction of Connecticut, not long previous to this time, with the approval of the Commissioners of the U. Colonies. See copy of the Articles of Combination, in Appendix, No. II.
The propositions of the Commissioners concerning a general Indian trade (except corn, fish and venison) is also approved and settled by the Court, upon the terms therein proposed, if other Jurisdictions do the like.

Also, the said Commissioners Order concerning verdicts is approved.*

The Gouernour, Deputy, Capten Mason, Mr. Steele, Mr. Gaylard & James Boosy are desired to treat with Mr. Fenwicke concerning the setting of the Rivers mouth, to know upon what terms we stand with him in that respecte, and also to consider what they thinke meet to be done for matter of Fortificatio there, and to take the first opportunity they can for the issueing of yt, and to determine and conclude with him as they shall judge meete.

It is Ordered, that all persons hereafter committted upon delinquency shall beare the charges the Country shall be att in the prosecute thereof.

Its Ordered, there shalbe a publike day of thanksgiuinge through this Jurisdiction, upon Wensday coming fortnight.

Its Ordered, that all Collectors and gatherers of Rates, shall appoynt a day & place and give resonable warninge to the Inhabitants to bring in their portions, upon every man so warned shall duely attend to bring in his rate, or upon neglect thereof shall forfeit 2d. in the shilling for what he falls shorte, and the said Collector shall have authority hereby to distraye the delinquents, or be accountable theselves for the rates & penaltys so neglected by the.

There is a Rate of 10l. to be added to the former of 140l.

Whereas yt is obsearued that the Dutch and French doe sell and trade to the Indeans, guns, pistolls and warlike instruments, It is now Ordered,† that no person with these libertys

* * * There being a question proposed of what esteeme & force a verdict or sentence of any one Court within the Colonies, ought to be of in the Court of another Jurisdiction, The Commissioners well weighing the same, thought fit to commend it to the several Generall Courts, that every such verdict or sentence may have a due respect in any other Court through the Colonies, where occasion may be to make use of it, & that it be accounted good evidence for the Plaintiff, until either better evidence or some other just cause appeare to alter or make the same void; & that in such case, the issuing of the cause in question be resipted for some convenient tyme, that the Court may be advised with, where the verdict or sentence first passed.†† [Rec. of U. Col.]

†† And it is commended to the serious consideracon of the several jurisdictions, whether it be not expedient & necessary to prohibit the selling of the aforesayd ammonicon either to
shall at any tyme hereafter sell nether gun nor pistoll nor any Instrument of warre, nether to Dutch nor French men, under the penalty of forfeiting twenty for one, and suffering such further corporall punishment as the Court shall inflict.

A Generall Court, Novemb. the 15th, 1644.
Edward Hopkins Esqr, Gov.
Jo: Heynes Esqr, Dep.
George Willis Esqr, Mr. Webster, Mr. Whiteing, Mr. Welles, Capten Mason, Mr. Woolcotte.
Mr. Steele, Mr. Talcote, Mr. Westwood, Mr. Cullicke, Mr. Trotte, Mr. Oyllister, Samuell Smith, James Boosy, Mr. Hill, Mr. Hull, Mr. Gaylard, Mr. Clarke.

Richard Lyman hath the like liberty, with John Tynker and his partners, for the making pitch and tarre, provided they gather not their wood within halfe a myle one of another, and that whatsoever wood is or shall be gathered for that vse be imp\textsuperscript{ried} within three months after the gathering.

A P\textsuperscript{t}ticuler Court the first Thursday in December.
Ed: Hopkins Esqr, Gov.
Jo: Heynes Esqr, Dep.
Mr. Webster, Mr. Whiting, Capten Mason, Mr. Welles, Mr. Woolcotte.


Rich: Mylls plt, agt Will' Comstocke deft.
Mathew Allen plaintife, agt Tho: Hollibut deft.
Will' Hill plt, agt Peter Bassaker deft.

\textit{French or Dutch, or to any other that doe comonly trade the same wi\textsubscript{th} Indians.} [Records of U. Col., Sept. 1644.]
Henry Densloe pl. agt Jaruis Mudge deft, in an ac. of Slaun-
der.

Math: Allen pl. agt Peter Bassaker defent.

[131] An executio to be graunted agt Tho: Osmore, at Ja: Whatly his sute, Jo: Barnard, 3l. 6s. 8d.

Will' Edwards pl. agt Peter Bassaker deft, in an ac. of debt to the damage of 3l.

In the actio of slander by Henry Densloe pl. agt Jaruis Mudge deft, the Jury find for the deft costs of Court.

Mr. Trott & Nath: Dickinson vndertake that Carrington shall appeare wu the Court or the Gou shall call for him.

Mr. Ollister & Jo: Edwards vndertake that Robert Bedle shall appeare at the Court at Hartford, uppon Thursday next.

Dec. the xiith, 1644.

Mr. Heynes & Mr. Willis are desiered to consider of the estate of Nath: Foote deceased, and to take in what helpe they please frō any of the neighbours to aduise how yt may be disposed of and to report their appthensions to the next Court.

Mr. Webster & Mr. Whiteing & Mr. Woolcot are desiered to see an equall deuision made of Marshfields estate to the seuerall creditors.

Tho: Walston is fyned 20s. for inuegling the affections of Mr. Alcocks mayde.

Dauid Wilton and Daniell Clarke are admitted executors to
the will of Ephraim Huit. Mrs. Huit prmiseth that if the goods sett apart for the dischardge of debts fall short, that shee will resigne such other goods as are comitted to her, to make yt out.

Robert Bedle is adiudged to restore double for the seuerall thefts acknowledged by him, and to be seuerly whipped and branded in the hand vppō Wensday next.

Ed: Hampson for diuulging slanderus speeches agt Mr. Chester, is fyned fiue pownd to the Country.

In the absence of the officer of the Court, the Constable may seare executions.

Bedle stole frō Mr. Blakman, of gunpowder, ij pownd; Frō wydowe Foote, of Rye, iiiij bush; Frō Tho: Welles, 2 sacks; Frō Rich: Mylls, 1 blanket; Frō Tho: Tracy, 1 sacke.
116 PUBLIC RECORDS

[132] A Generall Court, the xi th of December, [1644.]
Ed: Hopkins Esq', Gor.
Jo: Heynes Esq'. Dep.
Mr. Webster, Capten Mason, Mr. Welles, Mr. Woolcott.
Mr. Steele, Mr. Talcoate, Mr. Culicke, Mr. Westwood,
Mr. Hill, Mr. Hull, Mr. Trott, James Boosy, Sa: Smith.

Whereas through the blessing of the Lord vppo the payne-
full endeauors of these Plantations, incouridgement hath bine
giuen for the rayseing some quantity of corne, whereunto many
haue addicted theselues vppon hopes of receaueing some com-
fortable supply to their necessityes thereby ; But p'tely through
waunt of op'tunity and fitte instruments to transport the same
into forraigne p'ts, and partly the advantage that haue bine
taken frō the multitude of sellers and their pinching necessityes,
the rate and price of corne is so little and the comodity so vn-
auaylable for the attaynement of such supplyes as are most
suitable to mens needs, that much discouridgement falls vppon
the spirits of men in such imployments, wch is like to be more
and more increased if' some course be not taken for the finding
some other way of trade for corne then hath bine hitherto at-
tended, whereunto not only our owne necessityes call vs, but
the complaints of the other Collonyes, both of the Massachusetts
and Plymoth, by their Comissioners, who looke vppon the-
selues as much prejudiced by our ouerfilling their marketts, require
the same at our hands ; It is therefore, by generall consent,
Ordered, and also agreed w'th the pryues hereafter mentioned,
that noe Englishe grayne shall for the two next yeres ensueing
be sould to any out of this Riuere, but Edward Hopkins Esqr
and Mr. Williā Whiteing and such other Marchants as they
shall take to the, who do vndertake to endeauor the transporta-
tiō thereof into some p'ts beyond the seas, and to make such
improuement of the rest as op'tunity of these p'ts shall p'sent,
and to pay to the seuerall owners 4s. p' bush. for wheat, 3s. p'r
bush. for Rye, and 3s. p'r bush. for pease ; and it is pruied that
halfe of that wch is transported this p'sent yere, if yt be sent
into England, the aduenture thereof, in case the ship be taken
or otherwise miscary, shall be borne by the owners thereof; the
payment for the said corne to be made by the said Marchts at
the returne of the shippe, or so soone as returne may any other-
way be made, and to be paid in the best and most sutable Eng-
lishe commodityes that may be procured for the necessary support
of these plantations; they are not to receaue fro, nor be ac-
countable to, any owner, vnder a 100 bush. And it is by
generall consent Ordered, that whosoeuer vpon this Riuер
shall sell or send out any Englishe corne, vnles such as shall appeare at this present tyme to be truly and without deceipte in-
gaged, but to the foresaid company of Marchts, shall forfeit the
one halfe of such graine so sould or sent out contrary to the true meaneing of this Order; and halfe of the graine so for-
feted shall be to the preůr use and behalfe of he or they that shall
discouer the same deceipte, and the other halfe to the Country: pruized that any the Inhabitants of these Plantations may sell
or exchaynge the said Englishe graine among theſelves notwith-
standing this Order.

[133] * In the absence of the Officer of the Court, the Con-
stable of the Towne shall searue Executions.

Ed: Harnson for diuulging slanderous speeches agt Mr.
Chester is fyned 5l. to the Country.


[134] Feb: 5th, 1644.

Ed: Hopkins Esqr, Go.*
Jo: Heynes Esqr, Dep.

Mr. Whiting, Mr. Webster, Mr. Welles, Capten Mason,
Mr. Woolcott.

Mr. Steele, Mr. Talcoat, Mr. Westwood, Mr. Cullicke,
Mr. Hill, Mr. Hull, Mr. Gaylard, Mr. Clarke, Mr. Ollister,
James Boosy, Sam: Smyth.

Whereas some question hath rysen concerninge vnnessary tryalls by Jury, and found by experience that many such suits
might be pruended if arbitrations were attended in a more pri-
uat way, according to the nature of the differences, wch is re-
comended by the Court to all the Towns of this Gouverment;

*The two entries following are repeated from page [131.]
And for the regulateing of Jurys for the future, It is Ordered, that in all cases which are entered vnder 40s, the sute shall be lefte to be byred by the Court of Magestrats as they shall judge most agreable to equity & righteousnes; and that in all cases that are byred by Jurys, the Court of Magestrats shall haue liberty, if they doe not conceaue the Jury to haue proceeded according to their euidence, in their verdict giuen in, to cause them to returne againe to a second consideration of the case, and if they continue in their former opinion and doe not in the judgement of the Court attend the euidence giuen in Court, it shall be in the power of the Court to impanell another Jury and comitt the consideration of the case to the.

It is also lefte in the power of the Court, in any case of tryall to vary and alter the daemages giuen in by the Jury, as they shall judge most equall and righteous.

But if any find theseslues agreiued, ether by verdict of Jury, or proceededings of Court, they haue liberty to apesale to the Generall Court. It is also left to the magestrats to impanell a Jury of sixe or twelve, as they shall judge the nature of the case to require, but no jury shalbe vnder sixe, and if 4 of the agree, or 8 in a Jury of 12, the verdict shall stand as if the whole nuber of ether did agree.

It is also Ordered, that the Towns shalbe at liberty to abate two of the 7 men formerly apoynted for the dispose of grownd and Ordering of Fences.

The former Order, concerninge the pryses of corne is repealed, and it is Ordered, that for all bargens hereafter made to be paid in Corne, and for the worke of men and cattle, wheat shall be payable at 4s. pr' bush., rye at 3s., pease att 3s., and Indean att 2s. vid. pruiderd yt be marchantable corne.

For the pruenting of differences that may arise in the owneing of Cattle that be lost or stree away, It is Ordered, that the owners of any cattle within these Plantations shall earemarke or brand all their Cattle and swyne that are aboue halfe a yeare old (except horsses) and that they cause their seuerall marks to be registred in the Towne booke; and whatsoever cattle shall be found vnmarked after the first of May next shall forfeit 5s. a head, whereof 2s. vid. to him that discouers yt, and the other to the Country.
Whereas yt is expressed in the late bairgen made wth the Marchants, that there shalbe noe Englishe grayne sould out of this Riuer to any other, It is the judgement of the Court and so Ordered, that whatsoeuer wheat shalbe ground into meale or made into biskett, that all such meale and biskett shall com [135] vnder the said bairgen, as also malte made of bary, p'tuided the said Marchants giue for such molte an answerable price to other Chapmen.

(Whereas it is said in the fundamentall Order,* that the Generall Court shall consist of the Gouernour or some on chosen to moderate and 4 other Magistrats at lest, It is now Ordered and adiudged to be a lawfull Court, if the Gou or Deputy wth other Magistrats be p'sent in Court, wth the mayor part of deputyes lawfully chosen. But no act shall passe or stand for a law, wch is not confirmed both by the mayor part of the said Magistrats, and by the mayor p'te of the deputyes there p'sent in Court, both Magistrats and deputyes being alowed, eyther of thó, a negatiue voate. Also the p'ticular Court may be keepte by the Gouernour or Deputy wth † other Magistrats.

Whereas vpon an agreement lately contracted‡ by some deputed by this Jurisdiction wth George Fennicke Esq', for and concerneing the Fort att the Riuers mouth, wth th'apartenance and disbursements expended there by himselfe and others, this Jurisdictio is ingaged to pay to the said George Fenwicke Esq', two pence p' bush. vpon all graine that shalbe exported out of this Riuer for tenn yeares ensuing, after the first of March next, and six pence p' Ct vpon all biskett that shall in like manner be exported, as by the said agreement doth and may more fully appeare; For the p'uenting of all abuses and indirect courses that may be attempted or taken by any in euadeing the foresaid payment and that the same may be truly and exactly p'formed, according to the true intent of the said agreements, It is Ordered by this Court, that noe grayne or biskett shalbe laden by any aboard any vessell in this Riuer.

† In the record of the fundamental Orders as amended, in [Vol. ii. p. ] this blank is filled with the word three.
‡ The articles of agreement bear date Dec. 5th, 1644. They were not placed upon Record however, until several years afterward, in [Vol. ii. p. 59.] See Appendix, No. III.
vntill they have made entry of the number of the bush. of
grayne and the kynd thereof, and weight of biskett they intend
to lade aboard any such vessell, and recorded the same in a
booke prouded for that end and purpose, wth such persons as by
this Order are appoynted to receaue the same, vnder the penalty
of forfeting the on halfe of all such grayne or biskett that
shalbe laden wthout entring of the same as before; the on halfe
of that wth is so forfeeted, to be to the vse of the Country, and
the other halfe to him who shall discouer the same and informe.
And it is Ordered, that euery man who lades any such grayne
or biskett, shall take care and prouide that there be paid to Mr.
Fenwicke or his assignes att Seabrooke, the two pence pry Bush.
and sixe pence pry C/^, for all graine and biskett so laden by
them, so neere as may be in the same kynd of graine as is laden
by them, or if otherwise, to the content of him or his assignes;
the laders of the said coron being lefte notwithstanding, in all
bargains for corne made before this time, to compownd or agree
wth those frō whom they receaued the corne so sent away, or in
case of difference, to take any other lawfull course to haue the
said charde of two pence pry Bush. determined vpon whō, ac-
cording to the rules of equity and righteousnes, yt ought lastly
justly to fall, for the payment thereof.
And it is further Ordered, that no vessell exporting corne or
biskett, shall depart from any of the seuerall Townes vpon
this Ruier, vntil the Mr thereof, or some frō him, haue taken a
[136] noate vnder the hand of him || that is deputied by this
Court for that seareuice in the severall Townes, of what quanti-
ties of corne or biskett is laden aboard the said vessell, wch
noate or noats shalbe deliuered by him to Mr. Fenwicke, att
Seabrooke, or his assignes, and payment made of the two pence
pr Bush. and sixe pence pry C/^ according to this Order, or satisfac-
tion giuen to Mr. Fenwicke or his assignes for the same; and
in case any Mr shall refuse or neglecte to take the said noate
according to this Order, yt shalbe lawfull for those who haue
the charde of the Fort att Seabrooke to make stay of the said
vessell vntill the Mr, or some frō him, haue brought a noate or
certificate as is before expresse. And in case any such vessell
shall, in a surreptitious manner, gett free att the said Fort,
without a cleare dischardge frō Mr. Fenwicke or his assignes,
eyther the vessell or the Mr thereof shalbe liable to pay fower pence pr bush. for all graine and twelue pence pr Ct for all biscott that is exported wthout deliuerie of such noate as is before expresse, yf eyther the one or the other att any tyme returne agayne into this Riuer. And in regard to the conueniency of the sytuatyon of their howses, being neere the waterside, wherby the foresaid Records may be made and noates prcured by those who yt may concerne, wth leste troble, Mr. Jo: Plum is appointed and desiered to attend this searuice at Wethersfield, Edward Stebbing att Hartford and Walter Fyler att Wyndso.

And whereas further, by virtue of the forementioned agreements, this Jurisdiction is ingaged for the said tearme of tenn yeares after the first of March next, to pay to the said George Fenwicke Esquire twelue pence pr annm for every hogge that is killed in any of the Townes vpon the Riuer, eyther for mens prticuler occations or to make sale of, as also twelue pence pr annm for euyer milch cowe or mare of 3 yeares old and vppwards, that is in any of the Townes or Farmes vpon this Riuer, twenty shilling for every hogshead of Beuer traded out of this Jurisdiction and paste away downe the Riuer, two pence for euyer pound of Beuer traded wth in the lymitts of the Riuer, the foresaid payments to be made in Beuer, wampum, wheat, barly or pease, at the most coモン and indifferent rates; It is by this Court Ordered, that all the Inhabitants of this Riuer doe take spetiall notice of the said agreements and doe pay in to George Fenwicke Esq[, at Seabrooke, or to his assignes, att or before the first day of March, 1645, and so euyer yeare, att or before the first day of the said month of March, vntill the tearme of tenn yeares be expired, such so Mons as shalbe due from them vpon any of the foregoing prtculars; according to the meaneing of the said agreements, or in case they be respited by the forementioned prsons, who are betrusted wth the ordering of these payments, for a longer tyme, that they bring in such payments as shalbe due frō them, to such place or places as shalbe appoynted to them by the said Trustees in ech Towne, vpon 48 howers warneing or notice eyther publickely or priuately made knowne and giuen. And if any man shall neglecte to make the said payments at the tyme and in the manner be-
fore specified, he shall pay two pence in every shilling allowance per month, until the whole due be discharged, and shall, upon his own charge, keep the grain or other payment to be made by him, until a fit opportunity be offered of conveying the same to Seabrooke, and this signified by the said Trustees. And it is further provided and ordered, to prevent all collusive dealing whereby the true meaning of the said agreements might be frustrated, that if any man shall conceal either hogs, mares, cows or beuer, and not give true notice to the parties forementioned and appointed by this Order to take record thereof, he shall forfeit the on half of what shall be concealed by him, or the value thereof, the on half of that which is so forfeited to be to the use of the Country, and the other half to [137] him who shall discover and inform of any such indirect and deceitful proceedings.

It is the intent of the Court, and accordingly Ordered, that every man shall pay for such mares and cows as are in his hands every year, the first day of February, and those are to be esteemed milch cows as have given milk the year before.

[138] A P'ticular Court, March the 5th, 1644.

Ed: Hopkins Esq', Gou'.
Jo: Heynes Esq', Dep.
Mr. Webster, Mr. Whiting, Mr. Welles, Cap: Mason, Mr. Woolcott.

Andrew Bacon and George Granes testifie in Court, that they being wth Tho: Crumpe when he was sicke, not long before his death, asking him how he would dispose of his estate, he said, his debts being paid, he desiered his master would doe wth yt as he pleased.

Ed: Hopkins Esq', Gou', is admitted to administer the estate of Tho: Crumpe, late of Hartford, deceased.

In the action of Ed: Elmor and Nath: Willett plant against
Rich: Trott defendt, the Jury find for the plts six pownde, eleaunshillings and sixe pence damages and costs of Court.

In the action of Tho: Steynton pl. against Math: Allen defen:t, the Court hauing hard the witnesses, find that Tho: Steynton bought and paid for the blanketts lefte by Mr. Allens man for Hugh the millwright, and Mr. Allen ought to repay the mony formerly taken by verdict of the Jury, yet in regard of Tho: Steyntons formerly prùtorines,* not moueing the Court for longer tyme, thereby now occasioneing further troble and chardge, the Court adijudgeth Math: Allen to pay to Tho: Steynton twenty shillings and the chardge of this Court, and the other chardge and losse to lye vppon Tho: Steynton.

Rich: Lord being conuented before the Court for altering an execution issued out, his misdemeaor therein is looked vppon as an offence of a high nature, but conceaueing yt a sudden, inconsiderat act, and finding him much humbled and affected therewth, giueing full acknowledgement of his Offence, he is adjudged to pay to the County fine marke.†

Daniell Porter for his former thefte is fyned xxs.

The said Daniell, Willia Pantry & Rich: Lord acknowledge theselues bownd in the some of ten pownd to the Country; pruied the said Daniell appeare at the Court to be held at Hartford, the first Thursday in June next, then this Recognizance to be voyd.

The Court takeing the cariedge of Jeramy Addoms into consideratiö, fynd his misdemeaor great, in adhering to Tho: Osmor in his misapthensions about the execution, and giueing him incoeuridgement by prsoking speches to resist the officer, but espetially his passionat distempered speches, lowd languadge & vnmannerly cariedge in the face of the Court, to the great offence of the beholders, Require him to appeare at the next pticular Court, there to receaue such censures as the Court shall conceaue his misdemeaour to desearue.

The Arbitration vppon the sute of Tho: Dewye pl. agt Tho: Ford deft, is fownd good, and Tho: Ford is to pay the 36s. awarded therein and chardges of the Courte.

Peter Bassaker acknowledgeth himselfe bownd in xxl. to the Country, pruied if he appeare at the Court to be held in Hart-

*Peramptoriness. † A mark = 13s. 4d.
ford, the first Thursday in June next, then this Recognizance to be voyde.

[139] Susan Coles, for her rebellious cariedge toward her mistris, is to be sent to the howse of correction and be keep to hard labour & course dyet, to be brought forth the next lecture day to be publiquely corrected, and so to be corrected weekly vntill Order be given to the contrary.

Tho: Osmore, for some expressions vsed by [him] tending to the derogatiō of the justice of the Court vppon an execution issued out of the Court, is fined vil. 13s. 4d,

Robert Bedle, for his loathsû and beastly demeanor, is adjudged to be brought forth the next lecture day, to be severely scourged, and to be keep in the howse of correctiō a fortnight longer, and then brought forth againe to be publiquely whipped, and then to be bownd to appeare at every quarter Court to be whipped, vntill the Court see some reformation in him, & shall see cause to release him.

Walter Gray, for his misdemeanor in laboring to inuagle the affections of Mr. Hoockers mayde, is to be publiquely corrected the next lecture day.

The said Walter Gree hath forfeited*

[140] The Court of Election the 10th of Aprill, 1645.

John Heynes Esqr, Gou'r.
Ed: Hopkins Esqr, Dep.
George Fenwicke Esqr, Mag. Roger Ludlow Esqr, Mag. Mr. Whiteing, Tres', Mag. Capten Mason, Mag. Mr. Webster, Mag. Mr. Welles, Mag., Secr. Mr. Woolcott, Mag.

[Deputyes.] Mr. Steele, Mr. Talcoat, Mr. Trott, Mr. Ollister, Mr. Phelps, Mr. Gaylard, James Boosy, Sa: Smith, Tho: Newton.

John Byssell is freed fro Trayneing.


* This entry remains thus incomplete.
OF CONNECTICUT. 125

Whereas yt was Ordered, that the Towns should trayne 6 dayes in the first weeks of severall months, It is now Ordered, that the Capten may require the souldears to trayne 3 dayes att any tyme wth in the months of Aprill, May and June, and 3 dayes in Septeber, October & Nouëbr.

James Boosy is chosen Clarke of the band for Wethersfield.

Henry Gray of Vncowae, for his many misdemeanors, is adiudged to be imprisoned duereing the pleasure of the Court, and to be fyned ten pownd.

Jehue Burre the elder, and Tho: Barlowes are to be warned to the next pṛticuler Court.

There is a lyberty of two Fayres to be keepte yearely att Hartford, one vppon the second Wensday in Maye, the other the 2d Wensday in Septeber.

Whereas there hath bine much dispute about the highwaye betweene Wyndsor and Hartford, wch hath bine lately vsed in coming through the meadowe of Hartford wth carts & horses, to the anoyance and prudence of the Inhabitants of Hartford that haue lotts in the said meadowe, It is therefore thought meete and so Ordered, that the high waye, as for carts, catle and horses, be stopped vppe, and that the highwaye betweene the said Wyndsor and Hartford in the vpland be well and passably amended & mayntayned for a continuance, by Hartford as much as belongs to them and by Wyndsor as much as belongs to them; the said highwaye to be amended by ech pṛty by sixe weeks or two months, vpon the penulty of twenty shillings pṛ weke for that pṛty that fayles ether in the whole or in pṛte, as long as it soe lyes not sufficiently repaired and mayntayned ; and at the sixe weeks end or two months end, Mr. Webster and Nath: Waird doe seriously surueye that pṛte wch belongs to Wyndsor, and that Henry Woolcott the elder and Jo: Porter doe surueye that pṛte wch belongs to Hartford, and cerifie of the sufficiency of the said highwaye, to the next pṛticuler Court, who are delinquents, and the penulty to be leuyed vpon the delinquent pṛty without any favor or affecttion, both for fayleing att the tyme aforesaid, as also for future the like penulty vpon the pṛsentment of the insufficient mayntayneing thereof.

The Gouernour is content to goe twice this yeare to keepe
Court at the seaside (vpon the motion of Mr. Ludlowe, in the behalfe of the Plantations there,) and hath liberty to take what magistrate he pleaseth to assist him; or in case his occations will not p\textedit{"r"}mitt him to goe himselfe, he may appoynt some other in his steed.

The Gour & Deputy w\textedit{\textsuperscript{th}} Mr. Whiting, Mr. Webster and Mr. Welles, are desiered to determine and settle any differences that shall arise about the 2d. p\textedit{r} bush. to be paid for the Corne that shalbe exported.

The Court is adiorned vntill the 2\textedit{d} Wensday in Maye.

[141]  
May the 13\textedit{th}, 1645.

It is desiered that the Gou\textedit{r}, Mr. Deputy, Mr. Fenwicke, Mr. Whiting and Mr. Welles should agitate the busines concerning the enlargdgement of the libertyes of the Patent for this Jurisdiction, and if they see a concurrence of opportunityes, both in regard of England they haue liberty to proceed therein, att such resonable charadge as they shall judge meete, and the Court will take some speedy course for the dischardge and satisfieing the same, as yt shalbe concluded and certified to the Court by the said Comittee or the greater p\textedit{r}te of them.

The Courts adioyrned to the 2\textedit{d} Wensday in July, or sooner if the Gou\textedit{r} see cause to call yt.

June the 5\textedit{th}, 1645. The Pitticuler Court.

Jo: Heynes Esq\textedit{r}, Gour.
Ed: Hopkins Esq\textedit{r}, Dep.
Roger Ludlowe Esq\textedit{r}, Mr. Webster, Capten Mason, Mr. Welles, Mr. Woolcott.


In the action of slander of Tho: Sherwood the elder, pl. agaynst Henry Graye defeint, the Jury find for the plant, costs of Court and damanges twenty pownd.

*This blank in the original.
In the 2d action of slander of Tho: Sherwood the elder, pl. agt Henry Graye defent, the Jury find for the plant costs of Court and damages lower pound.

In the action of slander of Tho: Sherwood the elder, plte, agt Jehue Burre the elder, defl, the Jury find for the plant, costs of Court and damages fifteene pound.

In the action of Jehue Burre the elder, plant, agt Tho: Sherwood the elder, defent, the Jury find for the defent, costs of Court.

[142] Nath: Dickenson and Tho: Coleman are to take a particular of the estate of Mr. Parks man deceased and bring yt to the Court; and for the wages due to him, it may be respited vntill we heare fro Mr. Parks, or his returne.

Baggett Egleston, for bequething his wife to a young man, is fined 20s.

George Tuckye, for his misdemeanor in words to Eglestons wife, is fined 40s., and to be bownd to his good behauior and to appeare the next Court.

Tho: Ford acknowledgeth himselfe to be bownd in xl. to this Coimnwelth and George Tucky in 20l., that the said George shall appeare at the next Court, and keepe good behauior in the meane season.

The information agt Henry Graye read in Court, is to be inquired into by the Magistrats that goe to Stratford, and he to continue bownd.

Rich: Lord brought Maruins man* into the Court according to his Recognizance.

Tho: Ford pl. agt Josiah Hull and Rich: Oldridge defts, in an actio of the Case, to the damage of 30l.

William Edwards pl. agt Jonathan Rudde, vppon an attacht, 2s. 6d.

Will' Edwards acknowledgeth himselfe bownd in a Recognizance of 5l. to psecute & make good his actio.

Tho: Staples pl. agt Clement Chaplin deft.

Rysly agt Watts. Basset agt Tharpe.

Chappell, the Taylar, [agt] Southmead.

* Daniel Porter. See p. (138) 123.
Ed: Hopkins Esq', Dep.
Mr. Webster, Mr. Whiting, Mr. Welles, Mr. Woolcott.
[Deputyes:—Mr. Steele, Mr. Talcoate, Mr. Phelps, Mr. Gaylard, Mr. Trott, Mr. Ollister, James Boosy, Sa: Smith.

Whereas Mr. Fenwicke, Capten Mason and James Boosy haue had some treaty wth Math: Gryffen, for fortification att the Forte, who haue reported to the Court how far they haue proceed ed therein, and the Court doth approue of their p^p^ositions, and desire they would take some speedy op^tunity for the full issueing and p^ffecting the said bairgaine, and there is graun ted by the Court a rate of 200/. to be leuied on the Plantations, towards the dischardge thereof; and Mr Talcott is desiered to assiste the said Comitétee therein, and to take care for the speedy accomplishement thereof, and to p^uide any necessaryes for the carieing on the same; the rate is to be paid in, in such grayne and att such prises as the Comitétee shall agree to alowe the partyes they contracte wthall aboute the worke.

Will' Smith of Wethersfield is chosen Clarke of the band for that Towne, and to vewe the Arms.

It is Ordered that the Magestrats or the greatest p^те of the shall haue liberty if they see cause to p^sse men and munition for a defensiue warre, or to defend the Mohegins vntill the next sitting of this Courte.

There is a Rate of 50/. graun ted.

[143] Mr. Fenwicke and Mr. Hopkins are chosen Comіssioners for the next meeting in September att Newhauen, and for this yeare following.

It is Ordered, that there shall be a letter directed frо the Court to desire Mr. Fenwicke, if his occations will p^mitt, to goe for Ingland to endeauor the enlarggement of Pattent, and to fur- ther other advantages for the Country.
The Particular Court. July the xth, 1645.

Ed: Hopkins Esqr.
Mr. Webster, Mr. Welles, Mr. Woolcot, Mr. Whiting.

Ruth Fishe, for committing fornication, is adjudged to be twice whipped, once here after the first lecture at this Towne & once at Wethersfield.

Leonard Dyks, who shee accuseth to be the father of the child, is adjudged to keepe the child, and to be whipped, and upon his refusall to submit he is to be sent to the howse of correction, there to be held to hard labour and course dyet, and what he can gett aboue the charde of his dyet is to be kept toward the mayntenaunce of the child.

John Coltman, for his misdemeanour and vnseemely careidge toward Ruth Fishe, and disobeying the Gouernours comauand, is to be fyned five pownd.

Math: Williams, for committing fornication with Susan Cole, is adjudged to be twice whipped and to be fyned five pownd.

Susan Cole is to be twice whipped, once now and once at the next lecture.

Mr. Allen is to respite his corne in his hand, (demaundered by the powndkeepr on the north side at Hartford,) and is to bring his action the next Court, agt such whose fences were then open when his hoggs were impounded.

The laste will & testament of Edward Vere is brought into the Court.

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[144] Sep: 4th, 1645.

John Heines Esqr, Gor.
Ed: Hopkins Esqr.
Mr. Webster, Capten Mason, Mr. Welles, Mr. Woolcott.


In the action of John Robins pl. agt Leonard Chester defent, the Jury find for the defent the chardges of the Court.
In the action of Sam: Gardner pl. against Leonard Chester deft, the Jury find for the pl. [costs of] Corte.
In the action of Berding pl. against Edwards, Edwards is to pay Berding five shillings. 5s.
In the action of George Chappell pl. agt Leonard Chester, the Jury find for the deft the charges of the Court.
Bacon plt.
Will' Colefoxe, for his misdemeanor, is to be fyned xxs.
George Chappell, for abusing the Constable and excess in drinking, is to be bownd to his good behavior and to be fined five pownd. 5l.
Will' Brumfield, for drunkenness and stricking the watchmen, is to be bownd to his good behavior and fyned fifty shillings.
Mr. Chester, for resisting the Constable and other miscarriages in the Court, is fyned forty shillings. 40s.
James North is bownd in 10l., Will' Brumfield in 20l., that Will' Brumfield keepe good behavior and appeare the next Court.
Rich: Belding is bownd in xxl., George Chappell in 10l., that the sd. George keepe good behavior and appeare the next Court.

Sep. xi^{th}, 1645. The Genrill Court.

Jo: Heines Esq', Go'.
Ed: Hopkins Esq', Dep.
Roger Ludlowe Esq', Mr. Webster, Capt'en Mason, Mr. Welles, Mr. Woolcott.

Deputyes:—Mr. Steele, Mr. Talcoatte, Mr. Ollister, Mr. Trott, Ja: Boosy, Sa: Smith, Mr. Phelps, Mr. Hull, Mr. Gaylard, Mr. Roceter, Jehu Burre, Will' Berdsly, Tho: Sherwood.

Mr. Webster is desired to cause the Constables of Hartford to bring in a just accoumpte of all the particular and several charges of the late wars, and for the support of Uncas. Mr.

* Against the Narragansetts and Niantics, for the defence and protection of Uncas and the Mohegans. This war was determined upon by the Commissioners of the U. Colonies, at a special session in June, 1643, and 300 men were ordered to be raised in the several colonies, of which number Connecticut was to furnish 40. But the timely submission of Pessacus, Ninegret
Roceter to doe the like for Wyndor, Ja: Boosy for Wethersfield.

Mr. Whiting is desired to sell the pruisions, and make pay to the souldears, and give accoumpte for the reste.

The p'ticular Courte is to be held the 2d Thursday of the next month.

The Gou'r and Mr. Hopkins are desiered to speake or write to Mr. Fenwicke, that in regard there hath not bine a due accoumpte giuen in of all the corne transported this yeare, and in regard of some difficultyes by whô the pay should be made in bargains made before this agreement wth him, that this agreement may not begin vntill the first day of March next; bec. it is found very inconuenient to stay vessells for the deliuery of the corne att the Riuers mouth, that he will assent that a ll man may be chosen in ech Towne to rec. and lay vppe such corne as may be due to him vppon the said bargyne, whch shalbe in redines to be sent him att his demaund; and the Court doth agree that whoer doth shippe away corne wthout giueing due satisfaction, according to agreement, the whole shalbe forfeited, \( \frac{1}{3} \) to him, \( \frac{1}{3} \) to him that shall discou'r the fraud, \( \frac{1}{3} \) to him that keepeth the accoumpte of the corne in the Towne where any such grayne is shipped.

The Court hath Ordered, that 30l. in wheat and pease be paid to the Gou'r, and Indean corne.

It is Ordered, that all the swyne, ether hoggs or shouts, in the seuerall Plantations, that are keept att home wthin the Towne, shall by Aprill next be rynged or yoaked, or kept vppe in their yards, vnder the penulty of lower pence for every such swyne, to be paid by the owner to the pry that shall take the swyne so defectiue and impownd them. Also, all such swyne that are keept by Heards, in the woods, shall not be suffered to abyde aboue on night in the Towne, but yt shalbe lawfull to impownd them in case they com at any tyme home, fro the mydle of March to the mydle of Nouember. Fayerfield & Stratford desire to be included in this Order.

The Court is adiorned to Wednesday com 3 weekes.

and their confederates, prevented the further prosecution of hostilities; and on the 27th of August, a treaty of peace was signed at Boston, between the Comm'trs and the principal sachems of the Narragansetts and Niantics. (Records of U. Col., Aug. 1645.)
October the viijth, 1645.

Jo: Heynes Esq\(^r\), Go\(^r\).
Ed: Hopkins Esq\(^r\), Dep.
George Fenwicke Esq\(^r\), Mr. Webster, Capten Mason,
Mr. Whiting, Mr. Welles, Mr. Woolcott.

[Deputyes]: Mr. Phelps, Mr. Steele, Mr. Talcoate, Mr.
Roceter, Mr. Trott, Mr. Ollister, Ja: Boosy, Sa: Smith.

Mr. Webster is agayne desiered to call to him the Constables
of Hartford and to gather in a true accoumpte of all the ex-
pence of the last expedition; James Boosy to doe the like att
Wethersfield w\(^th\) the Constables there, and Mr. Roceter for
Wyndsor; and when that is done they are to bring th\(é\) to Mr.
Hopkins, who, w\(^th\) Mr. Whiting, Mr. Webster, Mr. Roceter
and the said Ja: Boosy, are to examine the said accoumpts, and
also to cause notice to be giuen in the seu\(r\)all Townes, that
what is due to any frō the Country, in any other respects, be
brought in to th\(é\), and to ranke the said debts oweing vnder
seuerall heads, both what is payable by this Collony, and w\(^t\) be-
longs to the whole combination, as also, w\(^t\) may concerne the
seuerall Townes of th\(ē\)selues to dischardge; and to make returne
of the same to the next sitting of this Court, w\(^n\) p\(^r\)usion shalbe
suddenly made to dischardge all the said debts in the best order
the Country can.

[146] The accoumpts of the seuerall Townes are to be brought
in to Mr. Hopkins, w\(^th\)in 14 dayes at furthest, vnder the penulty
of 1s. a day as long as yt shalbe omitted, by those who are
herein betrusted, and then w\(^th\) all conuenient speed to be issued
by him and the rest ioyned w\(^th\) him, as before.

The Particular Courte. October the ixth, 1645.

Jo: Heynes Esq\(^r\), Go\(^r\).
Ed: Hopkins Esq\(^r\), Dep.
George Fenwicke Esq\(^r\), Mr. Webster, Mr. Woolcot,
Capten Mason, Mr. Whiting, Mr. Welles.
Jury:—Henry Clarke, Jo: Byssell, Henry Woolcot, Tho:
Thornton, Dauid Wilton, Aron Cooke, Mr. Trott, Mr.
Chester, Ja: Boosy, Sa: Smith, John Ollister, Tho: Coleman.

In the action of Math: Allen pl. ag\(^t\) Ed: Hopkins Esq\(^t\), def\(^t\), the Jury find for the def\(^t\) that he is no trespasser upon a staunch water, and costs of Court & witnesses.

In the action of Ed: Hopkins pl. ag\(^t\) Will: Whiting and Rich: Lord def\(^ts\), the Jury find for the pl. 42l. damages, and costs of Court & witnesses.

In the action of John Hewyt pl. ag\(^t\) Jo: Demon def\(^t\), the Jury find for the pl. 36s. damages, & costs of Court.

Jo: Demon is to pay Preston 20s. & to be committed.

Math: Allen, for his mysdemeanor in Court is fined xl.

In the ac. of Tho: Staunton pl. ag\(^t\) Math: Allen def\(^t\), the Court adiudgeth Math: Allen to pay the pl. 14s. 2d. & costs of Court.

In the ac. of Hewyt pl. ag\(^t\) Demon, the Court adiudgeth Demon to pay 10s. to the pl. & to leave 10s. w\(^t\) Tho: Ford vntill yt appeare whether the other pt\(^n\)er were formerly paid 10s. and the costs of Court.

[147] December the first, 1645.

Jo: Heynes Esq\(^t\), Gour.

Ed: Hopkins Esq\(^t\), Dep.

Capten Mason, Mr. Woolcott, Mr. Webster, Mr. Whiting, Mr. Welles.

[Deputyes: ]—Mr. Trotte, Mr. Ollister, Ja: Boosy, Jo: Demon, Mr. Hull, Mr. Staughton, Mr. Steele, Mr. Talcott.

Its Ordered, that the Plantation cauled Tunxis shalbe cauled Farmington, and that the bownds thereof shalbe as followeth; The Esterne bownds shall meet w\(^t\) the westerne of these Plantations, w\(^ch\) are to be five myles on this side the great River, and the Northern bownds shall be five myles from the hill in the great meadow towards Massco, and the Southerne bownds from the said hill shalbe five myles, and they shall have liberty to improve ten myles further then the said five, and to hinder
others frō the like, vntill the Court see fitt otherwise to dispose of yt. And the said Plantā. are to attend the generall Orders formerly made by this Court, settled by the Coṁittee to who the same was referred, and other occasions, as the rest of the Plantations vppon the Riuere doe. And Mr. Steele is intreated for the p.present to be recorder there, vntill the Towne hauie one fitt among theselues. They also are to hauie the like libertyes as the other Townes vppon the Riuere, for making Orders among theselues, pruied they alter not any fundamentall agreements settled by the said Coṁittee, hitherto attended.

The Constables of Hartford are to gather vp the knapsacks, pouches, powder & bulletts, vsed in the last designe, and deliuer them to Mr. Talcott to be kepte, and researue & take a noate in writeing of all the pticulers so deliuered, and returne yt to the Secretary.

The like is to be done by John Drake & George Phelps for Wyndsr, and the Constables of Wethersfield for Wethersfield, and deliuer them to Mr. Talcotte, and returne a noate of the pticulers to the Secretary.

There is a Rate of 400l. graunted to be paid by the Country: Out of this Stratford and Faierfield are to pay 45, as conceaued to be according to their p.portion; Southampton 10l., who are to be warned to com to the Court in Aprill, where their due pпортions may be determined; Seabrooke is to pay 15, and Tunxis x/.; Hartford, 136; Wyndsr, 102; Wethersfield, 102. The Tresurer is to send out his warrants for the leuying these on the seuerall Townes, wthin one weeke, to be brought in wthin vi weeks.

Tho: Graues is freed frō Trayneing, watching & warding.

It was also agreed, that in p.suance of the bargaine wth Mr. Fenwicke, for this p.present yeare, the noats that should be sent by ech vessell to Seabrooke shalbe sent in to Mr. Hopkins as Mr. F. Assigne, and that wthin sixe days after the kylling of any hogge or swyne notice shalbe given to the ps.ons betrusted in the seuerall Townes thereof, vnder the penultyes exprssed in the agreement, who is ether to take p.present pay for the same, or if he researue yt in the hands of those that are to dischargde yt, he is to be accountable for yt to Mr. Fenwicke or his assignes when yt is sent for; and the like he is also to doe for the rest
of the payments that shalbe due. Ed: Stebbing is appoynted for this searuice for Hartford, Walter Fyler for Wyndsor, & Mr. Trotte for Wethersfield.

Nath: Dickenson is appoynted to be Recorder for Wethersfield.

The Court is adiourned to the first Wensday in February, after lecture.

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Décè: 4th, 1645.

Jo: Heynes Esq'r, Go:r.
Ed: Hopkins Esq'r, Dep.
Capten Mason, Mr. Woolcott, Mr. Webster, Mr. Whiting, Mr. Welles.


In the action of defamation of John Pratte pl. agt Math: Allen defen't, the Jury find for the plant. thirty pownd damages and costs of Courte.

In the action of the Case of Clement Chaplin pl. agt Samuell Smith def'r, the Jury find for the defen't, costs of the Courte.

John Eauens pl. agt Mris Parks; agt George Chappell; agt Robert Burrowes.

Will' Boreman pl. agt Jo: Stadder.
Will' Boreman, for not pr'secuting, is to pay the def' 2s. vid.

John Westall is to pay Tho: Osmore five bush: of Indean corne, the chardges of the Court & 2s. for witnesses.

John Westall is fyned xs. for entertayneing Brüfield.

Math: Williams is to let his wages that he is to haue of Belding rest in his hands, vntill he take order for the keepeing of the child layd to his chardge by Susan Cole.

The estate of Sam: Wakeman deceased is setled on Nath: Willette, in consideratiō whereof he is to pay 40l. to the eldest sonne w'n he shall attayne 21 years of age, and 20l. a pceec to the three daughters w'n they shall attayne the age of 18 yeares: if any dy in the meane, the portiō is to be deuided betwixt the suruiuors: the land to stand ingadged for the p'rformance thereof,
and if any debts more shall appeare then are now knowne, to be equally borne by him & the children; and if any estate more appeare, that also is to be deuided. *The childrens receipts of their portion is record. in Book D. fo: 19: Decemb 23: 1673.*

Samuell Hales, for his mysdemeanor by excesse in drinkeing, is fyned twenty nobles. *

Tho: Hurtlebut, for the like is fyned 4l.

Elias Trotte, for accompanying the, and drawing wyne wthout liberty, is fyned 40s.

Will’ Crosse, for haueing wyne sould in his howse wthout lycence is fyned 40s.

Samuell Barrett is to searue Arther Smith one yeare after the date hereof, for viijl.

[149] March the 5th, 1645.

Jo: Heynes Esq’, Gou’.
Mr. Webster, Capten Mason, Mr. Woolcott, Mr. Welles, Mr. Whiting.

The Will and Testament of George Willis Esq^, deceased, is brought into the Court by Will’ Gybbins.

W^ Mr. Terry hath taken Oath & sent vp a coppy of yt, that the accompte giuen in by him is a trewe accompte, he shall rec. the goods formerly sequestred for him.

In the ac. of Richard Trotte pl. ag^ Ed: Elmor and Nath: Willet, the Jury find for the pl. 40s. dañages & costs of Court.

In the ac. of Clement Chaplin pl^, ag^ Sa: Smith & Nath: Dickenson defen^s, the Jury find for the plant. dañages 2l. 5s. 4d. & costs of Court.

In the ac. of Clement Chaplin pl^, ag^ Tho: Coleman and Sa: Hales def^s, the Jury find for the plant. dañages 8d. & costs of Court.

* Subsequently added,—in the hand writing of John Allyn.
† £6. 13s. 4d. The noble was equal to 6s. 8d. sterling.
John Byssell, as assigne to John Clarke, pl. ag' George Chappell deft, 5l. xs. damage.

John Byssell & Ja: Eggleston plts', ag' William Heyton deft, in an ac. of the Case, to the damage of 10l.

In the action of Byssell plant. as assigne to Jo: Clarke, ag' George Chappell deft, the Jury find for the defent, costs of Court, and for witnesses, 14s. 4d.

In the action of Jo: Byssell & Ja: Eggleston plant. ag' Will' Heiton deft, the Jury find for the plant. to be paid his pr'portion of rayleing, three shillings pr' rodd, ditching 10d. pr' rodde, hedging 8d. pr' rodde; costs of Court and witnesses.

The Welchman Lewis, for pilfering Bunces corne, is fined 40s.

In the ac. of Berding ag' Edwards, the Court adiudgeth Edwards to pay 5s. & chardges of Court.

In the ac. of Chappell ag' Clarke, the Jury find for the deft. Chappell is to pay costs of Court viis. 4d.

In the ac. of slander of Edwards pl. against Berding deft, the Jury find for the deft, costs of Court 7s. 4d.

In the ac. of the Case of Edward pl. ag' Berding deft, the Jury find for the deft, costs of Court 7s. 4d. & witnesses, 4s. 8d.

Nath: Willett is to haue executio against Mr. Trott for 3l. 6s. 8d. and to be quit of the 40s. damages and costs of the sute ag' him by the sd Mr. Trott.

Mr. Woolcott is desiered to gather vp the debts due to Tho: Marshefield & to husband the estate for the benefit of the creditors, and to be allowed resonable satisfaction.

The Inuentory of Sa. Ierland is brought into the Court by Jo: Edwards, and the wife of Robert Burrowes, who was wife to the deceased, is to administer & to haue the thirds, & the other two pr'ts to be for the children.

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April the ixth, 1646.

Ed: Hopkins Esq', Gou'.
Jo: Heines Esq', Dep.
Roger Ludlowe Esq', Mr. Webster, Mr. Whiting, Capten Mason, Mr. Woolcott, Mr. Welles.
[Deputyes:] Mr. Steele, Mr. Talcoate, Mr. Westwood, Andrew Bacon, Mr. Phelps, Mr. Gaylard, Mr. Hull, David Wilton, Mr. Trotte, James Boosy, Sa: Smith, Nath: Dickenson, Jehue Burre, Anthony Wilson, Tho: Fayerchild.

The Court desieres that the Co\textsuperscript{missi}ors should be moued that noe Amunition should be traded w\textsuperscript{th} any that liue out of the Jurisdictions in combinati\textcircled{0}, whereby yt might supply the In\textdollar{e}ans, and that some consideration be taken to restrayne Roade Ilan trading w\textsuperscript{th} the in such kynd.

Whereas Tho: Thornton of Wyndsor, by hauinge his men suddenly taken offe their cauleing, may susteyne great losse, the Court hath freed him fr\textcircled{o} Trayneing, and desier the Magistrats to take his condition into serious consideration, that he might not be put to extraordinary hassard by imploying his men in publique searuice, and the Capten hath liberty to free his workemen fr\textcircled{o} one dayes trayneing, pr\textsuperscript{u}ided they supply yt in the Artillery. \textit{This not noted.}

Whereas, there is liberty giuen to the Magistrats to mittegat or increase dam\textdollar{a}ges giuen in by the verdict of Jury, It is now Ordered, that what alteration shall att any tyme be made in that kynd, yt shalbe in open Courte before pl. & def\textsuperscript{i}, or affe\textdollar{d}auit made that they haue bine so\textcircled{m}oned to appeare.

Fayerfield eccepte against a Jury of sixe, but subject to that pr\textsuperscript{e} of the Order that 8 of 12 may giue in a verdicte.

It is Ordered, that if any pr\textsuperscript{son w\textsuperscript{thin} these libertyes haue bine or shalbe fyned or whippen for any scandalous offence, he shall not be admitted after such tyme to haue any voate in Towne or Co\textsuperscript{m}on welth, nor to searuie on the Jury, vntill the Court shall manifest their satisfaction.

Whosoeuer shall be comitted for delinquency shall pay two shillings sixe pence to the keep\textsuperscript{e} of the pryson.

To moue the Co\textsuperscript{missi}ors to make some pr\textsuperscript{u}ission ag\textsuperscript{t} incor\textsuperscript{g}ible\textdollar{enes.

Mr. Ludlowe is desiered to take some paynes in drawing forth a body of Lawes for the gouernment of this Co\textsuperscript{m}on welth, & pr\textsuperscript{es}nt the\textsuperscript{e} to the next Generall Court, and if he can prouide a man for his occations while he is imployed in the said searuice, he shalbe paid at the Country chardge.
OF CONNECTICUT.

Its desired by the Court, that the Magistrates would take course that all male persons above 16 yeares of age should take the Oath of Fidelitie: and that three Magistrates may giue the said Oath & make Freemen, (vpon certificatt of good behavior, as is pruised by former Order. This to stand vntill the next Courte.

Whereas Tho: Steynton by his long absence is disabled to attend the Court according to his place, It is now Ordered, his sallery shall cease, and Jonathen Gylbert is chosen to supply the place for this yeare, and the Court will attend him wth reasonable satisfactio.

[151] The Gou're and Deputy are desired to be Commissi'rs to joyne w'th the United Collonyes for the meeteing in Septèber next & for this yeare.

It is Ordered, that a Rate be graunted of 50l. for the carrieing on the worke of the Forte, in case there should be need thereof, to be paid by the Townes of the Riuier.

It is Ordered, that there be two p'ticuler Courts held the next p'ceding day before the two standing Generall Courts, that both the assistance of Mr. Ludlowe may be had, and such actions as fall out betwixt any vpon the Riuier and the Townes by the sea side be more comfortably attended.

John Maynard' and Willia Westly are freed fro watching.

To the penall Order conserneing the selling of lead, powder etc. to any out of the Jurisdiction is added, That it is lefte to the judgement of the Courte, that where any offence is co'mitted against the said Order or Orders, ether to aggrauat or lessen the penulty according as the nature of the offence shall require.

Its recomended to the seuerall Townes seasonably to attend the collection for the Colledg, and send it thither in conuenient tyme.

Mr. Hopkins and Mr. Whiting discouering to the Court the wrong rec'd fro some Indeans in stealeing of their goods and burneing their howse, it was conceaued that any lawfull course may be taken for the recovery of their losse, according as amongst the Englishe.

The Court being put in mynd of the Indeans that liue in, are rec'd, and liue among the Englishe in these Townes, it was referred to Mr. Deputy and Capten Mason to take consideratiö of
them, and in case they are willing to submit to the ordering and
government of the English they may accept of the upon such
terms as may be safe and honorable to the English.

The rates at Stratford and Fairfield are to be divided.

The Freemen finding yt inconnuient to attend the Court of
Election the second Thursday in April, haue ordered yt for
hereafter to be kept the third Thursday in May, and the
Magistrates to hold vntill that day.

Samuell Marten and Willia Androwes acknowledge theselues
to be bound to this Coynon welth in a Recognizance of 40l. to
appeare at the next Court to be held at Hartford, to answer the
complainte of Edward Stebbing, for lading 97 bush. of Corne
aboarde a vessell at Hartford, with depr'ted the harbor without
entring the said corne according to Order; then this Recogni-
zance to be void, els to stand in force.

[152]  

JUNE THE 5th, 1646.

Jo: Heynes Esq'.
Mr. Webster, Mr. Welles, Capten Mason, Mr. Woolcott.

The Jury:  Tho: Ford, Rich: Goodman, Joseph Magote,
Arther Smith, Frances Styles, Jo: Drake, Roger Willams,
Jo: More, Jo: Edwards, Sa: Marten, Luke Hitchoks,
Tho: Hurlbut.

In the ac. of Rose, pl. agt Robins deft, the Jury find for the
pl. ten pound dañages & cost of Court.

The Jury found these p'cells of Corne, forfeited:
Mr. Woolcott, 28 bush.  Codman, 6.  Lamton, 1. 1p.
Mr. Eauens, 48. 2p.  Jo: Lord, 2.  North, 3.  Coleman,
for Smith, 20.  Wm. Williañs, 2.  Jo: Wyet,
11. 2p.

In the ac. of Borman pl. agt Stadder deft, the Jury find for the
pl. 5s. dañages & cost of Court.

John Drake, for his misdemeanar in p'phan execrations, is
fyned 40s.

Jo: Carpentor, for breakeing into Will' Gybbins his howse
& drynking wyne, is fyned 10l. & stands bownd to his good be-
hauior, & Tho: Osmor stands bownd for him in 10l. & to bring him forth w^ the Court shall call for him.

Willia Ellyt & Will' Yats, for the like misdemeanor, are fyned ten pownd a peece & stand bownd in 20l. a peece for their good behauior, & Will' Gybbins stands bownd for their good behauior in 20l. & for their appearence w^ the Court cauleth for the.

Stephen Davis & Symon Smith, for the like misdemeanar, are fyned fiue pownd a peece & stand bownd to their good behauior in 20l. a peece, and Will' Gybbins for the in 20l. & for their appearence w^ the Court cauleth for the.

Rich: Belding stands bownd in 20l., Robert Rugge in 40l., that Rugge keepe good behauior & appeare the next Court.

Execution was graunted John Pratte agt Mr. Allen, and returne made that yt was executed.


Ed: Hopkins Esqr, Gour.
Capten Mason, Mr. Webster, Mr. Welles, Mr. Woolcotte.


In the action of slander of John Robins pl. agt Leonard Chester deff, the Jury find for the pl. xijjs. daamages & cost of Court & witnesses.

Rich: Coldecotts ac. agt Frances Styles is wthdrawen, and the later Articles tobe attended wth reference to the 4 men.

Whereas Tho: Ford, John Byssell, Will' Pantry and Stephen Poste were to sett a Rate or value of the worth of impaileing 2024 rodd of pale according to articles agreed betwixt Mr. Saltingstall & Frances Styles, or to choose a fifthe man if they disagreed, wth hath bine long neglected by the said partyes, It is now Ordered, that if the said partyes doe nott sett downe vnder their hands & determine the rate and value of the foresaid, wthin

* A line is drawn about this name.
two months, or chuse a 5th man, according to the said articles, they shall forfeit 100l.

Coopr for his misdemeanors in inuegleing the affectis of Mr. Lee his mayde, without her Mr consent, is to pay Mr. Lee 20s. damages & 20s. fyne to the Country.

John Perkins & Tho: Coopr: vndertake & promise to pay 20s. to this Comon welth & 20s. to Mr. Lee, by the last of March.

In the actio of Clement Claplin plt agt Dickerson etc. the Jury find for the pl. xs. damages & cost of Court & witnesses.

Robert Bartlett, for his grosse misdemeanour in slaundring Mris Mary Fenwicke, is to stand on the Pillory, Wensday, dureing the lecture, then to be whipped, & fyned five pownd & halfe yeares imprysonment.

[154] August the 21th, 1646.

Ed: Hopkins Esqr, Gor.
Jo: Heynes Esqr, Dep.
Mr. Webster, Mr. Welles, Mr. Woolcott.

Richard Fellowes vndertakes to pay ten pownd to the Country wthin 2 months, for Stephen Davis his fyne.

Tho: Osmore vndertaks to pay five pownd for John Carpentier wthin 2 months, and five pownd more wthin 3 months after that.

Symon Smith is to stand bownd for his good behauior, vntill the next Court and his Mris vndertaks he shall then appeare.

Jo: Ranolds is to be fyned 5l. and presently whipped, for harboring the rouges that brake pryson, in his Mris her howse, and to giue security to appeare at the Court att 3 months end, and then to be agayne corrected, except the Court be certificed of his reformation.

Richard Watts vndertaks for the payment of the 5l. fyne, and that he the said Jo: Ranolds shall keepe good behauior and appeare the next Court.

Tho: Ford is bownd in a Recognizance of 20l. to the Country, to bring in Sa: Drake to the next Court.

Elinor Watts, for the like misdemeanour wth Jo: Ranolds, is fyned 5l. and whipped in her Mris howse, and to be brought
forth 3 months hence, and then whipped agayne if the Court shall not be informed of her amendment.

Mary Johnson, for theuery, is to be presently whipped, and to be brought forth a month hence at Wethersfield, and there whipped.

Elizabeth Fuller, for comitting fornication, is to be severely corrected.

Sa: Drake is fined five pound for concealing Jo: Neuie (?), when he brake prisson.

Ro: Bartlett, for giueing ill counsell to the prysoners, adviseing they should not peach Drake, is to be whipped.

[155] October the first, 1646.

Jo: Heynes Esqr, Dep.

Mr. Webster, Mr. Welles, Mr. Woolcot, Mr. Whiting.


In the ac. of Whaty pl. agt Fellowes, the Jury find for the defendant; the pl. to pay costs of Court.

In the ac. of Mr. Gylbert pl. agt George Chappell deft, the Jury find for the pl. The deft is to pay 8l. 8s. dañages & costs of Court. Execution granted agt his person.

In the ac. of Will' Whiteing pl. agt Tho: Ford deft, the Jury find for the pl. The deft is to pay 4l. 12s. 6d. dañages & costs of Court.

In the action of Mr. Euens, by his searuant, pl. agt Math: Williams deft, Williams is to pay 19s. dañages & costs of Court.

In the action of Mr. Euens pl. agt George Chappell, Chappell is to pay 8 bush: of pease & costs of Court.

In the ac. of Mr. Euens pl. agt Mathias Trott deft, the Jury find for the pl. The deft is to pay 23 bush: 3 pec: of wheat, and cost of Court.

In the action of Mr. Euens plte, agt Carwithy deft, the Jury find for the pl. 5l. 5s. 6d. dañages & cost of Court.

In the action of Henry Smith pl. agt Jaruis Mudge deft, the
Court judgeth Mudge to pay 5 bush: of marchantable dry Indian corne, or the value thereof.

In the action of Rich: Webb pl. agt George Chappell deft, Chappell is to pay 24s. damages & cost of Court.

Tho: Stephenson acknowledgeth himselfe bownd in a recognizance of 10l. to make good his attacht agt Elias Puttmans goods, or satisfie damages.

In the ac. of Webbe pl. agt George Chappell deft, the deft is to pay 24s. & cost of Court.

Mr. Chester if freed fro Trayning.

[156] October the 29th, 1646.

Ed: Hopkins Esqr, Gor.
Jo: Heynes Esqr, Dep.
Mr. Webster, Mr. Woolcott, Mr. Whiting, Mr. Welles.


Willm Ellit is to be whipped the next lecture day, and to searue his Master his tyme, & then to returne to pryson.

Will' Fiske is to be whipped the next lecture day, and to restore dubble of what shall be prued agt him, as yt shall be judged by Mr. Woolcotte.

The ac. of Mr. Whiting pl. agt Sa: Smith is respited vntill the next Courte.

Gybbins plt agt Read.
Moody plt agt Read, for Rent.
Mr. Moody plt agt Read, for damages.
Willit plt agt Read.
Judson plt agt Rescue.

In the action of Mr. Whiting pl. agt Tho: Newton deft, vpon an Attacht returned by the Constable of Fayrfield, Greene appeared for Newton & the Jury find for the plant. the byll 5l. 16s. and 2s. vid. damages & cost of Court.

In the ac. of Ed: Hopkins plt, agt Tho: Newton deft, the Jury find for the pl. The Deft is to pay 4l. 13s. 4d. in mony according to the bill, 10s. damages & cost of Court,
In the action of John Moody pl. against James Whatly defent, the Jury find for the deft, coste of Court.

Kircu & Carrington are to pay 30s. to the administrators of Vere, for their bargaine of Corne.

Three of the Jury betwixt James Whatly pl. agt R. Fellowes dt, thinke on witnesse cannot cast the cause without some circumstances fall in neare to equalize a witnesse, and they apprehend the circumstances on the other side rather the stronger: 1. The pray of whôte he bought the horse said he knew not of the lamenes: 2. the price giuen might intimat soundness; 3. severall that rodde on the horse and that wrought him, did not discover any lamenes. John White, Tho: Olcoke, Will' Phelps.

The other 3 conceaue the witnesse giuen into the former Court hold out the defent might know the lamenes of the horse; 2. one witnesse testifieing fró his mouth, that he said he was lame.

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October the 30th, 1646.

Ed: Hopkins Esq, Gor.
Jo: Heynes Esqr, Dep.
Mr. Webster, Mr. Welles, Mr. Whiting, Capten Mason, Mr. Woolcott.

[Depuyes:] Mr. Phelps, Mr. Stoughton, Mr. Clarke, Mr. Porter, Mr. Steele, Mr. Talcoat, Mr. Westwood, Mr. Cullicke, Mr. Trotte, James Boosy, Nath: Dickenson: Jo: Demon.

The deputyes are to take into consideration the fenceing upon the Easte side of the great Riuere, by whō & where they shall see cause.

The Order of the Commissioners concerninge the restreynt of of selling powder, shotte, ammunition etc. to any out of the Jurisdiction, without the lycence of two Magistrats, or one Magistrat and 2 deputyes, is confirmed.*

*This order of the Commissioners was confirmatory of that made in 1644, (see p. 113, ante) which had been approved by the General Courts of all the United Colonies except Plymouth. The present order prohibited, under a heavy penalty, the sale of arms or ammunition to any person out of the confederate jurisdictions, "without lycence under the hands of two.
The Order conserneing the proceeding against Indeans is confirmed.†
There is allowed for the searuing of executions 2s. 6d. if under 40s. and 5s. if aboue.
Whosoeuer drawes wyne after the publisheing this Order, shall pay to the Country after the proportio of 40s. a Butt for what shalbe drawen.
Mr. Phelps is appoynted to joyne wth the Comittee for the planting Matabezeke.

Ed. Hopkins Esq', Gor.
Mr. Webster, Mr. Whiting, Capten Mason, Mr. Welles, Mr. Woolcott.
[Deputyes:] Mr. Steele, Mr. Talcoate, Mr. Cullicke, Mr. Westwood, Mr. Trott, James Boosy, Nath: Dickenson, Jo: Demon, Mr. Phelps, Mr. Stouton, Mr. Clarke, Mr. Porter.

The Order conserneing paying 5s. a pownd for takeing Tobacco not growing wth in this Jurisdictiō, is repealed.
Richard Lord for transgressing the Order against selleing lead out of this Jurisdictiō, is fyned seauen pownd.

†Providing, that in case of "wilfull & hostile practises against the English, together with the enterteneing, protecting or rescuing of offenders," "the Magistrates of any of the Jurisdictions might, at the charge of the plaintiffs, send some convenient strength of English, & according to the nature & valiue of the offence & damage, seize & bring away any of that planta
con of Indians that shall entertaine, protect or rescue the offender, though it should be in another Jurisdiction, when, through distance of place, comission or direction cannot be had after notice & due warning given them, as abettors or at least accessory to the injury & damage done to the English; onely women & children to be sparingly seized vnlesse known to be some way guilty. And because it will be chargeable keeping Indians in prison, & if they should escape they would prove more insolent & dangerous after, it was thought fit that upon such seyasure, the delinquent or satisfaction should againe be demanded of the Sagamore or Planta
cion of Indians guiltie or accessory as before; and if it be denied, that then the magistrates of the Jurisdiction deliver up the Indians seized to the party or parties indamaged, either to serve or to be shipped out and exchanged for Negroes, as the cause will justly bee." [Ibid.] This order will be found incorporated with the code of 1650, in a subsequent part of this volume.
Tho: Staynton, for the like transgressiō, is fyned 5l. fiue pownd.
Dauid Wilton, for the brech of the same Order, is to forfeite the lead wēch was attached at Wethersfield, being 131 pownd.
Nath: Waürd is freed frō trayneing and warding, so long as the infirmity he complaynes of remayneth vppon him.
The Gour and Mr. Whiting are desiered to attend the place of Comissioners for the United Collonies, for this next yeare.
There is a Rate of 30l. graunted for the Fort.

MARCH THE 4th, 1646.
Ed: Hopkins Esqr, Goü.
Mr. Webster, Mr. Welles.
In the ac. of Joseph Nubery plt, agt Ambrowse Fowler deft, the Jury find for the plan, lower pownd xs. & costs of Court.
In the actiō of Sa: Smith pl. agt John Guteridge, Tho: Rite & Sa: Martin defts, John Guteridge and Sa: Marten are to pay the pl. xvi bush: Indean.
Mary Williās, for her fowle misdemeanor, is fyned 5l.
Joshua Gynings vndertaks to pay this 5l.
Tho: Blisse for not trayneing, is fyned 2s. vid.

[159] MAY THE 19th, 1647.
Ed: Hopkins Esqr, Goü.
Mr. Webster, Mr. Whiting, Mr. Woolcoat, Mr. Welles.
The Jury: Mr. Phelps, Mr. Porter, Mr. Roceter, Dauid Wilton, Mr. Parks, James Boosy, Sa: Smith, Will' Wadsworth, Ed: Stebing, Tho: Ford, Andrew Bacon, Nath: Waürd.
In the ac. of James Whatly, pl. agt Tho: Coleman, the Jury find for the deft, costs of Court, and for witnesses, 2s. 6d.
In the ac. of Henry Gree pl. agt Sa: Marten deft, the Jury find for the pl. debte 15l. iis., damages ten pound, and costs of Court.

MAY THE 21st, 1647.


In the ac. of John Steele pl. agt Tho: Demon, the said Tho: Demon is to pay six bush: of Indean.

In the ac. of Blysse pl. agt Lyman & Arnold, the defen'ts are to pay 20s. & costs of Court.

Henry Densloe is to attend agayne the next Court, and Wil-cox to pay him 5s. for not p'resecuting this Court.

In the ac. of Mr. Whiting pl. agt Sa: Smith deft, the Jury find for the pl. viijl. damages, and cost of Court.

In the ac. of Blachfield pl. agt Spenser, the Jury find for the pl. 50 bush: of Indean, & costs of Court.

In the ac. of Spenser pl. agt Blachfield deft, the Jury find for the pl. 31s. 3d. damages, & costs of Court.

[160] In the ac. of slander, of Mr. Whiting pl. agt Tho: Ford deft, the Jury find for the pl. 40s. & costs of Court.

In the ac. of Will' Fishe pl. agt Aron Cooke, the Jury find for the pl. fiue pownd damages & costs of Court.

In the ac. of Tho: Ford pl. agt Oldige & Hull, the Jury find for the def'ts, costs of Court.

Henry Gree acknowledgeth himselfe bownd to the Court, in a Recognizance of xl. & Tho: Hassard in 20, that Tho: Has-sard keepe good behauior vntill the Generall Court in Septeber next, and appeare at the pr'ticuler Court the day before.

In the ac. of Write pl. against Norton, the pl. is to haue the swyne & pay the charhdges for the keeping.

MAY THE 24th, 1647.

Roger Ludlowe Esq', Moderator.
Mr. Woolcoat, Mr. Welles.

In the ac. of Mr’s Willis pl. agt Francis Styles deft, (Mr. Roceter appeared for Mr. Styles,) the Jury find for the pl. 340l. damages & costs of Court.

[162] May the 20th, 1647.

Jo: Heynes Esq’t, Gor.
Edward Hopkins Esq’t, Dep. Gor.
George Fenwicke Esq’t, Magistrate; Roger Ludlowe Esq. Mag: Mr. Webster, Mag: Mr. Whiting, Mag: Tres’; Capten Mason, Mag: Mr. Woolcoate, Mag: Mr. Welles, Mag: Sec’; Mr. Cosmore,* Mag: Mr. Howell,* Mag:

Deputyes: Mr. Phelps, Mr. Stoughton, Mr. Porter, Mr. Clarke, Mr. Steele, Mr. Talcoat, Mr. Cullike, Mr. Trott, Sa: Smith, Ja: Boosy, Nath: Dickenson, An: Bacon, Mr. Taynter, Ed: Haruy, Dan: Tytterton, Will’ Wilcoxsô, Stephen Hart, Tho: Judde.

It is Ordered, that the three Townes on the Riuer & Tunxis shall pay ten shillings to whosoever shall kill any Woolfe wthin any of their libertyes, & so to pay for euery woolfe that shalbe kylled wthin the term of one yeare after the date hereof.

Forasmuch as divers inconueniences fall out by letting land to the Indians, whereby they mixe thëselues in their labours wth the Inglishe, and therby the manners of many young men are lyable to be corrupted, It is Ordered, that noe Inhabitant wthin this Jurisdiction shall contracte wth or lette any land to any Indean after the publisheing this Order, nether shall any Indean possesse any land held of the Inglishe after the last of October next, pruized notwthstanding that such natyves as haue caried thëselues peacebly, and wch will subjicte thëselues to be ordered

* John Cosmore and Edward Howell, of Southampton, on Long Island. (See Articles of Combination, in Appendix, No. II; and p. 112, ante.)
by the Inglish, shall haue pruission for planting vppon reasonable terms sette forth for them.

James Pyne hath forfeted his recognizance, for not appearing at the Court held at Hartford the 20th of May.

James Harwood also hath forfeted his recognizance.

An Attach't is to goe forth for Tho: Sherwood.

A Warrant for Tho: Newton.

Whereas, by an Order of the 14th of January, 1638, it was Ordered, that euery Generall Court, excepte such as through neglecte of the Go'r and the greatest p'te of Magistrats the Free-men theselues doe call, shall consiste of the Go'r or some on chosen to moderate the Courte, and 4 other Magistrats at lest, wth the maior p'te of the deputyes of the seuerall Townes, legally chosen, wch hath bene conceaued, that by the example thereof no p'ticuler Court might be keepe excepte the Go'r or Dep: Go'r and 4 Magistrats were p'sent, wch this day coming into consideration, this Court seeing the many inconueniences thereof to be so restreyned, & considering in case it may so fall out that by reson of the absence of the Go'r or Deputy & 4 Magist: noe p'ticuler Court may be extant to administer justice according to the law of God and humane pollicy, wch is now [163] conceaued to be contrary to the trewe meaneing || of the said former Order, It is therefore now declared and so Ordered, sentenced & decreed, that the Go'r or Dep: Go'r wth 2 Magistrats shall haue power to keepe a p'ticuler Court, according to the lawes established, & in case the Go'r or Dep: Go'r be absent, or some waye or other incapable ether to sit or to be p'sent, if three Magistrats meete, and choose on of theselues to be a moderator, they may keepe a p'ticuler Court, wch to all intents & purposes shalbe deemed as legall, as though the Go'r or Deputy did sitte in Courte, and all other Orders that haue bene heretofore in that case made shalbe reduced to this Order.*

It is Ordered, that there shalbe a gard of 20 men, euery Sabboth and Lecture day, compleate in their arms, in ech seuerall Towne vppon the Riuier, and atte Seabrooke and Farmington 8 apeece, ech towne of the sea coast ten, and as the nuber of men increase in the Townes, the gaurd is to encrease.

* [In margin.] “Added to the 10th fundamental.”
OF CONNECTICUT.

MAY THE 25th, 1647.

The Estreits for the leueing of Fynes shall goe forth once eu'ry yeare, both in the Townes on the Riuier and by the sea-side, and some officer appoynted in ech place to leuy and re-ceau the and the accompts to be giuen in by the seuerall Plan-tations of their generall chardges at the Court in Septéber, for the pr'fecting of the accompts betwixt them. Mr. Ludlowe is desiered to graunt out warrants for the fynes by the sea-side.

Vppon the makeing vppe of the Rates betwixt the Townes by the sea-side, for the last Rate, ther was found to be due fro Stratford, 9l. iis. 2d.; fro Fairfield, xiZ. 14s. 8d.; these Townes being alowed what they had expended vppon the p'parations of the late warrs, but other expensesshalbe alowed out of the Fynes when the accoumpte of the skalbe brought vppe.

Its the mynd of the Court that ther should be pr'vision made for entertayneing the Magistrats dureing the sitting of the Court, and the deputyes of Hartford are desiered to find out a fitte man.

Its Ordered that the souldears shall only make choyse of their military officers & ps'ent the to the p'ticuler Court, but such only skalbe deemed Officers as the Court skal confirme.

The chiefe officer in euery Towne shall appoynt the dayes of Trayneing alowed by Order of Court.

[169] Whereas it appeares that diuers, to defeate and defraude their creditors, may secretly and vnderhand make bairgens & contracts of their lands, lotts and accomodations, by meanes whereof, when the creditor thinks he hath a meanes in a due order of lawe to declare against the said lands, lotts and accomoda-tions, and so recour satisfaction for his debte, he is wholly deluded and frustrated, w'ch is contrary to a righteous rule, that euery man should pay his debts w'th his estate, be it what yt wilbe, ether real or p'sonall; This Court takeing it into consideratio, doe Order, sentence and decree, that for the future that if any Creditor doe suspecte any debtor, that he may pr'ue non soluant in his p'sonall estate, to repair to the Register or Recorder of the Plantation wher the lands, lotts or accomoda-tions lyes, and enter a Caueat against the lands, lotts and accomoda-tions of the said debtor, and shall giue to the said Register or Recorder 4d. for the entry thereof; and the said creditor
or creditors shall take out suumons against the said debtor, and
in due forme of law the next particular Court, ether for the whole
Collony or for that particular Plantation wher the said lands,
lotts and accomodations lyes, or the next Court ensuing, de-
clare against the said debtors lands, lotts & accomodations;
and see if the creditor recouer, he may enter a judgment vppon
the said lotts, lands and accomodations, and take out an extent
against the said land, directed to a knowne officer, who may
take two honest & sufficient men of the neighbours, to appryse
the said lands, lotts & accomodations, ether to be sold out
right if the debt so require, or sett a resonable rent vppon the
same, vntill the debte be payd, and deliuer the possession there-
of ether to the creditor or creditors, his or their assigne or as-
signes, or any other; and what sale or sales, lesse or lesses, the
saide officer makes, being orderly recorded, according to former
Order of recording of lands, shalbe as legall and bynding to all
intents & purposes as though the debtor himselfe had don the
same; p'rvided that if the said debtor can then p'rsonally preuve
a Chapman or Tenant, that can giue to the creditor or creditors
satisfaction to his or their content, he shall haue the first refusall
thereof. Also yt is declared, that he wch first enters Caueat as
aboue said, and his debte being due att his entring the said
Caueat, shalbe first paid, and so euery creditor as he enters his
Caueat and his debte becom due, shalbe orderly satisfied, vnlesse
at the next Court yt appeares the debters lands, lotts and ac-
comoedations p'rue insufficient to pay all his creditors, then eu'ry
man to haue a suitable p'portion to his debte out of the same,
and yet notwthstanding euery man to receaue his p'rete accord-
ing to the entry of his Caueat; yet this is not to seclude any
creditor || to recouer other satisfaction, ether vppon the
p'rson or estate of the sayd debtor, according to lawe and cus-
tum of the Collony.

And also yt is further decreed, that what sale or bargaine
soeuer the debtor shall make concerninge the said lotts, lands
and accomodations, after the entering of the said Caueat, shalbe
voyde as to defraud the said creditors. It is also further ex-
plained and declared, that if the said debtor be knowne to be an
insoluant man before the first Caueat entered against the said
lands, lotts & accomodations, and the same appeare at the next
pticular Court, then the Court shall have power to call in all the creditors in a short tyme, and set an equall and indifferent way how the creditors shalbe paid out of the said lands, lotts & accommodations; otherwise, if the said debtor proue insolvant after the first Caueat entered, then this Order to be duly obsearued, according to the promises and true intent and meaning thereof. It is also further declared and explyayned, that the Recorder or Register of the said Caueat shall, the next pticular Court as aforesaid, returne the said caueats that are wth him, at wch tyme & Court the enterer of the said Caueats shalbe cauled forth to prosecute the next pticular Court following; and if the enterer of the said Caueats fayle to prosecute according to this Order, the Register or Recorder of the said Caueat or Caueats shall putt a vacatt vppon the said Caueat or Caueats, wch shalbe invalled or voyde to chardge the said lotts, lands and accomodations aforesaid.

Forasmuch as it is obsearued that many abuses are committed by frequent taking Tobacco, It is Ordered, that noe ptson vnder the age of 20 years, nor any other that hath not allreddy accustomed himselfe to the vse thereof, shall take any Tobacco vntil he haue brought a Certificat, vnder the hand of some who are approued for knowledg & skill in phisicke, that it is vsefull for him, and also that he hath receaued a lycence fro the Court for the same. And for the regulateing those who ether by their former takeing yt haue to their owne apprehsions made yt necessarry to thè, or vppon due aduice are pt-suaded to the vse thereof, It is Ordered, that no man wthin this Collony, after the publicatiõ hereof, shall take any tobacco publicquely in the street, nor shall any take yt in the fyelds or woods, vaulesse when they be on their trauell or joyrny at lest 10 myles, or at the ordinary tyme of repast commonly called dynner, or if it be not then taken, yet not aboue once in the day at most, & then not [166] in company wth any other. Nor shall any || inhabiting in any of the Townes wthin this Jurisdiction, take any Tobacco in any howse in the same Towne wher he liueth, wth and in the company of any more then one who vseth and drinketh the same weed, wth him at that tyme; vnder the penulty of six pence for ech offence against this Order, in any of the pticulars thereof, to be payd wt without gainesaying, vppon conviciõ by the
testimony of one witness that is without just exception, before any one Magistrate; and the Constables in the seuerall Townes are required to make p'sentment to ech p'ticular Court of such as they doe vnderstand and can evict to be transgressors of the Order.

And for the p'uenting that great abuse wch is creepeing in by excesse in Wyne and strong waters, It is Ordered, that noe inhabitant in any Towne of this Jurisdiction shall continue in any co'mon victualing howse in the same Towne wher he liueth aboue halfe an hower att a tyme in drinkeing wyne, bear or hotte waters, nether shall any who draweth & selleth wyne suffer any to drynke any more wyne att on tyme then after the p'portion of three to a pynt of sacke. And it is further Order-ed, that noe such wyne drawer deliuer any wyne, or suffer any to be deliuered out of his howse to any who com for yt, vnlesse they bring a noate vnder the hand of some on M' of some family and alowed inhabitant of that Towne, nether shall any such Ordinary keep, sell or drawe any hotte waters to any but in case of necessity, and in such moderation for quantity as they may haue good grownds to conceaue yt may not be abused; and shalbe reddy to giue an accoumpte of their doeings herein when they are cauled thereto, vnder Censure of the Court, in case of delinquency.

When Mr. Ludlowe hath p'sected a body of lawes as the Court hath desiered him, it is the mynd of the Court that he should, besides the paying the hyer of a man, be further considered for his paynes.

Yf Mr. Whiting wth any others shall make tryall and p'secute a designe for the takeing of Whale, wth'in these libertyes, and if vppon tryall wth'in the terme of two yeares, they shall like to goe on, noe others shalbe suffered to interrupt the, for the tearme of seauen yeares.

[167] 
JUNE THE 3d, 1647.

Ed: Hopkins Esqr, Dep.
Mr. Webster, Mr. Welles.
In the action of Aron Cooke plt, agt John Dawes, the Jury find for the plt 4l. & costs of Court.

Henry Densloe is bownd in a Recognizance of 20l. to appear the next Court.

Mr. Math: Allen & Tho: Newton acknowledge themselves bownd in a Recognizance of 160l. to the Court, to saue the Court & such debtors harmeles & indemnified fro any daynger, losse or inconuenience that may befal the by any some of mony that shalbe recovered in the Court, of Scippeseyer his debts, in reference to an ac. commenced agt Sa: Smith.

In the action of Math: Allen pl. agt Peter Jacobe, of 6l. 10s. thers acknowled to be paid,

by Daud Prouost, . . . 2. 0.
by Sa: Smith, 1: 2: 7; . . . 1. 2. 7
more by him in wheat 2l. 8s. . 2. 8.
behind 19s. 5d. wch the deft is to pay.

Tho: Sherwood, for his contempte in not appeareing att Court vppö sumons, is fyned 40s.

Tho: Newton, for his misdemeanor in the vessell cauled the Virgin, in giueing Phillipe White wyne w^n he had to much before is fyned 5l.

[168]  

June the 2, 1647.

Ed: Hopkins Esq'.
Capten Mason, Mr. Webster.

[Deputyes:]-Mr. Steele, Mr. Talcoate, Mr. Cullicke, Andrew Bacon, Mr. Trott, James Boosy, Sa: Smith, Mr. Clarke, Mr. Porter.

It was this day Ordered, that all guns and millitary ammunition wch this Comon welth by a Comitte haue formerly bought of George Fenwicke Esqr, be deliuered vnto Capten Mason for the vse of the Country, wch being done, the sd. Capten Mason to acquit & dischardge the said George Fenwicke, or his Agent, of the particulars soe deliuered.

It was then further Ordered, that Capten Mason should for the peace, safty and good assurance of this Comon welth, haue the comauand of all souledears and inhabitants of Seabrooke, and
in case of alarum or daynger by approch of an enimy, to drawe forth or put the said souldears & inhabitants in such posture for the defence of the place, as to him shall seeme best.

It is this day Ordered, that in case Mr. Whiting, being at present vppon a voyadge att sea, be by Prudence pruented of his intended returne, then Capten Mason to be on of the Comissiours for this Jurisdiction, and to attend the searuice this yeare wth the Comissiours of the United Collonyes, in the Bay or els-where, at the tyme or tymes appoynted.

Whereas Capten Mason, at the spetiall instance & request of the inhabitance of Seabrooke, togather wth the good likeing of this Coñon welth, did leave his habitatiō in the Riu'r and repaire thither, to exercise a place of trust, It is this day Ordered, that his former sallary of 40l. pr ann. be continued, and after ech of the terms yt hath bine formerly dewe, then at 20 dayes warninge yt be put abord some vessell or vessells as himselfe shall appoynd.

Memorandm. Wn the Capten doth rec. the guns & millitary ammunition, he must deliuer a bill of the prticulers to the Regester, to be keepte as a record for the Country.

The prportions for the composition for the Fort for the full Tearable of 10 yeares is as followth:—

<table>
<thead>
<tr>
<th>Location</th>
<th>Approximate Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>60l. 5s. 1/3 prte wheat, 1/3 prte pease, 1/3 Ry.</td>
</tr>
<tr>
<td>Tunxis</td>
<td>15. 5. in the same kynd.</td>
</tr>
<tr>
<td>Wyndor</td>
<td>45. 1/2 wheat, 1/2 pease.</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>49. 10. 1/3 prte wheat, 2/3 prts pease.</td>
</tr>
<tr>
<td>Seabrooke</td>
<td>10. the same as Hartford.</td>
</tr>
</tbody>
</table>

[169]

Sep: 2, 1647.

Ed: Hopkins, Esqr.
Mr. Webster, Mr. Welles.


In the ac. of Wyddowe Kilburne pl. agt Peter Blachfield deft, the Jury find for the pl. 40s. & cost of Court.

George Abbott is to pay 12s. to Rich: Letten.
Vpson is to pay Kerby ixs. and the cost of Court, excepte witnesses.

Mrs Whiting is admitted to administer according to the will of her deceased husband.

Trotte agt Norton, 2 ac.
Executiō graunted Mrs Willis.
Executiō graunted Aron Cooke.

John Nubery confesseth that he made seuerall attempts of bestiality,*

John Gynings for resisting the watch seuerall tymes is fyned 40s. and to find surtyes for his good behauior.

Peter Bassaker for resisting the watch is fyned 20s. and to find surtyes for his good behauior.

Tho: Hubbert for refuseing to watch is fyned xs.

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Sep. 9, 1647.

Ed: Hopkins Esqr.
Mr. Webster, Mr. Woolcott, Capten Mason, Mr. Welles.

[Deputyes :] Mr. Steele, Mr. Talcoat, Mr. Westwood,
Andr: Bacon, Mr. Phelps, Mr. Clarke, Mr. Stoughton,
Mr. Gaylard, Mr. Trott, Liue Boosy, Sa: Smith, Nath: Dickenson.

Thers liberty giuen the Comissãors to forbeare their sett meeting att Septeber, pruied they meet once in the yeare.

Also, if no more then syxe of the Comissãors meet, they may goe on in their occations yf they all agree, and it shalbe as effectuall as if the whole 8 meet, hauing sufficient warneing.

There is a Rate of 100/. graunted.

Capten Mason & Jo: Clarke are desiered to carry on the building of the Fort, by hireing men or Cartts or other necessa-ryes. They are alowed to make vse of the last Rate to be paid by Seabrook.

The Court thinks meet that a Comissão be directed to Mr. Wynthrop, to execute justice according to or lawes & the rule of righteousnes.

* A line omitted.
The deuissiō of the Rate; Hartford, 35l. 10.
Wyndso, 24. 10.
Wethersfő, 24.
Seab: 8.
Farm: 8.

100. 0.

The Courts adioyrned to the last Wednesday in October.

[170] October 29th, 1647.

Jecoxe is bownd in a Recognizance of 10l., James Pyne in 20l., prœided Pyne keepe good behauior vntill the Court in May at Fayerfield, and appeare ther.

The Rats to be paid in Englishe graine.

The Courts adioyrned to the first Thursday in March.

No: the 22th, 1647.

Ed: Hopkins Esqr, Dep: Govr.
Mr. Webster, Mr. Woolcoate, Mr. Welles.

[The Jury:] Tho: Ford, Will: Wodsworth, fyned 2s. vid.,

In the action of John Guttridge pl. agt Jaruis Mudge deft, the Jury find for the pl. 20 bush: Indean; 7s. vid. forbearance; 20s. to be deducted for chardge & hazard; remayneth for the pl. 37s. 6d. & chardge of Court.

Sa: Gardner is to be alowed frō Mudge vis. for three bush: Indean.

In the action of the Case of Tho: Olcoatte pl. agt Mathew Gryssell deft, the Jury find for the plantife 50l. daăages & coste of Court, and for witnesses 30s. The defent to make improo-ment of the goods that miscaried, for his owne vse.
December the 2d, 1647.

Ed: Hopkins Esq'r, Dep: Gor.
Mr. Webster, Mr. Woolcoate, Mr. Welles.

The Jury: Mr. Trotte, Mr. Talcoate, Tymothy Standly, John White, Tho: Osmore, Liuetenant Boosy, Sa: Smith, Tho: Coleman, Henry Clarke, Mr. Hill, Mr. Hull, Jo: More.

The Jury find the bill of indictment ag' John Nubery, that he is guilty of buggery.

James Whatly, for his contempte in not watching, is finned 3s. 4d. & the chardge of witnesses.

In the actio of James Whatly pl. ag' Tho: Coleman, the Jury find for the deft, cost of Court and witnesses.

In the actio of George Steele pl. ag' Will' Corbit deft, the Jury find for the pl: 20s. dañages and cost of Court.

In the 2d actio of George Steele pl. ag' Will' Corbit deft, the Jury find for the pl. 10s. dañages, and cost of Court.

Mr. Woolcoate is to giue notice to Tho: Marshfields creditors to p'rfecte the diuissio of the remaynder of that estate in his hands, by the 24th of June next.


Ed: Hopkins Esq'r, Dep: Gor.
Mr. Webster, Mr. Woolcoate, Mr. Welles.

[Deputyes :] Mr. Steele, Mr. Talcoate, Mr. Westwood, Andrew Bacon, Mr. Phelps, Mr. Stoughton, Mr. Clarke, Mr. Trotte, James Boosy, Sa: Smith, Nath: Dickenson.

Forasmuch as yt is obseaured that ther are diuersity of wayghts, yards and measures amoungst vs, whereby dañag many tymes ensueth, by coñmerce with seuerall persons; For the p'renting whereof, yt is now Ordered, that no man within these Libertyes shall, after the publisheing this Order, sell any commodity but by a sealed weight or measure, vnder the penulty of xijd. ech defaulte: the Clarke is to haue a penny for sealeing a wayght or yard, ech time, and noe weight or measure is to be accoumpted authentickie that is not sealed or approued by the
Clarke once euery yeare: and the said Clarke is to breake or demolishe such wayghts, yards or measures as are defectiue.

March the 2d, 1647.

Ed: Hopkins Esqr, Dep: Gor.
Mr. Webster, Mr. Woolcoate, Mr. Welles.
[The Jury:] John White, John Byssell, John Drake,

In the ac. of Will' Gibbins as Assigne to Waterman pl. agt Fra: Norton deft, the Jury find for the deft, costs of Courte.

In the ac. of Peter Jacob pl. agt Sa: Smith deft, the Jury find for the pl. 5l. 7s. 9d. and costs of Court.

In the ac. of Nath: Dickenson pl. agt Peter Jacob deft, the Court adiudgeth the deft to pay 12s. and costs of Court.

In the ac. of John Sadler pl. agt Peter Jacob deft, the deft is to pay ixs. and costs of Court, and 18d. for witnesses.

John Moses acknowledgeth himselfe bownd to this Common welth in a Recognizance of 20l. and Mathew Allen in xl, pruised that the said John Moses appeare at the next particular Court and keepe good behavior in the meane tyme,

Ed: Chancutt, for diuulging misreports agt Hide, is fyned 40s. and Beniamin Nubery for the like is fyned 20s. and Mastens the boy to be corrected.

Anthony Longdon for drunkenes, is fyned 20s.
Nicholas Gynings, for a miscaridge, beateing of a Cow of Ralfe Keelers

Peter Bassaker, 10s.
Ralfe Keeler, Jenings, Ketchrell.

March the 9th, 1647.

Ed: Hopkins Esqr, Dep: Gor.
Mr. Webster, Mr. Woolcoat, Mr. Welles.
[Deputyes:] Mr. Steele, Mr. Talcoat, Mr. Westwood,
Mr. Phelps, Mr. Trott, Mr. Stoughton, Mr. Clarke, Ja: Boosy, Sa: Smith.

Williâ Rescue is to be alowed 40s. towards his chardges in keepeing the pryoners.

Ther is a liberty giuen to lett any grownd on the east side the great Riuier and in the Iland, to such Indeans as haue giuen in their names to the Dep: Go', and if that prue to little it is lefte to the Go' to dispose of thê as he shall see cause.

The Court thinks fitt that Massacoë be purchased by the Country, and that ther be a Comitte chosen to dispose of yt to such inhabitânts of Wyndsor as by thê shalbe judged meet to make improuement therof, in such kynd as may be for the good of this Comôn welth, and the purchase to be repaid by those that shall enjoy yt, wth resonable alowance. Mr. Hopkins is intreated to be one of the Comïttes and Mr. Webster another; and Mr. Steele, Mr. Talcoate & Mr. Westall to vew the foresaid grownd and assist in the dispose therof.

Wheras by former Order there was 2d. p r pound laid vppon euery pound of Beuer traded w'thin the libertyes of these Plantations vppon the Riuier, that hath not hitherto been p'formed, It is now Ordered, that whosoeu'r hath traded any w'thin these libertyes the last yeare, or shall herafter trade any w'thin the tyme specified in the foresaid Order, That they giue notice thereof to Mr. Hopkins before they export yt downe the Riuier, vnder the penulty of forfeeting the one halfe, as in the former Order. [173] It is Ordered, that ther shalbe a Rate of 150l. paid by the Country, whereof noe man shall pay aboue a third part in Indean, and it is intended that the Capten shall haue 60l. therof, for a yeare & halfe, and 40l. to Math: Gressell, and the rest tor the Co'mittee for the Fortte.

The diuision is, for Hartford, 53. 5s.
      Wyndsor, 36. 15.
      Wethersfield, 36. 0.
      Seabrooke, 12.
      Farmington, 12.

Wheras by reson of many weighty occations, expences and chardges are yearely expended by the Gor, It is therefore Or-
dered, that ther shalbe yerely alowed to that Place 30l. and 30l. to the Deputy Go'r for the year past.

Wheras yt was Ordered, that ther should be 20 men to attend the Gaurd at Wethersfield, in regard of the smale number in the Towne yt is now brought to 12 men.

*The Inventoryes of John Elsen & Abraham Elsen are brought into the Courte.

A Caueat put in agt both Wills by Sam: Gardner.

The Wyddow of John Elson is alowed to administer.
Sa: Smith giueth security for the estate.
Tho: Coleman vndertaks the estate of Abraham Elson shalbe preserved vntill the Court settle the administration.

[174] [The date of this Court is not given.]

Ed: Hopkins Esq'.

Mr. Webster, Captan Mason, Mr. Woolcott, Mr. Welles.


In the action of Sarah Lord pl. agt Willia Venison* deft, the Court adjudgeth the deft to pay the pl. 14s. 10d. damages & costs of Court.

In the actio of Sarah Lord pl. agt Nath: Watson deft, the Court adjudgeth the said Watson to pay the pl. ten bush: of Wheat & costs of Court.

John Truble accepteth of Math: Gryssell his Oath and is content to be accountable to him for 20 bush: of Wheate.

Will' Colefoxe, for his misdemeanor in laboring to inuegle the affections of Write his daughter, is fyned 5l.

In the action of Math: Gryssell plt, agt Tho: Olcoat deft, the Jury find for the plte, That accounting the former judgement

* The entries which follow, in relation to the estates of John and Abraham Elsen, are in a different hand writing from the rest of the page, and were probably made some weeks subsequently. The Inventory of John Elsen was taken May 16th.

* Vincent ?
granted Mr. Olcoat to be fully satisfied, the pl. is to receaue backe 30l. of the deft, and costs of Court.

In the action of Ed: Higby pl. agst James Whatly deft, the Jury find for the defent, costs of Court.

In the ac. of Rich: Meaks pl. agst Will' Lewis deft, the Jury find for the pl. ten shillings damages & costs of Court.

The Constables are to make p'sentment of the brech of any Orders.

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May the 18th, 1648.

Ed: Hopkins Esqr, Gour.
Roger Ludlowe Esqr, Dep.
George Fenwicke Esqr, Magestrate; Mr. Welles, M: Tr[es]; Jo: Heynes Esqr, M: Mr. Webster, M: Cap: Mason, M: Mr. Woolcoate, M: Mr. Cullicke, M: Secr: Mr. Howell, M: Mr. Cosmore, M:

[Deputyes:] Mr. Talcoate, Mr. Westwood, Andrewe Bacon, Ed: Stebbing, Mr. Phelps, Mr. Allen, Mr. Stoughton, Jo: Byssell, Mr. Trott, Linetenant Boosy, Sa: Smith, Nath: Dickenson, Stephen Hart, Tho: Judde, Andrew Waird, Mr. Taynter, Phillip Groues.

Whereas ther are certen farms to be sett forth vppon the borders or w'thin the l'imitts of Fayerfield, It is Ordered, ther shalbe no further proceeding in takeing vp any ground ther aboute vntill it be vewed by some that shalbe appoynted by such as shall keepe the next Court to be held att Fayerfield.

The motion made by Mr. Ludlowe, concerneing Moses Wheeler for the keepeing the Ferry att Stratford, is referred to such as shall keepe the next Court att Fayerfield, both in the behalfe of the Country and the Towne of Stratford.

Wheras David Prouost and other Dutchmen (as the Court is informed,) haue sould powder and shotte to severall Indeans, against the expresse Lawes both of the Inglishe & Dutch, It is now Ordered, that if vppon examination of witnesses the said defaulte shall fully appeare, the penulty of the lawes of this Co'non welth shalbe laid vppon such as shalbe found guilty of such transgression, the w'h if such delinquents shall not subiect vnto they shalbe shipped for Ingland and sent to the Parlament.
It is Ordered, that Capten Mason shall goe to Long Iland and to such Indeans vpon the Mayne as are tributaryes to the Inglishe, and require the Tribuit of the, long behind & yet vnpaid, and to take some stricte and righteous course for the speedy recoyering therof; and it is judged equall and alowed that he shall haue the on halfe for his paynes.

Mr. Wynteropthe younger is to haue Cobyssion for to execute the place of a Magistrate at Pequoyt.

The Gouernour and Deputy are desiered to execute the place of Coussioners for this Jurisdiction wth the United Collines, for the meeting in September and for on yeare, and in case ether of the shalbe pruented by sicknes or otherwise, Mr. Welles is desiered to supply the place.

Hartford is to make and mayntayne the Bridge leading to Farmington, wthin the libertyes of Hartford.

[177] JUne the first, 1648.*

Ed: Hopkins Esqr, Go'.

Mr. Webster, Mr. Woolcoate, Mr. Welles.

In the action of Carpenter pl, agt Demon defl, the Jury find for the pl. 4l. damages & costs of Court. Execution d'd to the pl' this 30th of March, 1650.

John Byssell is bownd in a Recognizance of 10l. and John Bennitte of 20l. pruied that the said Bennit keepe good beha-vior and appeare the next Court. He promiseth to acknow-ledge his fault publiquely at Wyndsor.

John Moses, for miscaridges wth Dauid Wilton his daughter, fyned 20s.

*With the record of this Court, the official duties of Mr. Welles, as Secretary, terminated. The record of the following session, is in the hand writing of Mr. (afterwards Captain) John Cullick, who had been chosen Secretary in May previous, and who continued in office until 1658.
Whereas severall inconveniences doe appeare by reason that the severall soundgers of the Trained bands, in each Towne within this Jurisdiction, haue not beene allowed some powder vpon their training dayes, for their practice & exercise in their severall firings: It is Ordered that their shall bee allowed to euery soundger in the severall Trained Bands in each Towne as aforesaid, halfe a pound of powder a peece, for a yeare: and so from yeare to yeare, for the future: to beeprovided by and at the proper costs & chardges of the masters and gouernors of each familie vnto wch the said soundgers doe belong, to bee called forth, improued and disposed of, at the discretion of the Captaine or other principall leaders in each Trained Band.

Att a PERTICULAR COURTE HOULDEN IN HARTFORD, THE 7th SEPTEMBR, 1648.

Magistrates: Mr. Wells, Moderator; Mr. Webster, Mr. Woollcott, Mr. Cullick.


George Chappell contra John Goodrich in an action of the Case. Withdrawne.


Mrs. Whiting plt, contra Jonathan Brewster defendt, in an action of Debt, 33/ 18s. Damages 10l.

Nicho: Olmsted plt, contra John Halls senio, in an action of the Case; damages, 40s.

Tantom Heage, an Indian, plt, contra Jeames Northam & Robert Boltwood defendts; damages, 20l.

Jeames Northam plt, contra Jeruis Mudge defendt; damages, 30l.

Jeames Northam plt, contra Jeruis Mudge defendt, in an action of the Case; damages 30s.
Jeruis Mudge plaintiff, contra Jeames Northam defendant, in an action of the Case; damages, 3l.

In the action of Nicho: Olmsted plaintiff, contra Jo: Halls defendant, the Jury finds for the plaintiff, damages 5s. and costs of the Courte.

In the action of Tantom Heage, an Indian, plaintiff, contra Jeames Northam and Rob: Boltwood defendants, the Jury finds for the plaintiff, damages, 10l. and costs of the Courte.

In the action of Jeames Northam plaintiff, contra Jeruis Mudge defendant, damages 30s.; the Jury finds for the plaintiff, damages 3l. and costs of the Courte.

In the action of Jeames Northam plaintiff, contra Jeruis Mudge defendant, damages, 30s.; the Jury finds for the plaintiff, damages, 12s. 6d. and costs of the Courte.

In the action of Mrs. Whiting plaintiff, contra Jonath: Brewster defendant, the said Jonathan Brewster being called in Courte, or Elias Parkman his partner, neither of them did appear to answer the action, whereby his Recognisance is forfeitt.

In the action of Jeames Wakely plaintiff, contra Nath Warde defendant, the action is deferred to the next particular Courte, by their joint consent.

[179] ATT A GENERALL COURTE UPON THE 14th DAY OF SEPTEMBER, 1648.

Magistrates: Mr. Wells, Moderator, by Vote.
Mr. Woolcott, Mr. Webster, Mr. Cullick.

Deputies: Mr. Steele, Mr. Taylecoat, Mr. Allyn, Mr. Phelps, Mr. Clark, Mr. Westwood, Jo: Bissell, Andr: Bacon, Mr. Trott, Jeames Boosy.

The Courte is adjourned to the 11th day of October next, except the Gouvernor see cause to call it sooner.

ATT A SESSION OF THE GENERALL COURTE, THIS 11th DAY OF OCTOBER, 1648.

Mr. Hopkins Esq:r, Gouvernor.
Mr. Ludlow Esq:r, Deputy.
Mr. Wells, Mr. Webster, Mr. Cullick.

Deputyes: Mr. Phelps, Mr. Allyn, Mr. Steele, Mr. Clarke, Mr. Westwood, Jo: Bissell, Sam: Smith, Andrew Bacon.

Thomas Lord was called vppon for selling Lead to an Indian, and he is to answer the next Courte.

The Courte is adiouredn to the 8th day of November next.

[180] Att a Perticular Courte houlden in Hartford, this 17th day of October, 1648.

Edward Hopkins Esq', Gou'mor.

Magistrates: Jo: Haynes Esq', Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.

Jury: John Tailecoate, Nath: Warde, Will': Wadsworth, Andrew Bacon, Sam: Smith, Nath: Dickerson, Thomas Coleman, John Demyn, Mr. Phelps, Mr. Clarke, Mr. Allyn, John More.

Elias Partman contra Edward Lee, in an action of the Case, damages, 40s. Edward Lee is adjudged by the Courte to pay to Elias Partman 20s. for a Cannooe Edward Lee acknowledgeth hee bought of Elias.

Judgment is graunted by the Courte to Jeames Northam and Robt Boltwood against Jeruis Mudge.

John Bissell contra John Hawkes in an action of the Case, damages, 40s.

In the action of the Case, damages 40s., bet: John Bissell plt and John Hawkes defendt, the Courte findeth for the defendt, costs 3s.

John Bissell complaines against John Bennett, for non performance of covenant with him.

John Drake complaines against John Bennett for saying he had intised and drawne away the affections of his daughter.

John Griffin complaines against John Bennett for slandering and defaming of him, by charging him with giuing in to the Courte false euidence and testimonye.

John Bennett being called in Courte, Srgeant Fyler appeared
in his behalfe, but would not answer to those things that were complained of against Bennett.

George Chappell and Mathew Williams having forfeited theire Recogniscance, the judgement is suspended till they shall bee found or knowne to bee at the howse of Thomas Ford or John Sadler: and the judgemt of the Courte is, that if either George Chappell or Mathew Williams shall hereafter bee in either of the howses aforesaid, and the said Thomas Ford or John Sadler shall not make it knowne to some of the Magistrates within 24 hours after theire or either of theire being in theire howses or either of theire howses, they shall pay the Recogniscance forfeite as aforesaid.

The distribution of the estate of Thomas Dewey, of Wynd- sor, deceased, was by this Courte, as followth:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To his Relict</td>
<td>60.00</td>
</tr>
<tr>
<td>To his eldest Sonne by name Thomas Dewy</td>
<td>30.00</td>
</tr>
<tr>
<td>And to the other five children</td>
<td>100.00</td>
</tr>
</tbody>
</table>

190.00

The daughters portion of 20l. to bee paid her at the age of 18 years, and the several sons portions to bee pd. to them at the age of 21 years: the Relict giving in sufficient security to the children, before her marriage againe, for their several portions.

[181] October 17th, 1648.

Jury: Mr. Phelps, Mr. Clark, Jo: Demyn, Jo: More, Srgt Fyler, Nath: Dickerson, Tho: Coleman, Sam: Smith, John Hawkes.

In the action of Jeames [Wakely] plt contra Nath: Warde defendt, the Jury finds for the defendt costs of the Courte.

The Courte adiudgeth Peter Bussaker, for his filthly and profane expressions (viz. that hee hoped to meete some of the members of the Church in hell ere long, and hee did not question but hee should,) to bee coimitted to prison, there to bee kept in safe custody till the sermon, and then to stand in the time thereof in the pillory, and after sermon to bee severely whipt.
The Courte gaue order for an attachmt to issue forth vpon the whole estate of Peter Bussaker, in whose hands soeuer, for the security of his creditors.

William Vincent is adijudged by the Courte to pay 2s. 6d. for neglecting his warde, and Nicho: Clarke is fyned 12d. for concealing it.

The Courte giues Mr. Cullick order to administer vpon the estate of his man Richard Sawyer deceased; there being evidence in Courte that Richard Sawyer said before his death that hee would leaue all that hee had to the dispose of his Mr. Cullick.

John Lord, Taylor, acknowledgeth himselfe bound in a Recogniscance of 20l. to this Common wealth, to carry good behauior in his course of life; and Thomas Lord his brother is his security in that behalfe.

John Betts acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. to carry good behauiour in his course of life, and Nicho: Olmsted is his security in that behalfe.

[182] ATT A SESSION OF THE GENERALL COURTE THIS 8TH DAY OF NOVEMBER, 1648.

Magistrates: Jo: Haynes Esq', Moderator: Mr. Woollcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Allin, Mr. Clarke, Mr. Steele, Andr: Bacon, Jo: Bissell.

The Courte being mett, was adiourned to the 6th day of December next.

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ATT A SESSION OF THE GENERALL COURTE, THIS 6TH OF DECEMBER, 1648.

Edward Hopkins Esq', Gou'nor.

Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Clarke, Mr. Trott, Mr. Allyn, 16
Mr. Taylecoate, Mr. Westwood, John Bissell, Sam: Smith, Andrew Bacon, Nath: Dickerson, Jeames Boosy.

The Courte havung taken into consideration the many occasions that are in view at present, and like to bee for the future, of drawing away Corne from amongst vs, out of the River, or engaging of it aforehand to those that doe carry it out from amongst vs, before the time of the payment of the Corne to Mr. George Fenwick, for the Fortt Rate, that when divers people should pay to him, according to order, there corne is gone, whereby Mr. Fenwick hath for the time past susteined some loss, and may doe more for the future:—For the prevention whereof, it is ordered, that the Treasurer shall send out warrants seasonably to the Constables of each Towne vpon the River within this Jurisdiction, for the gathering or otherwise securing of the aforesaid Corne for Mr. Fenwick, by the first of March; that it may bee in readines, when called for, according to order and covenant, by Mr. Fenwick or his assigne; and Mr. Wells for Wethersfield, Mr. Webster for Hartford, and Mr. Woolcott for Windsor, are desired to call vpon the Constables in their several Townes, for the returne of their warrants by the aforesaid first of March.

It is ordered, that there shall bee a day of Humilliation kept by all the Churches in this Jurisdiction, to seeke the face of the Lord in the behalfe of his Churches, vpon this day fortnight, which will bee the 20th day of this instant December.

The order concerning the price of Boards, is repealed.

The Courte is adiourned to the last Thursday in January next, being the 25th day thereof.

[183] The Perticular Courte, this 7th December, 1648.

Edward Hopkins Esqr, Gouernor.

Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.

Jury: Mr. Phelps, John Tailcoate, Will: Wadsworth, Andr: Bacon, Sam: Smith, Nath: Dickerson, Thomas Coleman, John Demyn, Mr. Clarke, Mr. Allyn, Will: Gibbens, John More.
The Courte adjudgeth Jeruis Mudge to pay to Jeames Northam and Robert Boltwood, for his pr't of the damage they paid to Tantotn Heage, if hee had 8 head of cattle trespassers, 37s. 6d. in good, dry, well-conditioned Indian Corne.

Mathius Trott acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 20l. and Thomas Burnham in a Recogniscance of 10l. that hee the said Mathias Trott shall appeare at the next Perticular Courte houlden in Hartford.

It is the judgement of the Courte that John Jennings should serue Jeames Northam first, so long as hee covenanted with him, and when his time is out with Northam, that then hee should serue Stephen Harte in the next place.

The Courte frees John Betts and his security, and John Lord and his security, for theire and either of theire Recogniscances, for the good behauior of John Betts and John Lord aforesaid.

The Jury finds the Bill of Inditement against Mary Jonson, that by her owne confession shee is guilty of familliarity with the Deuill.

John Edmonds pl† contra the wife of Joshuah Jennings defend†, in an action of slander, damages 50l.

In the action of John Edmonds pl† contra the wife of Joshuah Jennings defend†, the Jury finds for the pl†, 5l. and costs of the Courte.

John Bennett appearing to answer the compl†s made against [him] last Courte, and expressing his repentance, and promising better carriage for the future, the Courte is willing once more to pass by his corporall punishment; and Will: Edwards acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 20l. that John Bennett shall carry good behauior in his course of life for the space of halfe a yeare. The perticular Courte vppon the first of March, 1648, frees John Bennett and William Edwards, his security, from theire Recogniscance for good behauior, as appeares by the Records of that Court:

The Courte frees Henry Palmer from his Recogniscance for his wiues appearing at the last perticular Courte, to answer the compl† of Mr. Robins: as also, remitt the miscariage of his wife therein, hoping it will bee a warning to her and others for the future.
Edward Hopkins Esq^r, Governor.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick.


John Willcock senior, plaintiff contra Jeruis Mudge defendant, in an action of debt, 7l.


Richard Fellowes plaintiff contra Richard Coaker defendant, in an action of debt and damage, 8s.

Jasper Gunn plaintiff contra Nicho: Olmsted defendant, in an action of the Case, damages 41s.

Benjamin Hilliar plaintiff contra Thomas Edwards defendant, in an action of Slander, to the damage of 40l.

Jeruis Mudge plaintiff contra Will: Colefax defendant, in an action of debt and damages, 16l.

John Cullick plaintiff contra George Abbott defendant, in an action of debt & damages, 30s.

John Cullick plaintiff contra Jeruis Mudge defendant, in an action of debt and damages 20s.

Jonas Wood of Long Island plaintiff contra Thomas Newton of Fairefield, in an action of the Case, damages 150l.

Thomas Newton plaintiff contra Jonas Wood defendant, in an action of the Case for breach of covenants, to the damage of 200l.

In the action betwene John Willcock senior plaintiff contra Jeruis Mudge defendant, the Jury findes for the plaintiff, 7l. costs of the Courte and witnessest.

In the action betwene Beniamin Hilliar plaintiff and Thomas Edwards defendant, the Jury findes for the defendant, costs of witnessest.

In the action of Jeruis Mudge plaintiff and Will: Colefax defendant, the Jury findes for the plaintiff, his bill, 13l. 16s., and costs of the Courte.
In the action of Jasp^r Gunn pl^t contra Rich: Olmsted defend^t, the Jury finds for the defend^t.

[185] In the first action of Jonas Wood pl^t contra Thomas Newton defend^t, the Jury finds for the pl^t, that the defend^t shall discharge or cause to bee discharged the bond that the pl^t and his frends lye under at the Monatoes, wch was to answer the defend^ts ingagemt there, and to pay unto him 30l. besides, and costs of Courte.

In the action of Thomas Newton pl^t contra Jonas Wood defend^t, the Jury finds for the pl^t. The defend^t is to deliuer to the pl^t the two Cowes and the Steare, with their increase if any, and twenty shillings in wampum, according to the bargaine, and if the said cattel cannott bee gott then the defend^t is to pay him 18l. and costs of Courte.

In the action of debt of John Cullick pl^t contra George Abbott defend^t, the Courte findes for the pl^t, 30s.

In the action of debt of Capten John Cullick pl^t agt Jeruis Mudge defend^t, the Courte adiudgeth the defend^t to pay twenty shillings damadge to the pl^t, and costs of Courte.

In the action betwene Rich: Fellowes pl^t and Will: Vincent defend^t, the Courte adiudgeth the defend^t to pay to the pl^t 14s. 6d.

In the action of Rich: Fellowes pl^t contra Rich: Coaker defend^t, the defend^t not appearing to answer the action, the Courte giues order for an attachm^t to issue forth agt his body.

Enoch Buck of Wethersfield acknowledgeth himselfe bownd to this Co môn wealth in a Recogniscance of 10l. to appr^t at the next particular Courte in Hartford. Enoch Buck appearing at the Courte this first of March is freed from his Recogniscance.

John Russell servaunt to Mr. Robins, acknowledgeth himselfe bownd to this Co môn wealth in a Recogniscance of 10l. to make his appearance at the next particular Courte in Hartford.

Beniamin Hilliar acknowledgeth himselfe bownd in a Recogniscance of 30l. and Sam: Smith senio^r in a Recogniscance of 20l. that the said Beniamin Hilliar shall make his appearance at the next particular Courte in Hartford & carry in the Interm good behauior. He appearing at y^t Courte y^t first of March, they are freed from this Recogniscance.

16*
Walter Leawis, servant to Mr. Hollister, acknowledgeth himselfe bound to this Common wealth in a Recognisance of 20l. and Mr. Trott in a Recognisance of 10l. that the said Leawis shall appear at the next particular Courte in Hartford & carry good behaviour.

John Bernard of Hartford is fined 2s. vid. for not appearing being called to serve upon the Jury.

David Willton of Windsor is fined 2s. vid., for not appearing timely at the Courte, to serve on the Jury.

[186] Thomas Newton of Fairefeild acknowledgeth himselfe bound to this Common wealth in a Recognisance of 200l. that hee will answer, truly performe and discharge the verdict of the Jury in the action betwene Jonas Wood plaint, and himselfe defendant, at or before the last day of Febr: next, and Henry Grey and John Greene, both of Fairefeild are his security in the like sum for his true performance thereof.

And Jonas Wood of Long Island ingages his interest in the Recognisance above written, that hee will truly performe and discharge the verdict of the Jury in the action betwene Thomas Newton plaintiff, and himselfe defendant, at or before the last day of Febr: next.

A Session of the Generall Courte in Hartford this 25th Jan: 1648.

Edward Hopkins Esq., Gou'no.

John Haynes Esq.

Magistrates: Mr. Wells, Mr. Woolcott, Mr. Cullick.

Deputies: Mr. Phelps, Mr. Clark, Mr. Trott, Mr. Allyn, Sam: Smith, Nath: Dickerson, Mr. Steele, Mr. Taylcoat, Mr. Westwood, John Bissell, Jeames Boosy.

John Bissell vndertakes to keepe and carefully to attend the Ferry over the great Riuuer at Wyndsor, for the full tarme of seuen yeares from this day, and that hee will provide a sufficient Boate for the carrying over of horse and foot upon all occasions: And that if his owne occasions should necessitate him at any time to goe out of call from his howse or Ferry, that then hee will provide some able man in his roome to at
tend that service; for with the said John Bissell is to have of those that hee Ferryes ouer, eight pence for euery horse or mare, and two pence for euery person that goes ouer therewith, or that hath another passenger to goe ouer the said Ferry at the same time; and three pence for euery person that goes ouer the said Ferry alone, single, or without any more then himselfe at the same time. And the Courte prohibitts all other persons (except the inhabitants of Wyndsor, who haue libberty to carry ouer themselves or neighbors in theire owne Canooes or Boates,) from carrying ouer the said Ferry any passenger or passengers, when the said John Bissell or his Assigne is present, or within call of his howse or Ferry as aforesaid, to attend that service. And if any person or persons as aforesaid shall at any time during the aforesaid tearme, goe ouer by Indians or Inglish that haue not Boates or Canoos of theire owne, that they pass ouer the said Ferry in, they shall as truly pay 8d. for euery horse or mare, and 2d. for euery person, as if they went ouer with him. And the Courte allso giues the said John Bissell liberty to releiue such strangers and passengers as cannot goe to the ordinary, and to take of them convenient and reasonable recompense for the same. This was consented to by John Bissell in Courte.

It is Ordered that Thomas Stanton shall haue paid him yearely by the Country, fiue pounds for his service in attending the Courte, or any of the Magistrates, as occasion shall require in any of the 3 Townes, Hartford, Wyndsor and Wethersfield, to interprett the Indian language: and hee is to bee considered over and aboue, for his extraordinary service out of the said Townes. This order to continue till the Courte sees cause to the contrary.

There is a rate of 125l. graunted by ye Courte, to bee deuided as followeth:

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>35l. 10 0</td>
</tr>
<tr>
<td>Wyndsor</td>
<td>24l. 10 0</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>24. 00 0</td>
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<tr>
<td>Seabrook</td>
<td>08. 00 0</td>
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<tr>
<td>Farmington</td>
<td>08. 00 0</td>
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<tr>
<td></td>
<td>Totall, 125. 00 0</td>
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</table>

To bee p'd in 3 month.
The Court adiourned to ye 2d Lecture in Hartford, in ye month of March.

[187] The particular Courte in Hartford this first of March, 1648.

Edward Hopkins Esq't, Gou'nor.
John Haynes Esq't.

Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.


John Webb plt contra Ralph Keeler defendt, in an action of slander, damages, 10l.

John Webb plt contra Ralph Keeler defendt in an action of the Case, damages, 10l.

John Bennett plt contra William Edwards defendt, in an action of the Case, damages, 15l.

In the action of slander betwene John Webb plt and Ralph Keeler defendt, the Jury finds for the defendt.

In the action of the case betwene John Webb plt and Ralph Keeler defendt the Jury finds for the plt, 4s. damage, and costs of the Courte.

In the action of the case betwene John Bennett plt and William Edwards defendt, the Jury finds for the plt, damages 55s. and costs of the Courte.

Nicho: Olmsted plt contra Jeames Northam defendt, in an action of the Case, damages 25s. In the action of Nicholas Olmsted plt agt Jeames Northam defendt, the Courte adiudgheth the plt to pay to the defendt, costs 2s. vid. because hee wanted witnesses to proceed in his action agt the defendt.

Ralph Keeler freed John Webb in Courte from his Recognisance to keepe the peace.

The Courte frees John Bennett and William Edwards his security, from their Recognisance for the said Bennetts good behauior.
Beniamin Hilliar is fined 10l.
Walter Leawis is fined 40s.
Robt Rose is fined for his misdemeanors, 20s.
John Bishop is fined for his boasting of his lying and other misdemeanors, 40s.
Thomas Osmore, for not coming seasonably to serve on the Jury, is fined 5s.
Enoch Buck is fined 10s. for irregular speeches in Courte, agt Robt Rose, when hee spake vppon his oath.
Rich: Skinner plt contra Peter Bussaker defendt, in an action of debt 24s. 5d.; the Courte finds the debt for the plt.

Mathias Trott, for making composition about a servant of Mr. Chesters and concealing it when it was done, is adjudged by the Courte to pay to Mrs. Chesther, from the time that hee did compound for him, wch they conceive was about the first of March, to the time that Mr. Chesther sent againe for him, being about the latter end September, in all about 7 months time, 3s. p'r weke.

Wallter Leawis acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 20l. and Mr. Trott in a Recogniscance of 10l. that the said Walter Leawis shall carry good behauior and appeare at the particular Court in June next.
Saumell Comstock acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. and Bray Rosseter in a Recogniscance of 20l. that the said Saumell Comstock shall carry good behauior for the space of ten dayes, and then the said Bray Rossiter shall either bring him the said Samuell Comstock to prison and leave him in chardege with the keeper thereof, or bring him to Mr. Woollcott with such security as hee shall accept for his good behauior for longer time, and for his satisfying what damage Mr. Robins shall susteine for the want of his servant.

Beniamin Hilliar acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 20l. and Thomas Wright in a Recogniscance of 10l. that Beniamin Hilliar shall pay his fine of 10l. when it is required, and carry good behauio'r for the space of one whole yeare.

John Bishop acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 20l. and John Halls Junior in a
Recogniscance of 10l., that if notice bee giuen to John Halls betwene this and the first Thursday of June next, the said John Bishop shall appeare then to answere the complaint of the Indians against him.

William Comstock acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. and Mr. Trott and Sa[muell] Smith Junior in a Recogniscance of 5l. a peece that the said William Comstock shall appeare at the particular Courte, vpon the first Thursday in June next, and carry good behavior in the meane time.

Georg Phillips of Wyndsor, by reason of seuerall weaknesses that for the present attend him, is freed from watching till the Courte sees cause to the contrary.

[189] A Session of the Generall Courte in Hartford, this 14th March, 1648.

Edward Hopkins Esqr, Gouv[nor].
John Haynes Esqr,
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Clark, Mr. Trott, Mr. Allyn, Mr. Steele, Mr. Tailecoat, Mr. Westwood, Jeames Boosy, Sa[m]: Smith, Nath: Dickerson, Andr: Bacon, John Bissell.

The Court desires Mr. Wells and Mr. Cullick to draw vp in writing the whole agreement with Mr. Fenwick, and Mr. Hopkins, about Seabrooke, and that the counterpart thereof vnder Mr. Hopkins his hand, may bee kept and recorded by the Secretary of the Courte.* Also, it is orderded that the Constables in each Towne shall each of them take a receipt vnder Mr Hopkinses hand for so much as is allready paid him, and so euery yeare for such sums as they shall hereafter pay him, in reference to the aforesaid agreement: and shall make returne thereof euery yeare to the Secretary of the Courte, who is to keepe and record the same, for thire security.

* See p. 119. [135.] The agreement was not recorded until 1654. [Vol. ii. pp. 59-63.]
Mr. John Wentworth of Pequot was voted to be in nomination for election to the place of a magistrate.

Whereas by the 6th Article in the Combination of the United Colonies, in cases proper to the Commissioners, if six agree not, the propositions with the reasons is to bee referred to the foure Generall Courts, and by their joint agreement to bee determined. It was now recommended by the Commissioners to the severall Generall Courts, that if any three of the said Generall Courts agree and conclude any such proposition, it might pass and bee accounted as the conclusion of the united Colonies, as it should have passed as an Act of the Comissioners if six of them had consented; wch being duely considered, it was consented to and ratified by the Courte, provided the Generall Courts of the other Colonies doe the like.

It was further, vppon the recomendation of the Comissioners, ordered by this Courte, that no peage, white or black, bee paid or receiued, but what is strung, and in some measure strung suitably, and not small and great, vncomely and disorderly mixt, as formerly it hath beene.*

Whereas also, It was recomended by the Comissioners, that for the more free and speedy passage of justice in each Jurisdiction to all the confederates, if the last will and testament of any person bee duely prooued in, and duely certefied from any one of the Colonies, it bee without delay accepted and allowed in the rest of the Colonies, vnless some just exception bee made against such will or the proouing of it, wch exception to bee forthwith duely certefied back to the Colony where the said will was prooued, that some just course may bee taken to gather in and dispose the estate without delay or damage. And also, that if any knowne planters or settled inhabitants dye intestate, administration bee graunted by that colony vnto wch the de-

*Vppon the motion of Mr. Dunster, President of the Colledge at Cambridge, consideracon was had about paynts made and receiued in peage, whether white or black. The Comissioners were informed that the Indiens abuse the English with much badd, false and unfinished peage and that the English Traders, after it comes to their hands, choose out what fits their markets and occasions, and leave the refuse to pass to and fro in their Colonies: wch the Indiens, whose best understand the quality and defects of peage will not willingly take back. Whereupon, (though they see not at present how to propound a full recommendacon in all particulars without much difficulty and inconvenience, yet) they commend it to the severall Generall Courts and to the Plantacons within the United Colonies, that noe peage, white or black, be paid or received, but what is strung." &c. (Records of U. Colonies, Sept. 1648.)
ceased belong, though dying in another colony: and the administration being duey certefied, to bee of force for gathering in of the estate in the rest of the colonyes, as in the case of wills prooued where no just exception is returned. But if any person possessed of an estate, who is neither planter nor setled inhabitant in any of the Colonyes, dye intestate, the administration (if just cause bee found to giue administration) bee graunted by that Colony where the person shall dye and dep't this life, and that care bee taken by that Gouernm't to gather in and secure the estate vntill it bee demaunded, and may bee deliuered according to rules of justice:—wch vpon due consideration was confirmed by this Courte, in the behalfe of this Colony, and ordered to bee attended in all such occasions for the future; prouided the Generall Courts of the other Colonyes yeild the like assent therevnto.

(Court dissolved.)


Edw: Hopkins Esq', Gou'no'.
John Haynes Esq'.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick.


William Hurlebutt plt contra Jeames Wakely deft, in an action of the Case, dammages 39s.

Sammuell Steele plt contra John Steele defendt, in an action of debt, 28s., dammages 6s.
Jeames Northam plt contra George Chappell defendt, in an action of the Case.
John Steele plt agt Nathaniell Kellock defendt, in an action of debt and dammages, 39s.
John Willecock plt contra Jeames Wakely defendt, in an action of the Case, dammages, 6s.
John Willecock senior plt contra Jeames Wakely defendt, in an action of the Case, dammages 25s.
Mathew Marven plt contra Mathew Beckwith defendt, in an action of defamation, damages 50l.

Richard Fellowes plt contra William Hill defendt, in an action of debt and damages, 39s.

William Bartlitt and Edward Higbye being called in this Courte to appeare vppon theire Recogniscances, and not answering therevnto, haue both of them forfeited the same.

In the action of the Case betweene William Hurlebutt plt and Jeames Wakely defendt, the plt falling shorte of his witnes, is to los his sute.

In the action of debt betweene Samuell Steele plt and John Steele defendt, the Courte findes for the plt, 34s.

In the action of the Case betweene Jeames Northam plt and George Chappell defendt, the defendt not appearing to answer the plt, the Courte orders an attachm't to issue forth vppon his two calues in the hands of the plaintiff, for his security vntill the defendt shall answer his sute.

In the action betweene John Steele plt and Nathaniell Kellock defendt, the Courte adiudgeth those of Farmington that haue not yet paide the plt'theire proportion for the drum hee sould them, to pay double theire proportion, if they doe not satisfie the plt for the same according to covenant, before the next Courte.

[191] In the action of the Case betweene John Willcock plt and Jeames Wakely defendt, the Courte adiudgeth the defendt to pay vnto the plt, 4s. 4d.

In the action betweene John Willcock, senior, plt and Jeames Wakely defendt, the defendt hauing satisfied the debt allready, the Courte adiudgeth him to pay the plt, 16d. costs.

In the action of defamation betweene Mathew Marven plt and Mathew Beckwith defendt, the defendt making his publick penitent confession of his euill in slaundering the said plt, was remitted by the Courte and plt.

In the action betweene Richard Fellows plt and William Hill defendt, the defendt not appearing, the Courte adiudgeth him to pay the plt the debt and costs 16d.

Mr. Newton prooued in Courte that Peter Bussaker owes him the just and full sum of

<table>
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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Joseph Mygatt</td>
<td>0. 9. 0.</td>
</tr>
<tr>
<td>Thomas Forde</td>
<td>3. 0. 2.</td>
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</tbody>
</table>

2l. 5s. 0.
Rich: Billing, Ditto, - - 0. 17. 0.
John Cullick, Ditto, - - 0. 10. 6.
Mr. Wells, - - - 0. 13. 0.

John Nott, for resisting Nathaniell Dickerson when hee came
with a warrant to distreine, was fined - - 50s.
John Kerby, for the like, is fined - - 20s.
Robt Slye, for exchanging a gunn with an Indian, is fined 10l.
Georg: Hubberd, for ye same, is fined, - - 10l.
John West, for the same, is fined - - 10l.
Peter Blatchford, for ye same, is fined - - 10l.

Nicholas Clarke ingages himselfe to deliuer vp his man Vincent vnto the Courte, when his time is out with him, wch he saith will be about Miheltide next.

The Courte and Mr. Robins frees Samuell Comstock and Bray Rosseter from both and either of their Recogniscances in Courte vppon the first of March, 1648.

Peter Blatchford made oath in Courte, that at the latt" end of the last yeare, hee deliuered aboard of Chichesters vessell to Mr. Blackleach, by ye order of Jaruis Mudge, for the accot of Rich: Belden, six bush: of wheat and three of pease.

Thomas Bunce acknowledgeth himselfe bound to this Common wealth, in a Recogniscance of 5l. provided hee appeare at the perticular Courte vppon the first Thursday of June next, and carry good behauior in the meane time.

[195] A Perticular Courte in Hartford, the 16th day of May, 1649.

Edward Hopkins Esqr.
John Haynes Esqr.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick.


John Bissell plt contra Jeames Egleston defendt, in an action of the case, dammages 39s.
Mr. Ollcott plt contra Thomas Edwards defendt, in an action of debt and dammages, 39s. 6d.

Richard Fellows plt contra Stephen Beckwith defendt, in an action of debt and dammages, 30s.

William Frauncklyn plt contra Thomas Barber defendt, in an action of debt and dammages, 6l.

William Frauncklyn plt contra Beniamin Nuberry defendt, in an action of debt and dammages 45l. The plt is non-suited and to allow 13s. 4d. costs.

Beniamin Nuberry plt contra William Frauncklyn defendt, in an action of slander, to the dammage of 10l.

Nehemiah Olmsted plt contra Richard Lyon defendt, in an action of the case, to the dammage of 12l.

Mr. Ollcott plt contra Sammuell Gardiner defendt, in an action of debt and dammages, 12l.

Bray Rosseter plt contra Mr. Henry Woolcott senior, defendt, in the behalfe of the creditors of Thomas Marshfeild, in an action of trespass, to the dammage of 12l.

William Leavis plt contra Thomas Dement defendt, in an action of slander, to the dammage of 50l.

William Leavis plt contra Thomas Dement defendt, in an action of the case, to the dammage of 3l.

Thomas Dement plt contra William Leavis defendt, in an action of slander, to the dammage of 51l.

Thomas Dement plt contra William Leavis defendt, in an action of the case, dammages 10s.

Gregory Willterton, Nathaniell Ely, Arthur Smith, are each of them fined 5s. a piece for not appearing seasonably to serue vppon the Jury.

[196] In the action bewteen John Bissell plt contra Jeames Egleston defendt, the Courte findes for the defendt.

In the action bewteen Mr. Ollcott plt and Thomas Edwards defendt, the Courte adiudgeth the defendt to pay to the plt 40s.

In the action of Richard Fellows plt agt Stephen Beckwith defendt, the defendt not appearing in Courte to answer his summons, The Courte hath ordered an attachm't to issue forth vppon his person to answer the plt, the next Courte.

In the action of William Frauncklyn plt agt Thomas Barber defendt, the Jury findes for the plt, 4l. 2s. 6d. to bee pd. in
wheat at 4s. p^e bush., and costs of the Courte, w^ch the Courte adiudgeth 20s.

In the action betweene Beniamin Nuberry plt and William Frauncklyn defendt, the Jury findes for the plt, dammages 2d. and costs of the Courte, w^ch the Courte adiudgeth to bee 10s.

In the action between Nehemiah Olmsted plt and Richard Lyon defendt, the Jury finds for the plt, dammages 11l. and costs of the Courte.

In the action betweene Mr. Ollcott plt and Samuell Gardiner defendt, the Jury findes for the plt, his debt of 7l. 11s. 8d. dama
ages 30s. and costs of the Courte.

In the action betweene Bray Rosseter plt and Mr. Henry Woollcott defendt, the Jury findes for the plt, damages 3l. 12s. and costs of the Courte.

Thomas Barber testified this day in Courte, vppon oath, that hee being in William Frauncklyns howse last Septembr, and the said Frauncklyn speaking to him of Mr. Nuberry's debt, hee tould the deponent that hee had left that debt with Thomas Forde, to doe in it with Nuberry as hee saw cause.

Robert Hayward also testified this day in Courte vppon oath, that hee being occasionally in William Frauncklyns howse, the said Frauncklyn tould him that hee had left the debt w^ch Ben
iamin Nuberry owed him, with Thomas Forde.

Mr. Wells made it appeare in Courte that Peter Bussaker is indebted to him 13s.

[197] William Bartlitt not appearing in Courte, being called. hath forfeited his Recogniscance of 20l. and Edward Higbye, his security, for not bringing him in, hath forfeited his Recogniscance of 10l.

Gouert Locman not appearing in Courte, being called, hath forfeited his Recogniscance of 200l. Sterling; And Cornelius Vantino and Gisberd Vandict, his security, for not bringing in the said Gouert Lockman, haue forfeited theire Recogniscance of 200l.

William Clarke, being called in this Courte to appeare vppon his Recogniscance of 10l. and not answering therevnto, hath forfeited the same.
[192] At a meeting of the Freemen of the Jurisdiction of Connecticut, for the choyce of Magistrates, the 17th of May, 1649.

Magistrates:

John Haynes Esq', is chosen Gounor.
Edward Hopkins Esq', Deputy Gounor.
Rogr Ludlow Esq', Magistrate. Mr. Webster, Magist'.
Mr. Wells, Magist' and Treas- Mr. Cullick, Magist' and Sec'.
er.
Mr. Howell, Magist'.
Mr. Woollcott, Magist'. Mr. Coosmore, Magist'.
Capt. Mason, Magist'.

Deputyes: Mr. Taylecoate, Mr. Steele, Mr. Phelps, Mr. Allyn, Mr. Gayler, Mr. Clarke, Mr. Trott, Edward Stebbing, Andrew Bacon, Jeames Boosy, Nath: Dickerson, Sam: Smith senior, Danyell Tuterton, John Hurd, Mr. George Hull, Mr. Andrew Ward, Steph:Harte, Thomas Judd, John Clarke, Mathew Grisswold.

Cary Latham being to appeare this day at this Courte vpon his Recogniscance, and the Courte being certefied from Mr. Wenthrope of the said Lathums p'sent inabilitie to tranell, they doe respitt the forfeit of his said Recogniscance, provided hee appeare at the Courte heere vpon the first Wednesday of July next.

Isaac Wylly and Cary Latham are to bee warned to the Courte the first Thursday in June, for resisting the Constable: and also Robert Beadle and the aforesaid Cary, for letting an Indian goe that was committed to theire charge.

Vpon the desire of the inhabitants of Pequot, for theire in-encouragement it is Graunted by this Courte, that they shall bee freed from all publick Country charges, (except such as are oc-casioned by themselues,) for the space of three yeares next ensuing:

It is also Graunted, that the bounds of the plantation of Pequett shall be foure myles on each side the Riuier, and six myles from the sea northward into the Country, till the Courte shall see cause and haue encouragement to add therevnto, provided they interteine none amongst them as inhabitants that shall bee obnoxious to this Jurissdiction, and that the aforesaid bounds bee not distributed to less than forty familyes:
And for the settling of some way for the deciding of small differences amongst them, under the value of forty shillings, it is ordered by this Courte, that Capt. Mason shall have power to give the oath of magistracy to John Wenthrope Esq; for the [193] yeare ensuing, || and vntill a new bee chosen, whoe shall haue power (taking vnto himselfe Thomas Mynott* and Samuell Lathrop, as Assistants,) to heare and determine the same; provided if any bee greiued, they shall have libberty to appeale to the Courte at Connecticutt, if they haue just cause so to doe:

And the Courte will indeauor to take order with Vnus, that no trapps shall bee sett by him or any of his men, within the bounds of theire Towne: But to prohibitt and restraine Vnus and his men from hunting and fishing within theire limmitts, they doe not yett see cause to doe; For no Indians are depriued of that libberty in any of o' Townes, provided they doe it not vppon the Sabath day:

This Courte also taking into consideration theire proposition for the restraining of others from trading Corne with the Indians within theire Riuier, They doe declare that they cannott restraine any therfrom whoe liue in and are members of any of the United Colonyes; and for others, It is vnder the present consideration of the Commissioners:

The Courte commendeth the name of Faire Harbour to them, for to bee the name of theire Towne.

Whereas, It is now come to the certeine intelligence of this Courte, that one Hallitt, with one that was Mr. Pheax his wife, are now come into, and liues in the Plantation of Pequett, and (as is conceiued) hath committed in other places, and so liues at this present, in that fowle sin of adultery, which is odious to God and man, and therfore this Courte cannott but take notice of it; It is therfore ordered, that there bee a warrant directed to the Constable of the same Towne, to apprehend the said parties, and to bring them vpp to the next particular Courte in Hartford, which will bee vppon the first Thursday of the next month; and the Gouernor is desired to write to Mr. Wenthrope and acquaint him with it.

As alalso that a like warrant shall bee directed to the Constable

* An error of the original record. The name should be Mynor or Miner.
there for the apprehending and bringing vpp to the next particular Courte, Mary Barnes of theire Towne.

Thomas Mynott is appointed by this Courte to bee a military Sergeant in the Towne of Pequett, and doe inuest him with power to call forth and traine the soyledgers of that Towne, according to order of Courte.

[194] This Courte, taking into consideration the proposition of the Towne of Fairefeild, about a percell of land bought by them of the Indians, that it mighte beesettled vpon them for theire inlargement, doe desire and appointe Danyell Titterton and John Hurd of Stratford to suruey and veiw the said percell of land, and consider therevpon how convenient it is for them and inconvenient for this Comon wealth, to haue the said premisses setled vpon the said Towne of Fairefeild, and make returne thereof to the next Session of this Generall Courte, that they may the better know what is to bee done therein.

The Deputy Gouvernor and Mr. Wells are desired to execute the place of Commissioners for this Jurissdiction with the United Colonyes, at theire meeting in July next, and for the yeare ensuing.

William Leawis and Isaack More are presented for Sergeants, by the Deputies of Farmington, as chosen by the soyledgers: and are approued by the Courte: and are to call forth and traine the soyledgers at the dayes appoynted.

It is ordered, that there shall bee a dwelling howse erected at Seabrooke, about the middle of the new Forte Hill, at the charge and for the service of this Common wealth. And Capt. Mason, Mr. Taylcoate and Jeames Boosy are desired to take care about it, and to see the thinge effected, according to theire best discretion.

The Courte declares that the twenty pound that is now required of the Townes of Fairefeild and Stratford, is in full of all accounts for theire proportion of country charges to this time.

Concerning Mr. Blacknans maintenence, Mr. Ludlowe is desired (both for what is behinde, as also for the future,) to take care that it bee leuied, according to the seuerall seasons, as is provided by the order of the Country.

It was reported by the Comittee appointed for the laying out
of the lands upon the River, according to agreement with Mr. Fenwicke, that those of Seabrooke shall runn, in their deuision of land on the east side the River, from the River eastward, five miles; and northward upon the River, on the east side, six miles: And on the west side the River, northward eight miles.

The Court is adiorned to the first Wednesday in June next.

A Session of the General Courte in Hartford, the 6th of June, 1649.

John Haynes Esqr, Gou'nor.
Edward Hopkins Esqr, Deputy.

Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.

Deputies: Mr. Phelps, Mr. Gaylerd, Mr. Steele, Mr. Trott, Mr. Clarke, Mr. Taylecoate, Mr. Allyn, Edward Stebbing, James Boosy, Sam: Smith, Andrew Bacon, Nath:Dickerson, Steph: Harte, Thomas Judd.

This Courte being informed (by the Committee appointed to take care about the erecting of a dwelling house at Seabrooke, about the middle of the new Forte Hill, at the charge and for the service of this Common wealth,) that there is a want of the hands and abilities of men of severall trades, and labourers, for the carrying on and effecting of the premises in any reasonable time, doe order that it shall bee lawfull for any Magistrate within and of this Jurisdiction, to send out warrants for the pressing and compelling of such men to worke upon the premises, as they shall bee informed to bee fittest and most able to carry on the worke till the same bee effected and compleated, for such wages as the said Magistrate that giues his warrants shall judge meete, any order formerly provided for the regulating of mens wages to the contrary notwithstanding.

For the better preserving corne and meadow on the east side of the great River; It is ordered by this Courte, that there shall no hoggs or swyne of any sorte bee put over thither, or kept there, at any time after the publishing of this order, except they bee kept out of the bounds of the severall Townes, or in their yeards, under the penalty of two shillings a head for every
hogg or swyne, for every time they shall bee found there contrary to this Order.

The Courte appoints Thomas Hollibutt of Wethersfeild, Clarke of the Trained Band of that Towne.

Vppon reading the Acts of the Commissioners for the united Colonyes at the meeting held at Plymouth the last seventh month, It was observed that in the agitation of the difference betwixt the Massachusetts Colony and this, in reference to the imposition required from Springfeild, vppon some goods passing out at the mouth of this River, towards the charge expended at Seabrooke, tending to the good of all the plantaçons vppon the River, It was questioned by the Commissioners of the Massachusetts whether there were any order of this Courte extant, for the payment of any imposition by goods pertaining to the inhabitants of Springfeild, brought from thence and so passing downe this River. The Courte doth declare that by express order, of the 5th Febr, 1645, all corne laden aboard any vessell vppon this River and passing out to sea at the Rivers mouth, was to pay two pence p'r bush : in the formentioned respects ; and Beauer twenty shillings p'r hogshead ; wherein as Springfeild was intentionally included, so this Courte had due respect therevnto as then considered under the Massachusetts Gouernement, that no greater burthen mighte fall vppon those inhabitants then according to clear grounds of equity and righteousnes, in their best apprehensions, they ought readily to submitt vnto, and was equall for them to beare ; and no more then they should have expected to bee imposed vppon themselves in the like case ; which order hath beene since confirmed, and a penalty of confiscation of such goods annexed in case of non-payment : the execution whereof in reference to our brethren of Springfeild, hath only beene deferred vntill the judgement of the Commissioners of the other Colonyes mighte bee understood in the premisses, according to the Articles of Confederation, wherein provision is made for deciding of any differences that might fall in betwixt any of the Colonyes ; wherevnto they referred themselves in this case, allthough they are yet altogether unsatisfied that Springfeild doth properly fall in within the true limmitts of the Massachusetts Pattent, wch they much
desire may with all convenient speed bee clearly issued in a way of loue and peace, and according to truth.

This was voted to bee recorded and sent to the next meeting of the Comissioners, as the Act of this Courte.

[199] A Perticular Courte in Hartford 7th June, 1649.

John Haynes Esq\r, Gou\rno\'.
Edward Hopkins Esq\r, Deputy.

Magistrates: Mr. Welles, Mr. Woolcott, Mr. Webster, Mr. Cullick.


Thomas Newton plt contra John Capell, in an action of debt 8l. and dammages, 4l.

Henry Grey plt contra Jonas Wood defendt, in an action of defamation, to the damage of 50l.

William Edwards plt contra Richard Samwais and Stephen Tayler, in an action of the case, dammages, 10l.

William Edwards plt contra John Bennett defendt, in an action of slander, to the damage of 5l.

William Leawis plt contra Thomas [Dement] defendt, in an action of slander, to the damage of 50l.

In the action betweene Thomas Newton plt and John Capell defendt, the Jury findes for the plt, debt, 8l. and 2d., and dammages 40s. and costs of Courte. Execution grunted and delivered the 21st of May, 1650.

In the action betweene Henry Grey plt and Jonas Wood defendt, the Jury findes for the plt dammages, 3l.

In the action betweene William Edwards plt and Richard Samwais and Stephen Tayler, defendts, the Jury findes for the plt 5l. 5s. and costs of the Courte. Execution deliuered to him the 7th of Novemb', 1649.

In the action of slander betweene William Edwards plt and John Bennett defendt, the Jury findes for the defendt, and costs of the Courte.
In the action of slander between William Leewis plaintiff and Thomas Dement defendant, the Jury finds for the defendant, and costs of the Court.

William Edwards is fined, for drawing wine contrary to order of Court, 30s.

The Court grants execution to John Bennett against William Edwards, according to the verdict of the Jury at the Court held on the first of March, 1648-9.

The Court grants execution to William Francklyn against Thomas Barber, according to the verdict of the Jury at the Court held on the 16th day of May, 1649.

The same is granted to Benjamin Nuberry against Francklyn.

Samuell Pond complains against Jonas Westouer for misdeameanor.

Jonas Westouer acknowledged himself bound to this Commonwealth, in a Recognisance of 20l. and John Bissell and Robert Haward in a Recognisance of 10l. a piece, provided the said Westouer appears at the particular Court held next and carry good behavior in the meantime.

The Court appoints Mr. Webster to go to Stratford to assist Mr. Ludlow at the particular Court there, next Thursday come fortnight, in the execution of justice.

William Comstock, Mr. Trott and Samuel Smith Junior, are either of them freed from their recognizances for the said Comstocks appearing at this Court.

Walter Leewis and Mr. Trott his security are freed from either of their recognizances, for the said Walter his appearing at this Court.

This day there was presented to this Court the last will and testament of John Porter, late of Wyndsor, deceased, and the Inventory of his estate.

Cary Latham, of Pequett, acknowledged himself bound to this Commonwealth, in a Recognisance of 40l. provided he appears at any place within this Jurisdiction having reasonable warning soe to doe, at any time within this six months, and carry good behavior in the meantime.

William Bartlett acknowledged himselfe bound to this Commonwealth, in a Recognisance of 20l. and Cary Latham, in a Recognisance of 20l. that the said William Bartlett shall ap-
peare at the particular Courte vppon the first Thursday in Sep-
tember next, and carry good behavior in the meane while.

Jonas Woods bond to the Dutch, hee deliuered into this Courte, wch was cancelled by order thereof, and the Secr. ap-
pointed to certeifie the same vnder his hand.

Jonas Wood complaining to this Courte that by reason of
Thomas Newtons failing to performe the verdict of the Jury,
according to agreement at the Courte in Hartford, vppon the 28th of Decembr, 1648, hee was forced, to his great loss and
damage, to satisfie his bond at the Monatoes himselfe; This
Courte adiudged to bee due to the said Jonas Wood from the
said Thomas Newton, according to the aforesaid verdict and
damages,—

For his bond at the Dutch, being 400 Gilders, 38l. 00. 0.
For so much the Jury adiudged Newton to pay him more then the bond, . . 30. 00. 0.
For the charge & damage about it, . . 10. 00. 0.

out of wch the Courte discounts the 18l. wch Wood was to pay
Newton, by the verdict of the Jury, vppon an action of New-
tons agt Wood, the same day: so there remaines to Wood
sixty pounds. Execution graunted.

[201] A Perticular Courte in Hartford, the 6th of Sep-
tember, 1649.

John Haynes Esqr, Governo'r.
Edward Hopkins Esqr, Deputy.
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster,
Mr. Cullick.
Jury: Mr. Westwood, John White, Nathaniell Ely,
George Graue, John Lattimore, John Rily, Thomas
Hollibutt, Luke Hitchcoock, Will: Gayler Junior, Will:
Phelps Junior, Walter Fyler, Robert Haward.

Thomas Osmore plcontra William Cornewell defendt, in an
action of the case, to the damage of 4l.

Richard Buttler plcontra William Cross defendt, in an ac-
tion of the case, to the damage of 6l.
Mrs. Chester plt contra Wallter Leawis defendt, in an action of
defamation, dammages, 10l.
Sam: Gardiner plt, for himselfe, Thomas Edwards and the
Widow Louenam, contra Thomas Osmore defendt, in an ac-
tion of Trespass, to the dammage of 4l.
Mathias Trott plt contra John Coleman defendt, in an action
of slander, to the dammage of 50l.
Mr. Henry Woollcott, senior, plt contra Bray Rossiter de-
findt, in an action of the case, to the damage of 12l.
John Bissell plt contra Richard Fellows defendt, in an action
of the case, to the dammage of 40s.
Owyn Tuder plt contra William Edwards defendt, in an
action of debt, to the value of 20l.
Corbitt Piddell plt contra Thomas Stanton defendt, in an ac-
tion of the case, concerning two cures, to the dammage of 6l.
James Wakely plt contra Thomas Skidmore and Edward
Higby defendt, in an action of slander, to the dammage of 20l.
Thomas Stanton plt, contra Joane Sipperance, in an action
of slander, to the utter vndoinge of his wiues good name and
almost taking away her life, to the dammage of 200l.
Joshuah Jennings, for not watching one night, and other ill
carriages to the Constable, is to pay for the watchman in his
roome, and is fined, 2s. vid.
James Wakely, for some defects in wathing, is fined 2s.
vid.
Henry Coale, for sleeping in ye time of his watch, is fined
10s.
Nathaniell Barding, for the same, is fined 10s.
Timothy Mercer, of Wyndsor, is fined, for a pound breach,
40s.

[202] In the action betwene Thomas Osmore plt contra Wil-
liam Cornewell defendt, the Jury findes for the plt, debt 20s.
dammages 13s. 4d. and costs of the Courte.
In the action betwene Richard Buttler plt and William Cross
defendt, the Jury findes for the plt, 4l. 5s. in wampum, and costs
of the Courte. Execution d'd to y' pl£, y' 15th of May, 1650.
In the action betwene Mrs. Chesther plt and Walter Leawis
is defendt the Jury finds for the plt, 20s. and costs of ye Courte.
In the action betwene Sammuell Gardiner plt and Thomas
Osmore defendt, the Jury findes for the plt, 20 bush: of Indian corne, two bush: of Indian Beanes, and costs of ye Courte. Execution d'd 14th of May, 1650.

In the action betweene Mathias Trott plt and John Coltman defendt, the Jury findes for the plt, 30s. and costs of ye Courte.

In the action betweene Mr. Woolcott plt and Bray Rossiter defendt, the Jury findes for the defendt, costs of the Courte.

In the action betweene John Bissell plt and Richard Fellows defendt, the Jury finds for the defendt, costs of the Courte.

In the action betweene Owyn Tuder plt and William Edwards defendt, the Jury findes for the plt, 15 barrills of Tarr and 4l. 10s. and costs of the Courte. Execution granted, to issue forth within 14 dayes.

In the action betweene Corbitt Piddell plt and Thomas Stanton defendt, the Jury findes for the plt, 20s. and costs of the Courte. Execution graunted to bee present.

In the action betweene Jeames Wakely plt and Thomas Sckidmore and Edward Higby defendts, the Jury findes for the plt, damages 2d. and costs of the Courte, wch the Courte allows to bee 9s. 8d.

In the action betweene Thomas Stanton plt and Joane Sibperance defendt, the Jury findes for the plt, 30s. and costs of the Courte.

The Courte appointes the eldest Sergeant of the Trained Band at Wethersfeild, to call forth and exercise the same according to order of Courte, for the present, and that they should make choyce of one amongst them for theire Leiftenant, and present him to the Courte.

[203] Mrs. Chester complains against George Chappell and Goody Coleman and Danyell Turner, for misdeameanoRS.

Danyell Turner, for libelling against Mrs. Chester and for other misdeameanoRS, is committed to prison, and is to bee brought forth and whipt next Lecture day, and then to goe to prison againe for a month from this time, and then publickly corrected againe, and giue good security for his good behauior.

Thomas Willkenson, for disorderly carriage in the meeting-howe, vppon the Saboath day, is to bee committed to prison till the Courte sees cause to free him.
Thomas Rushmore, for the same crime, is committed also with the former.

This Courte frees Jonas Westouer and his security from theire and either of theire Recogniscances, for Westouers appearance and good behauior.

Thomas Burnham acknowledgeth himselfe bound to this Commonwealth in a Recogniscance of 10l. that Rushmore, his man, shall appeare at the next particular Courte, and carry good behauior in the meane time.

Gregory Gibbs acknowledgeth himselfe bound to this Commonwealth in a Recogniscance of 20l. and Thomas Parkes in a Recogniscance of 10l. that the said Gibbs shall carry good behauior for the space of halfe a yeare next ensuing.

The Judgment of the Courte is that Walter Leawis should giue Mrs. Hollister good security to the value of 30l. before hee goes from her, that what dammage shee shall susteine for want of his service shall bee made good and paid to her, if hee doth not make it appeare in a reasonable time, that hee is not bound to serue her any longer then vntill this time.

William Bartlitt of Pequett is freed from traineing, by reason of his lamenes, prouided hee notwithstanding meinteine his armes as complete and able for service as they should bee if hee did traine.

[204] A GENERALL COURTE IN HARTFORD, THE 13th OF
SEPTEMBER, 1649.

John Haynes Esqr, Gou'no.
Edward Hopkins Esqr, Deputy.

Magistrates: Roger Ludlow Esqr, Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.

Deputies: Mr. Taylecoate, Mr. Steele, Mr. Trott, Mr. Allyn, Mr. Phelps, Mr. Gayler, Mr. Clarke, Mr. Warde, Andrew Bacon, Edward Stebbing, Sam: Smith, Nath: Dickerson, John Demon, Thomas Staples, absent, Steph: Harte, Will: Beardsly, absent, Thomas Sherratt, absent.

This Courte frees John Rockwell senior and John Styles
senior, from watching and training, and Mr. Brancker from watching and wardinge and traininge.

This Courte taking into consideration the many dangers that the familyes of Thomas Holcombe, Edward Grisswold, John Bartlitt, Francis Grisswold and George Grisswold, all of Wynd- sor, are in and exposed unto, by reason of their remote lying from neighbors and nearenes to the Indians, in case they should all leaue theire families together without any guard; doth free one soyledger of the forementioned families from training upon euery training day; each family aforesaid to share herein according to the number of soyledgers that are in them: provided that man wch tarryes at home stands about the aforesaid howses vppon his sentinell posture.

It is ordered by this Courte, that whosoeuer shall take out any warrant from the Secretary thereof, that concernes an action, shall, before hee hath a warrant, enter his action with the Secretary and then take out his warrant for summons to answer the same, for wch they shall pay for every entry twelve pence, and for every warrant foure pence, though they agree with their defendts before the Courte. Allso, if any other magistrate shall graunt a warrant that concernes an action, they shall enter the action in a small booke for that purpose before they graunt the warrant, and shall make a due returne at every Courte to the Secretary thereof, what such warrants, and to whome, they haue graunted. And all such persons shall bee as lyable to pay twelve pence for every such action, to the Secretary of the Courte, as if they should haue had theire warrants of him.

It is also ordered, that whosoeuer shall enter into any Recognisance in Courte, shall pay to the Secretary of the said Courte for every entry, six pence; and before hee withdrawes it or bee freed from it, shall pay him for the withdrawing of it, twelue pence.

Whereas by reason that the order about watching hath not beene rightly vnderstood, many differences and inconveniences haue beene occasioned, For preventing thereof, this Courte doth expaline themselves and order; that whosoeuer within this Jurisdiction that are lyable to watch, shall take a journey out of the Towne wherein heeliueth, after hee hath had timely notice
and warning to watch, hee shall provide a watchman for that turne, though himselfe bee absent. And if any man that takes a journey, or goes out of the Towne wherein he liueth, if hee returns home within a weeke after the watch is past his howse hee shall bee called back to watch that turne past a weeke before.

[205] Jespar Gunn, of Hartford, is freed from watching during the time that hee attends the service of the mill.

This Courte, taking into serious consideration what may bee done according to God in way of reuenge of the bloude of John Whittmore, late of Stanford, and well weighing all circumstances, together with the carriages of the Indians (bordering thereupon,) in and about the premisses: doe declare themselues that they doe judge it lawfull and according to God to make warr vpon them.

This Courte desires Mr. Deputy, Mr. Ludlow and Mr. Taylecoate to ride to morrow to New Hauen, and conferr with Mr. Eaton and the rest of the Magistrates there aboute sending out against the Indians, and to make returne of their apprehensions with what convenient speed they may.

The Courte is adiournded to next Tuesday at noone.

A Session of the Generall Courte in Hartford, the 18th September, 1649.

Whereas the French, Dutch and other forraigne nations doe ordinarily trade gunns, powder, shott etc. with the Indians, to or great prejudice, and the strengthening and animating of the Indians against vs, as by dayly experience wee finde; and whereas the aforesaid French, Dutch etc. doe prohibitt all trade with the Indians within theire respective Jurissdictions, vnder penalty of confiscation; It is thersfore hereby ordered, that after due publication hereof, it shall not bee lawfull for any Frenchman, Dutchman or person of any other forraigne nation, or any English liuing amongste them or under the government of them or any of them, to trade with any Indian or Indians within the limmitts of this Jurissdiction, either directly or indirectly, by themselues or others, vnder penalty of confiscation of all such goods and vessells as shall bee found so trading, or the due
value thereof, vpon just proofe of any goods or any vessells so trading or traded: And it shall bee lawfull for any person or persons inhabiting within this Jurisdiction to make seizure of any such goods or vessells trading with the Indians as by this law is prohibited; the one halfe whereof shall bee to the proper vse and benefitt of the partye seizing, and the other to the publick:

This order, vpon the recomendation of the Commissioners to the Generall Courtes of the seuerall Jurisdictions was confirm-
ed by this Courte.

[206] The distribution of the souldgers that shall issue forth of each towne, is as followth:

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<tr>
<th>Town</th>
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<tr>
<td>Hartford</td>
<td>13</td>
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<td>Wyndسور</td>
<td>11</td>
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<tr>
<td>Wethersfeild</td>
<td>08</td>
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<tr>
<td>Fairefeild &amp; Stratford</td>
<td>13</td>
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<td>45</td>
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The Comittee chosen by the Courte for the ordering of the setting forth of theise souldgers for ammunition and provision, are as followth:—

Magistrates. Mr. Haynes, Mr. Hopkins, so farr as his buisines shall p'mitt, Mr. Wells, Mr. Webster.

Deputys. Mr. Allyn, Mr. Taylecoate, Sam: Smith senio{r}.

Mr. Ludlow was desired to take care for preparing the souldgers with provisions and all other necessaries for the designe in the two * Townes: and Mr. Hull and William Beard-sley are chosen to assist therein.

In the case of Thomas Newton plt against John Cabell de-fendt the execution of the judgement is to bee suspended vntill the Courte of Election in May, to wch Courte the defendt doth appeale, and the plt is to haue notice to appeare at the said Courte to answer the appeale.

Gouert Lockman appeared at this Courte and desired an issue might bee put to his buisines: hee was tould that notwithstanding the forfeit of his bond, yet if hee could make it appear that hee was hindred by a hand of God, and that there was not a willing neglect of his owne, his case should bee taken

* A blank in the original. The words omitted were probably 'sea side'.

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into due consideration; wherevnto hee said little, onely pro-
ferred his innocency in not selling any powder or shott to Indi-
ans, but onely the quantity of a pound wch hee once gaue to a
Sachem. Hee was also tould that if hee would enter into a
bond to a double valew of what his last was, payable by him in
case evident proofe were produced, and that vppon Christian
testimonye, (wch hee called for,) that hee is vnder greater
guilt then hee yett will acknowledge, by that mischieuous trade, the
former ingagement should bee remitted; wch hee refusing, the
Courte further propounded to him either to pay the whole for-
feiture or to enter into bond to appeare at the Courte in May to
answer the charge against him, and to submitt to what shall
bee found uppon tryall by suffitient testimonye, and hauing so
done, the halfe of the forfeiture should bee remitted him. The
said Gouert not attending the propositions made by the Courte,
but after the adiournement thereof, applying himselfe to the
Gouerno' for an issue, hee condescended by way of agreement
to pay one hundred pounds, provided hee might not bee ingag-
ed to abide the tryall of the case; wch was accepted by the
Gouerno', and the said sun received.

The Courte is adiourned to the 10th day of the next month.

[207] A Session of the Generall Courte in Hartford,
the 10th of October, 1649.

John Haynes Esq', Gouerno'.
Edward Hopkins Esq', Deputy.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott,
Mr. Cullick.

Deputies: Mr. Phelps, Mr. Trott, Mr. Clarke, Mr. Allyn,
Mr. Taylecoate, Mr. Steele, Edward Stebbing, Sam:
Smith, Nath: Dickerson, Steph: Harte, John Demon,
Andrew Bacon.

It is ordered by this Courte, that the 100l. wch is receiued of
Gouert Lockman, shall bee sequestred and reserued for the per-
fecfting of the Forte and worke about the same, so farr as it
will goe, and that none of it shall [be] expended vppon any
other country or common respect.
Mr. Hopkins, Capt. Mason, Mr. Cullick, Mr. Allyn and Mr. Taylecoate are desired to prosecute with effect the worke that is still to bee done aboute the Forte and dwelling howse to bee erected for the vse and service of the Country, according to former order of Courte.

It is ordered that Thomas Stanton shall bee allowed and paide fiue pounds for the service hee did in interpreting the Indians language the yeare before the last order for his receiuing the like yearely recompence for the future.

The Courte is adiourned to this day month.

A Session of the Generall Courte, this 7th of Novembr', 1649.

John Haynes Esq', Gouernor.
Edward Hopkins Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputyes: Mr. Phelps, Mr. Trott, Mr. Clarke, Mr. Gayler, Mr. Allyn, Mr. Taylecoate, Edward Stebbing, Sam: Smith, Andrew Bacon, Nath: Dickerson, John Dement.

It is ordered that a warrant shall issue forth to the Constable of Pequet, to repaire forthwith to Chessbrooke of Long Iland, and to let him understand that the Gouernmt of Connecticut doth dislike and distaste the way hee is in and trade hee doth drive amonge the Indians: And that they doe require him to desiste therfrom immediately: And that hee should repaire to Capt. Mason of Seabrooke, or some other of the Magistrates vppon the Riuier, to giue an account to him or them of what hee hath done hitherto.

It is further ordered, that East Hampton, of Long Iland, shall bee accepted and interteined vnder this Gouernment according to their importunate desire.

This Courte graunts Sam: Smith and the rest of the owners of the shipp at Wethersfeild, libberty to get and make so many pipestaues as will freight out the said shipp the first voyage, provided they doe it out of the bounds of any of the Townes vppon the Riuier, within this Jurisdiction.

The Courte is adiourned to this day month.
A Session of the Generall Courte in Hartford, the 5th of December, 1649.

John Haynes Esqr, Gou'mor.
Edward Hopkins, Esqr, Deputy.
Magistrates: Mr. Woollcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Allyn, Mr. Trott, Mr. Steele, Mr. Clarke, Sam: Smith, Nath: Dickerson, Andrew Bacon, Edward Stebbing, John Dement, Steph: Harte.

There being a petition presented to this Courte, by some of inhabitants of Stratford, complaining against theire way of rating, the Secretary of the Courte is appointed to write to the Constable of Stratford that hee should acquaint the Towne of Stratford with the same, and that the Courte requires the Towne to take order that either theire Deputies or some others may come prepared to the next Courte of Election in May, to speake to that case.

It is ordered by this Courte, that there shall bee a publick day of Thanksgiving kept by all the Churches within this Jurisdiction that may bee seasonably acquainted therewith, vpon this day fortnight.

The Courte is adiourned to the first Wednesday in February next.

A Particular Courte in Hartford, the 6th of December, 1649.

John Haynes Esqr, Gou'mor.
Edward Hopkins Esqr, Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.

Thomas Burneham plt contra John Bennett defendt, in an action of debt, to the value of 3l. 10s.
John Sadler plt contra John Bennett defendt, in an action of debt and damages 50s.
William Colefax plt contra John Sadler defendt, in an action of the case, to the damage of 4l.
William Houghton plt contra Jeruis Mudge defendt, in an action of debt to the value of 6l. 10s.

John Hudshon plt as attorney to Sampson Shorye contra Will: Williams, in an action of debt and damages 8l.

Jeames Wakely plt as attorney to Stephen Day contra Thomas Sckidmore defendt, in an action of debt and damages, 17l. 10s.

Thomas Demon plt contra Sammuell Martyn defendt, in an action of the case to the damage of 10l.

Jeruis Mudge plt contra Edmund Scott defendt, in an action of the case to the damage of 39s.

Richard Samwis plt contra Thomas Barly defend, in an action of debt to the value of 5l. The defendt appeares not: And the plt did not prooue that the warrant was serued.

Sammuell Gardiner and Thomas Edwards plts contra Benjamin Hilliard in an action of the case to the dammage of 3l. 10s. The defendt not appearing, the Courte graunts an attachm't.

John Sable plt contra Jeruis Mudge defendt, in an action of debt to the value of 44s. dammages 15s. The defendt is to put in security to answer the plt, next Courte.

This Courte doth sequester the howse, homelott and meadow of the relick of Abraham Elsing, now the wife of Jaruis Mudge, wch is mentioned and valued in the Inuentory of Abraham Elsing's estate at 40l. 8s., for the vse and benefitt of the two daughters of the said Abraham Elsing; and the whole rent of the aforesaid premisses shall bee reserved for the vse of the said children, from this present yeare vntill the Rent of the said land shall make vpp the said 40l. 8s. to bee two thirds of the sum of the whole estate that the said Inuentory doth ammount vnto.

[210] In the action betweene Thomas Burnham plt, and John Bennett defendt, the Jury findes for the plt, debt and damage 1l. 18s. 2d. and costs of the Courte.

In the action betweene John Sadler plt and John Bennett defendt, the Jury findes for the plt, debt and dañages, 1l. 11s. 3d. and costs of the Courte. Execution deliuered to the Marshall, the 10th January, 1649.

In the action betweene William Colefax plt and John Sadler defendt, the Jury finds for the plt, dañages 10s. and costs of the Courte.
In the action betwene William Houghton plt and Jaruis Mudge defendt, the Courte grauntes the plt right to the cowe w.ch the defendt had formerly sould him, in satisfaction for the debt.

In the action betwene John Hudshon plt and William Williams defendt, the Jury findes for the plt, debt and damages 8l. and costs of the Courte. Execution graunted in 14 dayes, and delivered, the 8th Jan", (49.)

In the action betwene Jeames Wakly plt and Thomas Sckidmore defendt, the Jury findes for the plt, debt and damages, 15l. 10s. and costs of the Courte. Execution graunted the 7th of March (49.) and delivered the 8th day of y^ same month.

In the action betwene Jaruis Mudge plt and Edmund Scott defendt, the Court adiudges the defendt to pay the plt 10s.

In the action betwene Thomas Demon plt and Samuell Martyn defendt, the Jury findes for the plt, debt and damages 41s. and costs of the Courte. Execution graunted in a week.

Grego: Gibbs and his security are freed from theire and either of theire Recogniscances for the said Gibbs his appearance at this Courte and good behauior.

John Jennings, for his filthy and prophane speeches and carriages, is adiudged to lye in prison till next Thursday morning after the Catechising, and then to bee publickly whipt, and so returne to prison againe for a mouth after that, except hee finde bayle to appeare when hee is called for againe to receive second correction, w.ch the Courte appoints and thinkes meete to bee next Thursday come month, excepte the Gouvernor judges the weather vnseasonable.

Joane Sipperance is adiudged to pay double for the lace shee stole, and three fold for the time she absented herselfe from her mans service.

Srgent Barber, for his disorderly striking Leiftennant Cooke, is adiudged to lay downe his place, and is fined to the Country, 5l.

Richard Webb is fined for not appearing at this Courte seasonably to serue on the Jury, 2s. vid.

[Note. Here terminate the Court Records, contained in Volume I. The remainder of the volume consists of records of Wills and Inventories, and of conveyances of land and lay-outs of grants to individual proprietors. Volume II. contains only the proceedings of the General Court,—and from the period at which it commences, to June, 1663, the Records of the Particular Court, or Court of Magistrates, (including the Probate Records,) have been lost.]
A Session of the Generall Courte, 6th of Feb', 1649.

John Haynes Esq', Governor.

Edw: Hopkins Esq', Deputy.

Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.

Deputyes: Mr. Phelps, Mr. Clarke, Mr. Allyn, Mr. Steele, Mr. Taylecoat, Sam: Smith, Nath: Dickerson, John Deming, Edw: Stebbing, Andr: Bacon.

It is ordered by this Courte that Nehemiah Olmsted bring in to the Secretary a receipt under Mr. Hopkins' hand, in full for this year's payment of that proportion laid upon Farmington in reference to the composition for Seabrooke by the first of the next month, and if hee failes so to doe, Mr. Treasurer is desired to send the marshall to distreine the said Olmsted.

The same is to bee done for Jonathan Gillett and Tho: Buckland of Wyndsor, for the yeare 1647.

And for the yeare 1648, Will: Phelps and Will: Hey[ton] of Wyndsor are required to doe the same with the former, or else pay it themselves.

The same also is to bee done by John Hawkes and Tho: Orton of Wyndsor, for the yeare 1649.

This Courte appointes Sam: Bourman of Wethersfield, to bee the Towne sealer of all measures and weights in that Towne, according to order of Courte.

It is ordered by this Courte, that Will: Rescew shall bee allowed and paid out of the publique Treasury, ten pounds a yeare during the time hee keepeth the charge of the house of correction.

This Courte, taking into consideraçon the petition of Tho: Staunton presented to them, haue graunted to him and doe order, that hee shall haue libberty to erect a trading howse at Pawcatuck, with six acres of planting ground, and libberty of feed and mowing, according to his present occasions: and that
none within this Jurisdiction shall trade within that River for the space of three years next ensuing; provided he submit himself to such other exceptions and cautions as the Governor and Deputy shall judge meet.

The Courte is adjourned to the 20th of next March.


[John] Haynes Esq1, Governor.
[Edw.] Hopkins Esq1, Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputyes: Mr. Phelps, Mr. Taylecoat, Mr. Trott, Mr. Clarke, Mr. Allyn, Sam: Smith, Nath: Dickerson, Andr: Bacon, John Deming, Edw: Stebbing.

Robert Haward, miller of Wyndsor, is freed from serving upon Jurys during his attendance upon the mill.

The order about the wages of men and cattle is repealed. Allso, the order about the prises of all corne is repealed; whereby all persons are left at liberty to make their bargain for corne, provided where no price is agreed betwixt persons, corne shall bee payable according to the former order, that is to say, wheat at 4s., pease at 3s., rye at 3s. and Indian at 2s. vid. p' bush:

The answer of the Courte to the petitioners in Saybrooke is to bee recorded: and the Comittee appointed to attend further what they shall desire, is as followth:—The Governor, Mr. Wells, Mr. Webster, Mr. Steele, Mr. Allyn and Sam: Smith, and such other as they shall see cause to call to them: The answer followth:—

The petition from the Inhabitants of Saybrook, presented by Mathew Grisswold and Tho: Leppingwell, being read and considered, the Secretary was directed to returne the ensuing answer:

Though the Courte yet see not any convincing strength of argument in the reasons alleadged to induce either an alteracon
in their judgement touching the equity of what is imposed, or a necessity of leaving the determinaçon thereof to others, (the purchase or agreement mentioned not being carried on wholly without the knowledge or consent of the Inhabitants there, unless the end be severed from the meanes, which prudence forbids, the interests of that place as really concerned therein as the other plantaçons, and in some respects more, the pretence of this Courts passing sentence in their own case, excluding all the inhabitants of the River from a capability of acting therein, and upon the same ground making all Courts incapable in many cases of determining by themselves what may concern theire peace and comforts, without a forraigne assistance,—the vncomelines, yea, and unreasonableness thereof is easily obvious,—yet this Courte, for the further satisfaction of the petitioners are content to give them full lëbrerty to present in writing any arguments or reasons they have to lead their judgments in the present case, which shall be taken into due and serious consideracon, and either owned in their strength, (if they appeare convincing,) or a returne made thereunto in writing, if the validity bee dissatisfactory; || wherein the Courte shall not deny them any lëbr[erty they] desire of taking in the apprehensions of others, (not [ ] concerned in the case,) for their owne reliefe and [satis]faction: being no wayes vnwilling their actions should bee brought to the light and judged by it, but ever resolued to give due respect to any beame thereof that [may] bee presented by any, when it shines in its beauty: But in the meane time they advise the petitioners to address themselves to a ready observaçon of what is imposed, vntill the Courte see cause to make another judgement in the case.

This Courte adds to the Committee chosen to prosecute the worke about a dwelling howse at Seabrooke, at the Courte vppon the 10th of October, 1649, Stephen Post and Thomas Traisy, of Seabrooke:—

And Samuell Smith senior, of Wethersfield, to the Committee about the lands at Mattabeseck, in the roome of Jeames Boosy.

This Courte appoints that next Wednesday come seuen-night shall bee kept a publique day of humiliation throughout all the plantaçons in this Jurisdiction, to seeke the face of the Lord.
Mr. Clarke, of Wyndsor, is propounded by the Deputyes of that Towne to bee in nomination for a Magistrate, at the next Courte of Election.

The Courte is dissolved.


Edward Hopkins Esq^r, Gouerno^r.
John Haynes Esq^r, Deputy.
Roger Ludlow Esq., Mag. Mr. Cullick, Mag. & Sec'.
Mr. Wells, Mag. & Treasurer. Mr. Clarke, Mag.
Capt. John Mason, Mag. Mr. Howell, chosen
Mr. Webster, Mag. Mr. Cossmore, chosen
Mr. Woolcott, Mag.

Deputyes: Mr. Trott, Mr. Hull, Mr. Gaylerd, Mr. Steele, Mr. Taylecoate, Mr. Allyn, Mr. Hollister, Mr. Warde, Nath: Dickerson, John Bissell, Andr: Bacon, Edw: Stebbing, Dauid Willton, John Deming, Will: Beardsly, Tho: Sherratt, Steph: Harte, Tho: Tomson, Tho: Birchard, absent, Nath: Griswold, absent.

This day there were made Freemen of this Jurisdiction, John Wenthrope Esq^r, Mr. Jonathan Brewster, Mr. John Russell, John Pantry, Natha: Cooke.

It is ordered by this Courte that no Forreigner, after the 29th of September next, shall retaile any goods, by themselues, in any place within this Jurisdiction: nor shall any Inhabitant retaile any goods w^ch belong to any Forreigner, for the space of one whole yeare after the said 29th of September next, vppon penalty of confiscation of the value of the one halfe of the goods so retailed, to bee paid by the seller of them.

The Courte is adjiourned till Munday next.

The presentments of the Grand Jury vnto this Courte are vppon the fyle: w^ch were fyned by the particular Courte vpon the 20th of Febr, 1650, as appeares by the Records of that Courte.
A Session of the Generall Courte, the 21st of May, 1650.

Edw: Hopkins Esq r, Gouernor.
John Haynes Esq r, Deputy,
Magistrates: Roger Ludlow Esq r, Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick, Mr. Clarke.
Deputyes: Mr. Taylecoat, Mr. Steele, Mr. Warde, Edw: Stebbing, Mr. Hollister, Andr: Bacon, Nath: Dickerson, Will: Beardssly, Tho: Sherratt, John Dement, Steph: Harte, Tho: Tomson.

This Courte takinge into serious consideracon, the losse of time that the souldgers pressed vpon the last expedition against the Indians, might sustaine by their depending therevpon, doe allowe to the common souldgers 6s. 8d. a peece, and the sergeants 10s. a peece.

This Courte graunts execution to Newton against John Cable, according to the judgm entred the 7th of June, 1649.

This Courte, considering the Returne of Danyell Titterton and John Hurd, about a percell of land lying neare the Towne of Fairefeild, according to their order from the Generall Courte of Election, in May, 1649, doe graunt vnto the said Towne of Fairefeild the said percell of land to Sagatuck Riuerr: provided the said Sagatuck doe not exceed two myles from the bounds of the said Fairefeild.

Whereas, a thousand acres of ground at Pequett were formerly graunted to Capt: Mason, as a gratuity for his good service at the Pequett warr; fiue hundred whereof hee gaue to fiue of his well deserving souldgers, w ch now the plantation of Pequett hath taken vp at the graunt of the Courte; this Courte judgeth it meete that those fiue souldgers should bee rationally recompensed and satisfied for the same, either at Niantecutt (if the Courte shall not finde it deepely inconvenient to the Common wealth or the Plantacon of Pequett,) or else in some other place or way.

This Courte vpon request made, adds to the bounds of the plantation of Pequett, two myles from the Sea northward, vpon the same tearmes and cautions that their former bounds were graunted. And to their proposition for a further addition of
meadow, which they desire may be at Niantecutt, this Courte declares that when the said Niantecutt is veiwed, and it doth appeare to the Courte that they may be accommodated there, [6] according to their desire, || and yet this Common wealth suted also (as was suggested by some interested in the said Towne of Pequett,) they shall attend their reasonable satisfaction therein.

Will: Recsews bill of charges for Elizabeth Johnsons imprisonment to the first Thursday of the next month, being 24 weekes, amounting to 6l. 10s. is allowed and approved: and the Courte desires Mr. Ludlow and Mr. Warde to see the bill discharged to the said Will: Recsew out of her estate.

Whereas Mr. Jonathan Brewster hath set vp a trading howse at Mohigen, this Courte declares that they cannott but judge the thinge very disorderly, neuertheless considering his condition, they are content hee should proceed therein for the present, and till they see cause to the contrary.

This Courte desires the Gouerno'r and deputy to execute the place of Comissioners for this Jurisdiction, with the united Colonyes, for the meeting in Septemb'r next and for the yeare ensuing.

This Courte graunts to Capt: John Mason fifty acres of ground neare a brooke, about foure or six myles on this side Mohegin, which is in consideracon for the land they graunted him at Pequett vppon the conquest.

Henry Grey is fined twenty shillings for abusing the Courte.

This day 3 weekes is appointed for a day of Thanksgiuing publicquely, in all the Churches within this Jurisdiction.

The Courte is adiourned till this day 5 weekes.

[7] A Session of the Generall Courte, the 26th June, 1650.

Edw: Hopkins Esq', Gouernor.
John Haynes Esq', Deputy.
Magistrates : Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

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Deputyes: Mr. Steele, Mr. Taylecoat, Mr. Allyn, John Bissell, Edw: Stebbing, Andr: Bacon, Nath: Dickerson, Dauid Willton, John Deming, Steph: Harte, Tho: Tomson.

John Taylecoat Junior, being presented as chosen En[signe] to the Trained Band in Hartford, this Courte approues and confirmes the said choyce.

Natha: Ely and Richard Olmsted in the behalfe of themselues and other Inhabitants of Hartford, desired the leave and approbation of the Courte for planting of Norwacke, to whome an answer was returned in substance as followeth:—

That the Courte could not but, in the generall, approue of the indeauors of men for the further improvement of the wildernes, by the beginning and carrying on of new plantacons in an orderly way; and leauing the consideracon of the just grounds of the proceedings of the petitioners to its proper place, did manifest their willingness to promote their designe by all due encouragemt, in case their way for such an undertakings were found cleare and good: and prouided the numbers and quality of those that ingage therein appeare to bee such as may rationally carry on the worke to the advantage of the publique wellfare and peace; that they make preparations and provisions for their owne defence and safety, that the country may not be exposed to vnnecessary trouble and danger in these hazardous times; that the devisions of the lands there to such as shall inhabit, bee made by just rules and with the approbacion of a Comittee appointed for that end by this Courte, or to bee rectified by the Courte in case of aberrations, and that they attend a due payment of their proportions in all publique charges, with a ready observation of the other wholesome orders of the Country.

The Courte is adiourned till this day month.

[8] A Generall Courte in Hartford, the 12th of Septemb'1, 1650.

Edw: Hopkins Esq', Gouernor.

Magistrates: Mr. Wells, Mr. Webster, Capt: Mason, Mr. Woollcott, Mr. Cullick, Mr. Clarke.
Deputyes: Mr. Brewster, Mr. Phelps, Mr. Taylecoat, Mr. Allyn, Mr. Steele, Edw: Stebbing, Andr: Bacon, John Bissell, Dauid Willton, Tho: Mynor, Steph: Harte, Nath: Dickerson, Sañ: Smith, Mr. Warde, Tho: Judd, Tho: Staples.

Mathew Allyn, appealing to this Courte for justice in reference to the 3 first verdicts of the Jury at the particular Courte, the 5th day of this instant September, the contents of wch verdicts may and doth fully appeare in the Records of that Courte; They haue taken them particularly into their serious consideration, and therefore haue concluded and determined as followth:—

First, that they see no just cause to varye from or allter the first verdict of the Jury, and therefore doe allowe and confirme the same, namely, that Thomas Allyn should haue his specialities of Mathew Allyn, with 10s. damage and costs of the Courte:

For the 2d, wch was for vniust molestation and the damage therevpon, wch the Jury found to bee sixty pounds, this Courte declares that they doe judge that Thomas Allyn was vniustly molested by Mathew Allyn, but cannott judge the dammage to bee so great as the Jury did finde, and therefore doe declare and determine that the dammage should bee brought downe to twenty marke and costs of Courte:

For the 3d, wch was for expences about cattle, this Courte approoues of the verdict of the Jury therevpon, wch is that the said Mathew Allyn shall pay vnto the said Thomas, forty fiue pounds and costs of Courte:

And this Courte doth further conclude, adiudge and determine, that Mathew Allyn shall pay vnto his brother Thomas, the full sum of fiue pounds over and aboue what was determined by the severall verdicts of the Jury, wch fiue pounds is for the said Thomas his charges of trauells.

This Courte desires Mr. Gouverneor, Mr. Deputy and Mr. Webster to consider of the graunt of land to Thomas Bull and others, and to settle somthing vppon them according to the graunt of the Courte in May last.

Mr. Gayler and John Bissell are chosen by this Courte to
arbitrate in a difference between Mr. Richard Collecott and Mr. Mathew Allyn, and to put an issue thereunto.

The Courte is adiourned to next Wednesday come 3 weekes.

[9] A Session of the Generall Court, the 9th of Octo-
ber, 1650.

Edward Hopkins Esq', Gouernor.

Magistrates: Mr. Woollcott, Mr. Cullick, Mr. Webster, Mr. Clarke.

Deputyes: Mr. Trott, Mr. Allyn, Mr. Phelps, Mr. Steele, Sam: Smith, Natha: Dickerson, John Bissell, Edw: Stebbing, Andr: Bacon, Dauid Willton, Steph: Harte.

It is ordered by this Courte that the Guards in the [seue]rall Townes within this Jurissdiction, shall bee allowed yearely, halfe a pound of powder a man, to bee prouided by and at the charge of theire seuerall Townes.

The Courte appoints next Wednesday 3 weekes to bee kept a publique day of Thanksgiuing.

The Courte is adiourned till next Wednesday come fortnighe.

A Session of the Generall Courte, the 31st of Octob' 1650.

Edw: Hopkins Esq', Gouernor.

John Haynes Esq', Deputy.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Allyn, Mr. Steele, Mr. Trott, Natha: Dickerson, Dauid Willton, Sam: Smith, Edw: Stebbing, Andr: Bacon, Tho: Coleman, Tho: Judd.

Thomas Standly, of Hartford, complaining to this Courte of a dissabillity in one of his armes, (wch was broken not long since,) to handle his Armes and to doe his postures in millitary discipline, vpon training days; this Courte frees the said Thomas Standly from his training, till they shall see just cause to alter the same.

The Courte is adiourned till next Munday.
OF CONNECTICUT.

[10] A Session of the Generall Courte, the 3d of November, 1650.

Edw: Hopkins Esq', Gouernor.
John Haynes Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputyes: Mr. Phelps, Mr. Allyn, Mr. Steele, Mr. Taylorcoat, Edw: Stebbing, Andr: Bacon, Tho: Coleman, Tho: Judd.

Greenfill Lerreby, for his disorderly carriage, is fined five pounds.—5l.

Stephen Danyell is fined for the same, forty shillings,—40s.

And both of them are required if Joshuah Jennings (whome they rescued or at least conveyed from the power of authority,) come aboard their shipp againe, either vpon the Riuuer or at Seabrooke, to deliuer him vp to authority.

It is ordered and concluded, that whereas the Towne of Fairefeld hath not attended this Courte with a just and perfect list of the estate of theire Towne according to order of Courte, as they were inioyned, and required to doe, they shall pay to the Common wealth twenty nobles as a fyne for theire neglect if not contempit therein: and to pay to the Country, by rate for this yeare, according to the estate they formerly gave in. The fyne of twenty nobles is remitted, as appeares by the Records of the Courte, 15th May, 1651.

It is ordered, that the Treasurer shall send forth his warrants into the seuerall Townes, for the Country Rate, according to the rule in Courte for this present yeare; and that hee shall keepe a just account how and for what he doth expend the same.

The Courte is adiournd to the first Wednesday in Febr. next.


Edw: Hopkins Esq', Gouernor.
John Haynes Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputies: Mr. Steele, Mr. Taylecoat, Mr. Trott, Edw: Stebbing, John Bissell, Nath: Dickerson, Dauid Willton, Andr: Bacon, Sam: Smith, Tho: Coleman, Steph: Harte, Tho: Judd.

Whereas there is an order of Courte amongst vs wch prohibits all perticular persons within this Jurisdiction from buying any land of the Indians, either directly or indirectly, vnder any pretence whatsoeuer; this Courte addth therevnto and orders, that no perticular person whatsoeuer shall buy of the Indians, either directly or indirectly, any timber, candlewood or trees of any sorte or kinde, within this Jurisdiction, though it bee without the bounds of the seuerall Townes.

Whereas, it doth appeare that much hurte, loss and damage doth acrue to this Common wealth and to perticular persons in the seuerall plantations, by those hoggs that are kept or heard in the woods, by theire rooting vpp and wronging otherwise the common feed of cattle, and by theire hanging about and breaking through such fences as are sufficient against other cattle, into mens corne, and spoiling the same, It is ordered by this Courte, that if any hoggs or swyne shall bee found within three myles of any dwelling howse, in any of the plantations within this Jurisdiction (except such as are kept in mens yards, wch are to bee ringed or yoaked when found in the streete, according to the order of Courte, in May last,) from the first of March to the middle of October, they shall forfeitt sixpence a peece, for every time they are soe found.

Whereas, by vertue of an order in May last, each Towne shall chuse among themselves fiue able men, to consider and order the best way of improving and fencing common lands; It is ordered by this Courte that the service committed to them, in all the particulars thereof, wch appeares more fully in the said order, shall bee attended by the Townsmen, or those men that are chosen to order and attend the affaires of the seuerall Townes wherein they liue, within this Jurisdiction, and whatsoever the maior prt of the said Townsmen in their seuerall Townes shall agree vppon, conclude, determine and order, according to the former order of fiue men, shall in all respects
bynde and bee attended as fully as if it had beene done by the said fiue men.

Thomas Horskins, of Wyndsoor, being presented as vnfitt and dissable to attend Trainings, watching and warding, this Courte frees him from the services aforesaid, during his dissability.

Whereas it doth appeare to this Courte that those Townes that are more remoate are at more and greater charge in bringing the Corne of their Townes, for the ordinary Country Rates, than those Townes or persons that are nearer to the Treasurer, place or places of payment, as occassions shall or may require; It is ordered by this Courte, that for such corne as Wyndsoor shall pay to the Rates aforesaid and bring downe to Hartford in corne, they shall bee allowed two pence in the bushell, and for what corne aforesaid they shall carry to Wethersfeild, they shall be allowed three pence p^" bush: And Farmington three pence p^" bush: for what such corne they shall bring to Hartford, and if they carry it further they shall bee allowed reasonable satisfaction for the same, over and aboue the aforesaid three pence p^" bushell.

A Committee for the clearing of the agreement with Mr. Fenwick, chosen by this Courte, are as followth: Mr. Haynes, Capt. Mason and Mr. John Steele; these are for the clearing of the first agreement, being the Committee that made the said agreement. And for the second agreement, Mr. Clarke and Mr. Taylcoate, whoe are to draw out a true copy of both the said agreements under Mr. Hopkins his hand, w^h said copy or copies shall bee kept vppon record and fyled by the Secretary. And this Courte graunts libberty to each Towne to send any two of their Inhabitants to the meeting of the aforesaid Committee, to heare the said agitations, and to satisfie their several Townes with the grounds of any conclusions that they may make, that so all scruples may bee removed and all hearts satisfied and quieted for ye future in the premisses: w^h said time of meeting for the Committee aforesaid, is the first Tuseday of the next month, being commonly called March, at the Gouern-owse; and the Deputyes of the several Townes are desired to giue seasonable notice to their said Townes of the premisses, that so no Towne may plead that they did not know
of the same: only speciall notice is to bee giuen to Capt. Ma-
son and the Towne of Seabrooke.

This Courte graunts and orders, that the Secretary shall bee
allowed and paid the sum of six pounds, being in part of payment
for his great paines in drawing out and transcribing the coun-
try orders, concluded and established in May last.

This Courte is adiourned to the 2d Lecture day in March
next, after ye sermon.

[13] A Session of the Generall Courte, in Hartford,
this 19th March, 1650-51.

Edw: Hopkins Esq'r, Gou'nor.
John Haynes Esq'r, Deputy.

Magistrates: Mr. Wells, Capt: Mason, Mr. Woolcott,
Mr. Webster, Mr. Clarke, Mr. Cullick.

Deputies: Mr: Phelps, Mr. Allyn, Mr. Tailecoat, Mr.
Trott, John Bissell, Sa:n: Smith, Natha: Dickerson,
Tho: Coleman, Andr: Bacon, Edward Stebbing, Tho:
Judd.

Whereas vpon former information giuen to this Court that
William Cheessbrooke (a smith, somtimes an Inhabitant in the
Massachusetts, but more lately at Seacunck, alias Rehoboth, in
the Jurissdiction of New Plimouth,) had begun to settle him-
selxe at Pacatuck, a place within the limitts of this Colonye,
order issued out to the said Cheesbrooke,* vpon seuerall
weighty consideracons, either to depart the place, or to make
his appearance, and giue an account of his proceedings, where-
unto hee submitted, and by a poenall obligation ingaged him-
selxe to attend:

The said Cheesbrooke now presented himselfe to this Courte,
and in way of Apologie professed his sitting downe there was
besides his purpose and intention, his ayme being to settle at
Pequett plantation, but finding that place in seuerall respects
unsuitable to his expectations, and haung disposessed himselfe of
his former aboade, hee was in a manner necessitated for the

* See page 200, ante.
(Secretary, 1648-1668)

John Clissick

Why, being apprehended by the several officers of the Fugitive Friends, it was

commenced, and no record of any occurrence, my several

confessions, offering to support the law, and by various

force ofRepeated a person with the names of the several

parts of the city, and in the several counties, the money borrowed or

that money (from 1650) certainly, sometimes an acknowledgment

whereupon a proper form of verification given to the court.

in Harford, I think you know; 1650.

of [date] of the several counties.
preservation of his estate to make winter provision for his cattle there, whereunto hee was also encouraged by Mr. John Winthrop, who pretended a Comission from the Generall Courte in the Massachusetts for the planting of those partes. Hee was told that as the right of that place did clearly appertaine to this Colonye, so his proceeding was vnwarrantable in sitting downe there without the knowledge and approbation of this Gouernement, and it carried (in the open face of it,) the greater ground of offence, in that by his calling hee was fitted, and by his solitary living advantaged, to carry on a mischeivous trade with the Indians, professly cross to the generall orders of the Country, and extreamely prejudiciall to the publique safety, which was increased by reports of practice in that kinde in the place of his last abode; besides it seemed more than vncomely for a man professing Godliness so to withdraw from all publique ordinances and Xtian society. In his answer, hee acknowledged his former transgression (for which hee justly suffered,) but affirmed (to take of all suspition in that kinde) that at his remoue hee sould away his tooles, and thereby made himselfe vncapeable of repairing any gun locks, or making so much as a scruie pinn, either for himselfe or others, and that hee was fully resolued not to continue in that solitary condition, but had to himselfe good grounds of hopes (if libberty might bee graunted,) in a shorte time to procure a competent company of desireable men, for the planting of the place.

The Courte duly considered all that was presented, & though they were willing to make the most favourable construction of his former proceedings, yet they exprest themselues alldogether unsatisfied in the aforementioned respects, for his continuance there in the way hee is in, and could give no aprobacon thereunto, yet they were inclined (hee professing his full agreemt with the approoved Churches of Christe, in all things) if the necessity of his occassions to his owne apprehensions were such that hee would adventure vpon his owne acco...
[14] And if before the General Courte in September next, hee giue in the names of a considerable company of such persons as the Courte shall approoue, who will ingage for the planting of the place and sitting downe there before the next winter, and al.so submitt themselues to such wayes and rules as shall best promoate the publique good, all meete incouragement shall be giuen in that way: wch being made knowne to William Cheesbrooke, hee thankfully acknowledged the Courts fauo'r, and acquiesced in theire determinacon.

The Courte is dissolved.

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A Generall Courte of Election, in Hartford, the 15th day of May, 1651.

John Haynes Esq'r, elected Gouv'nor.
Edward Hopkins Esq'r, Deputy.

Magistrates elected: Roger Ludlow Esq'r, John Winthrop Esq'r, Mr. Wells, Capt: Mason, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke, Mr. Howell, Mr. Tapping.

Deputies: Mr. Tailecoat, Mr. Phelps, Mr. Steele, Mr. Trott, Mr. Allyn, Mr. Gayler, Mr. Warde, Mr. Hull, Nath: Dickerson, Danid Willton, Tho: Coleman, John Deming, Edw: Stebbing, Andr: Bacon, John Clarke, Tho: Birchard, Tho: Thorneton, Steph: Harte, Tho: Staunton, John Brunson, Tho: Mynor, [Phil]lip Groues, absent.

Saumuell Fittch, Jonathan Rudd, John Strong, Moses Ventriss, made free.

John Dyer testifieth in Courte, that vpon a time this spring, Mr. Blinnman and another of Pequett being at Seabrooke, de.sired this deponent to carry them ouer the Riuier in a cannooe, towards Pequett, wch hee did; and that when hee had sett them ashore, it being wett weather, hee tarried there awhile, in wch time of his tarrying there came three Indians to him, and that Thomas Leppingwell was with them, wch said Indians de.sired this deponent to sett them ouer in the cannoe, to Sea.brooke, wch hee tould them hee would doe if they would worke,
because the cannoe was heavy; so hee brought them over, and when hee had turned the point into the North Coue, and came neare the vessells that rode there, the said Indians asked this deponent wch was the Dutch vessell, and hee tould ym wch; then they asked this deponent whether the Dutchman had any coates: hee answered them, tutta; then one of the Indians stood vp in the cannoe and called to the vessell and sayd, Way bee gon coates? Some answered, there was coates: then this deponent tould the Indians, Nux; then they desired and hee sett them aboard, and this deponent tarried in the cannoe: then Mr. Augustine, Mrch, called to the skipper to shew the Indians some cloths, so the skipper and the Indians went downe into the hold, as hee supposed, amongst the cloth, & in the mean time Mr. Augustine spake to this deponent to come ouer, wch hee did, and after the said Indians had beene a pretty while in the hold with the skipper, the skipper asked Mr. Augustine how hee sould a coate of two yards: Mr. Augustine answered, twenty shillings: then this deponent asked the said Augustine if hee sould his cloth for ten shillings a yard; hee answered, yes, to the Indians, but for nine shillings to others. or two bussheles of wheat: then this deponent replied that two bussheles of wheat was worth ten shillings. So having tarried some time, hee asked the Indians if [they] would goe ashore; they answered, by and by: then hee tarried awhile, and asked them againe; then one belonging to the vessell tould this deponent that hee might goe away if hee would, and hee would sette the Indians ashore, when they desired it. So this deponent went home (and left the Indians aboard) and dyned, and spake nothing to any of any Indians going aboard the Dutch vessell; and allso that hee knew nothing but the Dutch might trade coates, so they did not trade gunns, powder and shott.

Thomas Chapman, William Pratt, Jonathan Rudd, Sachary Sanford and Christopher Huntington, did all testifie in Courte vpon theire oaths, that they knew nothing of John Dyers carrying Indians aboard the Dutch vessell, and that that was no ground of theire seizing the vessell and goods.

Whereas Augustine Herriman, by trading with the Indians at Seabrooke, contrary to order of Courte, hath forfeited his
vessell and goods, \textit{wch} was seized by some of the Inhabitants of Seabrooke aforesaid, This Courte hath taken the same into consideraçon, and doe adiudge the said Herrman to pay vnto the said seizures the sum of for\textit{ty} pounds sterling, in good pay: And that the said Herriman doe giue it vnder his hand, that vppon the tryall and examination of the buisiness, it did appeare that the English had dealt fairely with him all along in that business; and that there was not any English that drew or caused the Indians to trade with him or in his vessell, to intrapp or insnare both or either of them.

The Gouernor, Mr. Cullick and Mr. Clarke are desired to goe downe to Stratford to keepe Courte vppon the tryall of Goody Bassett for her life, and if the Gouerno\textit{r} cannott goe, then Mr. Wells is to goe in his roome.

This Courte, considering the great inconveniences that occur by reason of Roade Iland interteining of fugitiues, and such as are guilty of capitall crimes and other misdeamenors, from the seuerall vnited Colonyes, cannott but judge the same to bee extrueamely prejuditiall to the peace and welfare of the said colonyes, doe order that the premisses should be recomended to the serious consideraçon of the Comissioners, that some effectuall course may bee taken for the redress of the same.

[16] This Courte desires that a letter should be written from the Courte to the Jurissdiction of Plymouth, that they would prepare themselues against the next meeting of the Comissioners, to make appeare vnder \textit{wch} of the Colonyes the plantations of Warwick and others doe stand.

John Bankes, Edward Adams, Phillip Pinckney, John Hoite and Georg Godding, being fyned twenty shillings apeece, as appeares in the Records of the Courte the 8\textsuperscript{th} July, 1650, this Courte frees the said partyes from theire said fynes, and Thomas Staples fynge of forty shillings is brought downe to twenty.

Whereas in the order of Rating, the Comissioners of Fairefeild and Stratford are not injoyned and required to meete the Comissioners in the seuerall Townes vppon the Riuere; IT is now ordered by this Courte that the said Comissioners of Fairefeild and Stratford shall yearely, in the Town of Hartford, two dayes before the Generall Courte in September, meete with the Comissioners of the said seuerall Townes vppon the Riuere and
bring with [them] the lists of the persons and the estates of their several Townes, that they may bee jointly examined and perfected, before they are transmitted to the said Generall Courte. And if the said Comissioners should not agree, they are to present the grounds of their differing and disagreement vnto the said Courte, to bee by them issued and determined; and their fyne of twenty nobles at the Generall Courte, the 3d of Novembr, 1650, is remitted by this Courte.

There being an occasion of debate in this Courte about Seabrooks non-payment of the proportion laid vpon that Towne in reference to the purchase and agreement with Georg Fenwick Esq'r, John Clarke and Thomas Birchard, Deputies for that Towne, did ingage themselues in the behalf of the said Towne of Seabrooke, that there shall bee due payment made of the said leuye due by the said Towne of Seabrooke, to bee paid for 5 yeares now past, in October next, provided their payment of what is due or shall bee due, bee no prejudice to them or the Inhabitants of Seabrooke, in pleading any seeming grounds or reasons they haue for their not paying of all or any parte of the said leuye; the former Comittee are desiered to attend such reasons and allegations as they shall present, as formerly they were desired.

Thomas Thorneton affirmed in Courte, that it was reported there was a hundred beeues killed in Fairefeild last yeare.

This Courte taking into consideration the proposition of the Inhabitants of Pequett for some inlargem't of meadow at Niantecutt, and whereas there was 500 acres of ground lying in Pequett granted to sute of Capt: Masons souldgers at the Pequett warr, w'h being taken vp by Pequett, they doe desire may bee recomppenced at Niantecutt; the Courte desires and appoints that John Clarke and Thomas Birchard of Seabrooke should goe to Pequett and view the said percell of land there given to the said souldgers, and taken vp by Pequett, as before and then goe to Niantecutt and lay out there vnto the said souldgers such and so much land as may bee fully equiuolent to their former grant of land at Pequett. And for the Inhabitants of Pequett, the Courte grants that their bounds shall come to Bride Brooke, (the former grant excepted,) provided that it doe not come within the bounds of Seabrooke,
and provided that what meadow or marshe there is above two
hundred acres, it shall be reserued for the countrys vse [or]
other and further dispose.

Mr. Deputy and Mr. Ludlow are chosen Comissioners for
this Jurisdictions to attend the next meeting of the Comission-
ers of the united Colonyes, and so for the yeare ensuing as oc-
cassion may require, and if the Deputy should bee gonn out of
the Country to England before the said meeting, then Mr. Culf-
lick is to supply his place.

It is ordered, that those that live in severall companyes at
farnes remoate from the severall Townes, shall have liberty to
keepe one in each quarter at home upon every training day,
who is of age to bare armes, provided one man, (where more
then one is,) shall tarry at home but one training day at a
time, and that those whoe doe stay at home bee provided with armes,
according to lawe ; and where any one farme is so farre distant
from the Towne as Mr. Fenwicks is, at Sixe Myle Island, then one
in like manner may remaine at home, for safety of the place.

This Courte graunts their consent that Nathaniell Rescwe
should have Goodwife Johnsons childe, whch was borne in the
prison, as an apprentice to him, till hee is of the age of twenty
one yeares, and that the said Rescwe shall have ten pounds
with him, out of Newtons estate.

This day there was presented a letter to the Courte, by the
Deputy, from John Wenthrop Esq. of Pequett, directed to the
said Deputy, the contents whereof fol[weth:] 

Worthy Sr.

It was my intent to have waited upon yourselefe and the
Honored Courte, but some occasions of absolute necessity
(as Mr. Blinman can informe) require my hasting into the
Bay, whch should have beene sooner if I had beene well to have
gon by land, but I have expected a passage by water to Provi-
dence, whch I am now promissed by a pinnace that I expect to
returne from Leitennant Gardiners this day; therefore I
[18] desire to bee excused till some further opportunity.

There hath beene earnest motions to mee, from some well
willers to the Common good, to make some search and tryall for
mettalls in this Country, and there is hope that there might bee
a stock gathered for that purpose, if there were encouragements
from the severall Jurisdictions. I have therefore made boold
to propound the inclosed graunt to yourselefe and the Courte;
professing this, that I neither know nor have heard of any
mynes or mettalls within this Jurisssdiction, for I haue not yet made any search, but only propound it for incouragement to any that will bee adventurers and joine in the undertakings of such a designe; which is alreadie done in the Bay, where I know of two places of lead, one at Lynn and the other at Nubber, but that at Lynn being challenged by the Towne and so neare the Iron worke, that takes vp all the wood, that it cannot bee wrought there; and the Towne hath beeene at charge for the finding of the veine, but it cannot bee found, and so they are discouraged, for it was only loose peeces that wee found. I doe not much desire to haue any thinge put in about gold and siluer, yet if it be put in, it may incourrage some, but I leaue all to the wisdome of the honorde Courte, and with my humble service to yo"selfe and the Deputy Gou"no" and the Magistrates and Deputies I rest, Yo" humble servant, May 13th, 1651. John Wentworth.

Whereas, in this rocky country, amongst these mountaines and stonye hills, there are probabilities of mynes of mettalls and mineralls, the discouery whereof, may bee for the great benefitt of the country, in raising a staple commodity;—and whereas, John Wentworth Esq: doth intend to bee at charge and adventure for the search and discouery of such mynes and mineralls; for the incouragement whereof, and of any that shall adventure with the said John Wentworth Esq: in the said buisines, It is therefore ordered by this Courte, that if the said John Wentworth Esq: shall discouer, sett vppon and meinteine, or cause to be found, discouered, set vppon and meinteined, such mynes of lead, copper or tinn, or any mineralls, as antimony, vitriall, black lead, allom, stone salt, salt springs, or any other the like, within this Jurisssdiction, and shall sett vp any worke, for the digging, washing, melting, or any other operation about the said mynes or mineralls, as the nature thereof requireth, that then the said John Wentworth Esq:, his heires, associates pinters or assigns, shall injoye for ever the said mynes, with the lands, wood, timber and waters, within two or three myles of the said myne, for the necessary carrying on of the workes and meinteining of workemen, and provision of coales for the same; provided it bee not within the bounds of any Towne allready, or any particular persons propriety, and provided it bee not in nor bordering vppon any place that shall or may by the Courte bee judged fitt to make a plantation of.

John Haynes Esq., Gou'nor.

Magistrates: Mr. Wells, Capt: Mason, Mr. Webster, Mr. Woollcott, Mr. Clarke.

Deputyes: Mr. Allyn, Mr. Phelps, John Bissell, Dauid Willton, Mr. Trott, Sa:m: Smith, John Demyng, Natha: Dickerson, John Clarke, Mr. Tallcott, Mr. Westwood: Andr: Bacon, Edw: Stebbing, John Bankes, Will: Hill, Thomas Mynott, Wm. Beardsly, Thomas Judd, Steph: Harte.

It is ordered, sentenced and decreed, that Mattabeseck shall bee a Towne, and that they shall make choyce of one of their inhabitants, according to order in that case, that so hee may take the oath of a Constable, the next convenient season.

It is likewise ordered, that Norwauke shall bee a Towne, and that they provide an inhabitant, according to order, who shall seasonably bee tended to take the oath of a Constable.

This Courte being informed by the Townsmen of Hartford that John Lord, contrary to natural affection, hath withdrawne himselfe from his wife, and left her destitute of a bed to lodge on, and very bare in apparell, to the indangering of her health, The said Courte doth herevpon order and giue authority to the said Townsmen to require of the said John Lord the wearing apparrell of his wife, and also a bed for her to lodge on, and also to search after the same in any place within this Jurisdiction, and to restore it vnto her, and reasonable satisfaction shall bee giuen if any person shall bee damnified thereby.

It is ordered by this Courte, that the lyne of the Towne of Naineage shall begin on the east side the great Riuier opposit to the point Mr. John Wentropp now liues uppon, and so to runn vpon an east lyne to Powcatuck Riuier, together with all the meadow, except it doth exceed foure hundred and ten acres. It is not intended that any pr't of the former limmitts of the Towne should bee abridged.

Allso the Iland commonly called Chippachange,* in Mistick Bay is giuen to Capt: John Mason, as allso one hundred acres

*Now called "Mason's Island."
of vpland and ten acres of meadow neare Mistick, where hee shall make choyce.

The Deputyes of Fairefeild haue, according to order of Courte in that behalfe, presented to the Courte a list of theire names and estates, wch in the Totall amounts to the sum of $8895. 3s.

Thursday come seuen night is appointed by the Generall Courte for a day of Thanksgiving in all the Townes in this Jurisdiction.

Vpon petition of Nicholas Olmstead, the Courte frees him from traininge vntill further order. Repealed: fol. 21.

The Court is adiourned to Wednesday come 3 weekes, after Lecture.


Edw: Hopkins Esq\(^r\), Deputy.

Magistrates: Roger Ludlow Esq\(^r\), Mr. Wells, Mr. Woollcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Trott, Mr. Tailecoat, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, John Bissell, Andr: Bacon, John Deming, Sa\(\text{m}\): Smith, Steph: Harte, Will: Beardsly, Will: Hill, John Bankes, Tho: Judd.

This Courte considering the motion and request of the Townesmen of Hartford, for some of theire inhabitants to bee freed from training to morrow and next day, they doe graunt and consent that they shall haue libberty to take of so many from theire training aforesaid as are necessary to bee imploied about the raising of the worke prepared for the supporte of the great bridge.

This Courte being informed that there are seuerall Indians amongst vs that are knowne and may bee prooued to bee murtherers of the English before the Pequett warres, they doe referr the inquiry into the grounds and truth of the premisses vnto the magistrates of this Jurisdiction, and therefore doe desire that ye Gour\(\text{no}\)\(^r\) would write to, or seasonably conferr with Capt: Mason.
and Thomas Staunton, whether they know any such Indian, that soe they may bee brought to condigne punishment.

This Courte hauing considered the appeale of Thomas Barlowe and Jehu Burr, about the verdict of the Jury at the last Courte in Stratford, whereby they were judged to pay for a colte of Leiftennant Wheelers, they doe determine and conclude that allthough they see not reason to confirme the full verdict of the Jury, yet they judge it meete that the said Barlowe and Burr should pay to Wheeler, for his damage, forty shillings.

Mr. Warde and John Bankes are desired to gather vp and make sale of any estate of that wch was sometimes Peter Johnsons of Fairefeild, and that they shall therewith satisfie the charges of the nursing of the childe of Goody Johnson.

Nicholas Olmsteed, acknowledging to the Courte that by seuerall irregular expressions in his petition, hee hath giuen just cause of offence vnto the Courte, manifesting in his expressions his sorrow for the same, and desiring the Courte to pass it by, They doe remitt and pass by his offence; and doe order that hee shall not bee freed from traininge vpon such a petition, but if hee shall see cause, in time convenient, to present to the Courte the consideracon of his former good service, they shall bee freely willing to attend it, and to allowe him convenient and reasonable incouragemt; the petition to bee taken of from the fyle.

Vpon the complaint of the Deputies of Stratford to this Courte, in the behalfe of Richard Buttler, against an Indian named Nimrod, that willfully killed some swyne of the said Buttlers, this Courte consenteth that Mr. Ludlow may prosecute the said Indian according to order made by the Comissioners in that respect.

[21] Whereas vpon the motion of Mr. Wells, Treasurer, It was propounded that in regard hee being in the place of Magistrate, doth finde the execution of the Treasurers office to bee [some]what burdensome for both together, and therefore desires [to] bee eased of the Treasurers place, wch this Courte doth desire at the Courte of Election, may bee attended, and that they would thinke of some body else to bee Treasurer in his roome.

Andrew Warde, George Hull and William Beardsly are pro-
pounded 'for Assistants to joine with the magistrates for the execution of justice in the Townes by the sea side.

It was ordered that Thomas Stauntion should goe to Narragansett and demaund of Ninigrett 40l. for Eltwood Pomryes mare, or Pequoiam to bee d’d vp, according to the determination of the Comissioners in Sept: last.*

William Leawis Junior is confirmed Leiftennant, to order the souldgers at Farmington: John Steele Junior, Ensigne, and Thomas Barnes, Serieant.

A letter being received from Capt: Mason, wherein hee desires, among other thinges, the advice of this Courte touching a motion propounded by some of New Hauen interested in Dillaware designe, for his assistance of them in that buisiness, with some incouragements for his settling there; The Courte ordered that answer be returned, in reference to the foregoing particular, to the following purpose:—That it is much in the desires of the whole Courte that hee would not enterteine thoughts of remouing his aboade out of this Colony, wherevnto they cannot give the least allowance or approbation; yet if his owne desire bee for the present service of that place, and theire importunities continue for his employment there, the Courte cannot wholly deny him or them, the worke being that wch they are willing to promoate, but are content hee shall attend the service for 3 months, provided hee will ingage himselfe to returne within that time and continue his aboade amongst them as formerly:

* See p. 27. *ante. “Eltweed Pomry, of Windsor, in Connecticut Jurisdiction, having often petitioned the Comissioners about a mare of his, wilfully killed by a Pequott Indyan, called Poquoiam, sooner after the fore mentioned warr, when all sorts of horses were at a high price; concerning which, Mr. Ismell Stoughton, Generall for the Massachusetts, made an agreement with Meyantonime, one of the principal Narragansett Sachems, with or under whom the sayd Poquoiam lusted, on behalf of the offenders: * * * * * * * Upon consideration of the premisses, the Comissioners thought fit that the sayd monye be againe demanded of Ninigrett,” he being the brother in law of Poquoiam, and heir to Miantonimo, “or that hee deliver Poquoiam into their hands; but upon refusall or delay, that some sayt man, duly accompanied, be sent, by order & direction of the Government of Connecticut, to require it, with allowance of the present charges, and if it be not forthwith paid, to make seizure to the vallow of 40l. with the charges, and to bring it away with them; and hereof the Narraganset Indians now, present were willing to informe Ninigrett; onely, if after such payment or seizure, Vacas or Wequash Cooke shall by intertinguing, protecting or concealing Poquoiam, hinder Ninigrett from recovering the same of him, in such case the said 40l. shall be accounted due and be required from them or either of them.” [Records of U. Colonies, Sept. 1651.]
The Courte hath also spoken with Leiftennant Bull, about the land at Nihantecutt, laid out to him and others with him, who hath promised to conferr with Vncas and induer to give him reasonable content and satisfaction, in reference to the premises, wth if they shall not answerably attend, then vpon information the Courte will take further consideracon thereof, in seasonable time. And whereas hee certifies in his letter that hee is not satisfied in Saquassens being exalted vnder our power to great Sachemship, this Courte declares that they doe not know of any such thinge, neither doe they or shall they allowe or approoue thereof.*

[22] Mr. Webster and Mr. Cullick are desired to take an acco of the Treasurer of the debts of the Country, and how the last Country Rate is disburséd, and present the same to the next session of the Generall Courte.

It is ordered, that Mattabeseck and Norwaak shall bee rated this present yeare in their proporcon, according to the rule of rating in the Country, for their cattle, and other visible estate, and that Norwaack shall present to Mr. Ludlow, and Mattabeseck to Mr. Wells, in each Towne one inhabitant, to bee sworne by them, Constables in theirseueral Townes.

It is ordered by this Courte that Wednesday next come fort-night, there bee a day of fasting and humiliation throughout this Jurisndon, for and in consideracon of some diseases or infection that is among or neighbors & freinds of the Massachusets, as also for and concerninge the affaires of or native country, and prosperitie of the Gospell of Jesus Christe.

* At a meeting of the Commissioners, in September, "Uncas complained that Saquass some yeares since, as is well knowne, began hostile acts upon him, to the disturbance of the publique peace, whereupon he was occasioned to fight him and in the issue overcame him and conquered his country, which though he gave to the English and did not oppose the favour they were pleased to shew him in sparing his life, yet he cannot but looke upon himselfe as wronged in that Saquass (as he was informed,) is set up and indeavored to be made a great Sachem, notwithstanding he hath refused to pay an acknowledges of wampom to him, according to his ingagements."

"The Commission disclaimed any indeavors of theirs to make Saquass great, and are ignorant of what he affirme concerning the other, yet recommend it to the Gouernment of Connecticut to examine the case, and to provide that upon due proof Vncas may bee owned in what shall bee just and equall, and Mr. Ludlow was intreated to promote the same." [Rec. of U Colonies.]
Hartford estate was presented to this Courte to bee £22404:19.
Wyndord, ...................................................... 15435:
Wethersfeild, ................................................. 12748:
Farmington, .................................................. 04741:
Seabrooke, .................................................... 04150:
Fairefeild, .................................................... 08895:
Strattford, ................................................... 07118:8:6

It is ordered, that warrants shall goe out from the Treasurer for a whole rate, and that euery person, according to the order, to bee rated at 2s. vid. pr head, shall bee brought downe to 18d. pr head; the whole rate to bee paid 1/3 in wheat, and 1/3 in pease, and 1/3 in good peage or Indian.

The Courte is adiourned to the first Wednesday in December next.

[23] A Session of the Generall Courte, the 3d day of December, 1651.

John Haynes Esq', Gouernor.

Magistrates: Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputyes: Mr. Phelps, Mr. Allyn, Mr. Tailecoat, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, Andr: Bacon, John Bissell, John Demyng, Steph: Harte, Tho: Judd.

The Courte is adiourned to the first Tuesday in March next, by ten a clock in the morninge.


John Haynes Esq', Gouernor.

Magistrates: Mr. Wells, Capt: Mason, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputyes: Mr. Tailecoat, Mr. Phelps, Mr. Allyn, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, Daud
Willton, John Bissell, Sam: Smith, Andrew Bacon, John Deming, Steph: Harte, Tho: Judd.

This Courte orders, that the Treasurer shall pay unto John Cullick the sum of thirty two pounds nineteen shillings, out of the Country Rate pay, already graunted and next to bee collected, wch is for so much the Country is indebted to Edward Hopkins Esqr; the pay to bee made in Corne: if any wampum bee paid, it is to bee with so much allowance as shall make the wampum as good as corne.

This Courte considering John Clarks bill of Countryes charges, they doe conclude and order that the Treasurer shall not pay him for the workmens diett aboue six shillings a weeke for one man.

This Courte orders that the Treasurer shall pay to Richard Goodman and John Pratt, for the carrying on of the necessary worke about the prison howse, out of the next Rate, thirty pounds in such pay as the Rate is to bee paid in this Towne.

Thomas Bull and others in the behalfe of the rest, hauing resigned vp to the Courte one hundred acres of the grounds laid out at Niantecutt to them, of that parte thereof wch lyes next to Seabrooke, wch said hundred acres the Courte grants liberty to the Indians that formerly posessed and planted the same, to possess and plant for the future, so long as they carry peacably and justly towards the English;

This Courte graunts to the said Thomas Bull and the rest of the fine of Capt: Masons souldgers, that they shall haue two hundred acres of that vpland wch lyes northward, next adioyning to the remainder of land allready laid out to them, wch they accept in full satisfaction for the hundred acres they haue resigned as before.

The Courte is dissolved.

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Magistrates elected:
Edward Hopkins Esqr, Gournor.
John Haynes Esqr, Deputy.
Roger Ludlow Esq', John Wentworth Esq', Mr. Wells, Capt: Mason, Mr. Webster, Mr. Woolcoott, Mr. Cullick, Sec', Mr. Clarke, Mr. Howell, Mr. Tapping.

Mr. Taillecoate, Treasurer.

Deputies: Mr. Phelps, Mr. Steele, Mr. Taillecoat, Mr. Warde, Mr. Gayler, Mr. Westwood, Mr. Trott, Mr. Parkes, Edw: Stebbing, Nath: Dickerson, Andr: Bacon, John Deming, John Bissell, Tho: Coleman, David Willton, Will: Hill, Will: Beardsly, Dan: Titterton, John Clarke, Tho: Chapman, Hugh Calkin.


This Courte hauing duly weighed and considered the grounds of John Cooper's appeale to the same, in reference to the verdict of the Jury at Southampton in the tryall betweene Mr. Stanborough plaintiff, and John Cooper senior, defendt, they finde and hereby doe declare that the said John Cooper had just ground and cause so to appeale; also, this Courte, considering the bill presented to them of Cooper to Peter Tallman, Dutchman, and assigned by him to Stanborough, according to the evidence giuen in, they find that it was not an authentique bill.

Whereas, by an order in this Common wealth, there is to bee a particular Courte in Hartford the day before the two standing Generall Courtes, in May and Septemb't in each yeare, this Courte finding seuerall inconueniences that followes therevppon, doe hereby order that the aforesaid particular Courtes shall bee kept in Hartford aforesaid vpon the second day before the said each standing Generall Courte, instead of the former, and that the said particular Courtes now ordered shall bee ended before each Generall Courte.

This Courte considering the grounds of the seizure of the vessell and goods of Oulsterman, at Faireseild, Dutchman, by John Cable and some others with him, the parties on both sides haue left themselues with submission to the judgm't of the said Courte, in reference to the premisses, they doe order that the said Dutchman shall pay to the seizors the su'm of five pounds, and all their reasonable costs and charges therevppon, w'ch being done,
then the said seizors are to deliver vp to the said Dutchman the whole estate, both in vessell and goods seized as aforesaid.

[26] This Courte orders that Nathaniell Rescue shall bee paid five pounds more with the Goody Johnsons childe, according to her promise to him, hee having ingaged himselle to meinteine and well educate her sonne without any further demaund of charges either of her or the Country.

Whereas, vpon the motion of the inhabitants of Seabrooke, It was desired that a certeine coñon feild by mutuall consent is concluded to bee fenced proporconably, and it so falls out that the said fence cannot goe on comfortably except the Right Worshipful Geo: Fenwick Esq^r doth joine in proporcon, by reason of some accomodacon that belongs vnto him, w^ch will necessarily fall in within the fence, and it hath beene obiected by Capt; Cullick, the said Mr. Fenwicks agent, that the same will bee but little beneficiall to the said Mr. Fenwick, and therefore conceiues that the said Mr. Fenwicke is not bound to it; yet by reason (as the inhabitants plead) the said Mr. Fenwicks land within the said fence will bee benefitted thereby, the Courte therefore, taking into consideration the premisses, doe thinke fitt that there shall bee a Comittee appointed, whose view of the said land shall certifie what benefitt the said Mr. Fenwick or his agent or tennants shall bee advantaged thereby, as the rest of the inhabitants. The Courte makes no doubt but Mr. Fenwick or his agent will bee willing to allowe proportionable fencing for it, w^ch if it bee refused, the Courte will advise further in it.

Whereas the Courte hath taken into consideration the great abuse that is crept into this Jurissdiction, by the vnlimitted examination of witnesses before the Magistrate in the outward plantations, betweene party and party, sometime before any action in Courte, or process serued before any declaration, It is therefore ordered, that if any that liue in remoate plantations will cause any that mutually liue together in the said remoate plantations to answer them at the Courte in Hartford (seeing there bee ordinary Courtes in the said plantations, to try all actions betweene party and party,) and therefore if any will drawe his adverse party to Hartford, or to the Courte at Connecticutt, hee shall bee a meanes to produce his witnesse to the said
Courte viva voce, and not to examine any before any magistrate before the tryall, except in a speciall case of impotent wittnes or transient wittnes that is goinge out of the Jurisdiction, and in that case the Magistrate may in discretion examine and certifie in silence to the Courte what is examined, and in noe other case.

Forasmuch as the Courte was this day informed there is a necessity that in the plantations of Fairefeild and Stratford that there should bee some joined as Assistants to the Magistrate or [27] Magistrates in the said plantations, || whereby they may bee inabled to keepe a Courte within the said plantations according to the combina[çon,) whoe are to bee sworne before a Magistrate, whoe are to stand for one yeare or the next Courte of Election; It is therefore ordered, that the said plantations shall or may meeete in a convenient time at theire said plantations, and elect such as they see meeete to bee Assistants as aforesaid, whoe are to bee sworne before a Magistrate, and are capeable to the intent aforesaid.

Vppon the petition of the inhabitants of the Towne of Pequett, that by reason of the newnes of the saide plantation, there is, and likely to bee some defect of corne for theire necessary provision, notwithstanding there bee Indian corne enough in the place where the plantation is seated to furnishe the inhabitants thereof, if the corne were not traded by some particular persons that conuey away the corne, and the inhabitants remaine vnfurnished; It is therefore thought meeete and so ordered, that the inhabitants shall bee first serued before the Corne bee traded or carried forth out of the Riuer: this order to stand in force vntill Novemb' come twelue month.

Mr. Ludlow and Mr. Cullick are chosen Comissioners for the yeare ensuing.

The Courte is adiourned to the last Wednesday in June next in the afternoone.

John Haynes Esq', Deputy.

Magistrates:  Mr. Woollcott, Mr. Webster, Mr. Cullick, Mr. Clarke.

Deputies:  Mr. Tailecoat, Mr. Phelps, Mr. Trott, Mr. Westwood, Dauid Willton, Edw: Stebbing, John Bissell, Nath: Dickerson, Andr: Bacon, Tho: Coleman, John Deming.

This Courte, at the request of Mr. Deputy, doe graunte that hee shall haue three hundred acres of ground, meadow and vpland, for a farme lyinge together on the east side of a certeine Coue at Paucatuck where Pequett bounds ends, and abutting in parte or whole vppon the said Coue.

(Thomas Lord, hauing ingaged to this Courte to continue his aboade in Hartford for the next ensuing yeare, and to improue his best skill amongst the inhabitants of the Townes vppon the Riuere within this Jurisdiction, both for setting of bones and otherwise, as at all times occassions and necessityes may or shall require; This Courte doth graunt that hee shall bee paid by the Country the sum of fifteene pounds for the said ensuing yeare, and they doe declare that for euery visitt or journye that hee shall take or make, being sent for to any howse in Hartford, twelue pence is reasonable; to any howse in Wyndsor, fiue shillings; to any howse in Wethersfeild, three shillings; to any howse in Farmington, six shillings; to any howse in Mattabeseck, eight shillings; (hee hauing promised that hee will require no more;) and that hee shall bee freed for the time aforesaid from watching, warding and training; but not from finding armes, according to lawe.

The Courte is dissolved.

[29]  A Generall Courte in Hartford, the second Thursday of September, being [the] 9th day, 1652.

John Haynes Esq', Deputy.

Magistrates:  Mr. Webster, Mr. Wells, Mr. Woollcott, Mr. Clarke.
Deputyes: Mr. Tailecoat, Mr. Steele, Mr. Westwood, Andr: Bacon, Will: Wadsworth, Steph: Harte, Mr. Trott, Nath: Dickerson, Tho: Coleman, John Deming, Mr. Phelps, Mr. Gaylerd, Dauid Willton, John Bissell, Mr. Horsford, Will Smith, Will: Parker, Robert Chapman.

The Courte being mett, they did adiourne the same to the 6th of the next month.


John Haynes Esq', Deputy.

Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Gaylerd, Mr. Trott, Mr. Tailecoat, Mr. Westwood, Jo: Bissell, Tho: Coleman, Natha: Dickerson, Will: Hill, John Deming, Andr: Bacon, Will: Wadsworth, Will: Smith.

This Courte orders and appoints, that next Wednesday come seuennights shall bee kept a publique day of thanksgiuing to the Lord for his great mercyes to his people here and elsewhere, by all the plantations within this Jurisdiction.

It is ordered, that notice shall bee given to the Sachems of the Indians within this Jurisdiction, that no Indian shall walke or come neare vnto or amongst any English mens howses, in Townes or Farmes, on either side of the Riuere, or elsewhere, vppon the Lords day, except it bee in theire necessary way of recourse to the publique preaching of Gods word, vppon penalty of fyne or imprisonment, as any one Magistrate or more, before [whom] such offenders shall bee brought, shall judge meete, and as the nature of theire fact shall appeare to him or them to deserue.

This Courte desires Mr. Hill to acquaint the inhabitants of Norwaack that they require them to gave their reasons why they haue not sent deputyes to the Generall Courte nor made returne of the warrant sent to them for that end, and that neuertheless
the Courte expects that they should forthwith make and returne to Mr. Ludlow a true and perfect Liste of the persons and estates in their Towne, that a due proportion of all Comon charges may be borne by them, with the other Townes in this Jurisdiction.

It is ordered, that warrants shall goe forth from the Treasurer for halfe a Rate for the Country, according to the order of rating, to bee paid \( \frac{1}{3} \) in wheat, \( \frac{1}{3} \) in pease and \( \frac{1}{3} \) in Indian; wheat at foure shillings, pease at three shillings, and Indian at two shillings sixpence, pr' bushell.

The estates and persons of the seuerall Townes, presented to this Courte, were as followeth:

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<thead>
<tr>
<th>Town</th>
<th>£</th>
<th>s.</th>
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<tbody>
<tr>
<td>Hartford</td>
<td>19733</td>
<td>19</td>
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<tr>
<td>Wyndsoor</td>
<td>14093</td>
<td>00</td>
<td>0</td>
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<tr>
<td>Wethersfield</td>
<td>11499</td>
<td>00</td>
<td>0</td>
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<tr>
<td>Farmington</td>
<td>05164</td>
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</tbody>
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The Courte is adiourned to the last Wednesday in Feb'r next, in the afternoone.

[31] A Session of the Generall Courte, called by the Deputy Govenor, in Hartford, the 24th Febr. 1652.

John Haynes Esq., Deputy.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Talcott, Mr. Phelps, Mr. Steele, Mr. Westwood, Mr. Gayler, John Bissell, Dauid Willton, Nath: Dickerson, Tho: Colman, Andr: Bacon, Stephen Harte, Will: Smith.

Vpon a due consideratyon of the scarsity of provisions in some of the Plantatyons within this Jurisdiction, diuers persons already finding they are not suffitiently furnished with corne, flesh, etc. to carry on their family occasyons till the ordinary yearly season for supplyes comes about, It is ordered by this Courte that noe person or persons of what calling or quality so euer within this Jurisdiction or any Plantatyon theirof, doe
either directly or indirectly ship, put off, transport, carry, send or otherwise convey out of this Jurisdiction, upon or under any pretence or colour, plea or reason whatsoever, any quantity, greater or smaller, of wheat, rye, pease, Indian corn, malt, bisket, or any other graine or the preceed of it, or beeze, porke, bacon, butter, cheese, or any the like provisions for meate or drink, before the last of March next, or the next Session of this Courte, which is to be in Aprill next, without the license of the Deputy Governor, Mr. Wells & Mr. Webster, or either of them with the Deputy, under penalty of forfeiture of the double value, who are desired in the meantime to consider of some way how those persons that are like to want may be supplied. Advise also is to be sent to the former plantation excepted, that it may be of use to them to attend the foresaid order.


John Haines Esq\(^r\), Deputy.

*Magistrates:* Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

*Deputies:* Mr. Tailcott, Mr. Steele, Mr. Phelps, Mr. Gaylerd, Mr. Trott, Dauid Wilton, John Bissell, Andr: Bacon, Nath: Dickerson, Steephen Harte, Will: Wadsworth, Tho: Coleman, Mr. Westwood.

Wethersfield having presented Rich: Trott to be chosen Ensigne to the trained band in that town, this Courte declares that they approue of the choyse & conferme him in that place.

This Courte considering John Lattimors loss in his horse that dyed in the Bay, being not willing that the whole loss should lye upon him, they are willing to allow him out of the publick treasury the sum of fifteen pounds towards his horse & hire, which hee thankfully accepted in the Courte.

This Courte being willing to attend all the wayes of Gods Providence for the preservatyon & safety of the plantatyon of Sebrooke, with all other within this Jurisdiction, according to the power & means that is in their hands, doe order that six of the greate guns at Seabrooke shall forthwith, & with all possible
speede, be layd up & fitted compleatly vpon able carriages for the servis & defence of the said place & jurisdictyon at all times, as neede shall require, & doe allsoe desire Cap't John Mason to see the premisses effected, and for that end they doe impowre him to call forth men & meanes sutable, & upon refusall to press such hands & other meanes that shall be needfull; and Tho: Traisy & Jonath: Rudd are desired to be assistant to Cap: John Mason in what is now desired of him; the charges of all which shall be payd out of the publique Treasury.

This Courte judges the Deputyes actyon in marring Jeames Wakely & the Widdo Boosy to be legall.

The Courte is adiourned to the second Thursday in Aprill next, in the morning.

[33] A Session of the Generall Courte in Hartford, the 14 Aprill, 1653.

Mr. Haynes Esqr.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Gayler, Mr. Steele, Mr. Tail-coat, Mr. Westwood, Mr. Trott, Jo: Bissell, Nath: Dickerson, Dauid Wilton, Tho: Colman, Andr: Bacon, Will: Wodsworth, Steephen Harte, John Demyng, Will: Smith.

It is ordered that there shall bee speedyly sent downe to Cap't: Mason for the use of the Cuntry, as occasion p'sents, for the present one barrill of powder; and that one barrill more of powder from the Bay shall bee left there, when they come up, & wt else shall be thought meete by Mr. Ludlow & Mr. Cullick; it is also ordered that 8 able men shall be imp^ssed out of the Townes upon the Riuer, with compleat armes & sent to Sebrooke to bee at the command of Cap't. Mason, for the saruis of the Cuntry & defence of the place, by fortifying or otherwise at the Cap: descretion; and this Courte doth farther advise the inhabytants of Seabrooke that are scattered into several quarters, that they would, till they rec'e farther advice, speedily gather their familyes togeather in to the towne as they tender
theire own safty; & if any shall refuse to attend the Courts advice, they are to know that they must runn their own hazzards, the Courte not being able to releie them in such a scattered way as now they are in.*

Mr. Haines is desired to send downe to Capt. Mason, for the Crossletts that belong to the Townes, to be speedily sent up to the Treasurer.

It is ordered that this Collonye should haue its proportion of the whole millitary pruision, in all respects, & perticulars sent from the Corporatyon of Eng: to the united Colonyes.†

It is ordered by this Courte that all fynes & penaltys of any order, within this Commonwealth, shall be paid, from the time of the publicatyon hereof, in good wheate or pease or Indyon corne, at price currant, or in that which is equiuolent thereunto.

This Courte upon a due consideratyon of the seizure of Symon Yeosens vessell, at Pawcatuck, by seuerall of the inhabitants of Pequett, doe finde & judge that by his owne confession & other testimonys presented in Courte, according to the order of Courte in that case prvided that forbids all trade by foreigners with any Indyons within this Jurisdictyon, uppon penalty of confisscation, as by the said order more fully appears, the said Symon Yeosens vessell & goods aforesaid to be justly seized & forfited to this Common wealth, out of which the Courte allows him six pounds in wampom, togeather with his bedding & wearing apparrell & chest.

* "The commencement of hostilities, the last year, between England and Holland, the perfidious management of the Dutch Governor, with apprehensions of the rising of the Indians, spread a general alarm through the colony." (Trumbull’s Hist. of Conn. I 201.)

† "The Commissioners being informed that the Corporation in England had sent a percell of armes and ammunition, as a supply & for the conveniency of the United Colonyes, did order that the same should be devided as followeth:

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<thead>
<tr>
<th></th>
<th>£</th>
<th>s. d.</th>
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<tbody>
<tr>
<td>To the Massachusetts,</td>
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<td>8. 3</td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td>43</td>
<td>6. 3</td>
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<td></td>
<td>45</td>
<td>5. 2</td>
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<td></td>
<td>37</td>
<td>13. 0</td>
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<tr>
<td>To Plymouth,</td>
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<td>To Connecticut,</td>
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<tr>
<td>To New Hauen,</td>
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<td></td>
<td>338</td>
<td>12. 8</td>
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<tr>
<td></td>
<td>478</td>
<td>3. 4</td>
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</tbody>
</table>

For these supplies payment was to be made by such of the Colonies as should receive their proportions, within one or two months thereafter, and the amount received was to be appropriated "for the use of the Indians, as the Commissioners for the United English Colonyes shall from time to time direct." [Records of U. Colonies, May, 1653.]
It is ordered and agreed by this Courte, yt Capt John Cullick should reserve for the Countrys use, 300 bush: of wheate & 50 bush: of pease; & the Country is to pay forbearance 8l. pr centum for one yeare & to repay it at the end of the tearme, in the same grayne; in like manner is desired ten barrells of porke for the same use & tearmes:

This Courte orders that the neighboring Indyons to the seuerall Plantatyons within this Jurisdictyon should be required to giue an evident testimonye of their fidellity to the English, by d’d up their gunns & other armes to the Gouenor or Magistrates, & those that refuse so to doe may justly bee deemed & looked at by them as their enemies: & that they are not to shoot of any gunn or gunns in the night, or walk in the night, except they come with a message to ye English, & in such cases they are to d’d up themselves to the watch, but if they runn away from the watch, being comanded to stand, the watch may shoote ym.

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[35] **May the 18, 1653. The Generall Courte.**

John Haynes Esqr, Gou'r.
Edw: Hopkins Esqr, Deputy, absent.

*Magistrates*: Roger Ludlow Esqr, absent;* John Winthrop Esqr, Cap: Cullick, absent;* Cap: John Mason, Mr. Webster, Mr. Woolcott, Mr. Clark, Mr. Howell, Mr. Taping, absent.

*Deputies*: Mr. Steele, Mr. Talcott, Mr. Westwood, Andr: Bacon, Mr Phelps, Mr Gaylard, David Wilton, John Bissell, Mr. Trott, Nath: Dickerson, Sam: Smith, Tho: Coleman, Stephen Hart, Mr.Ward,Mr. Hill, John Clarke, Rob: Chapman, Will: Cheesbruck, Hugh Callkin, John Hall Junior, Rich: Olmsted, Phillip Graues.

The inhabitants of the East side of the greate Riuers are exempted from training with the Towns on the West side, this present time, & are to meeete on the East side as Will: Hill shall appoint & traine their together, and so to continuue on their

* Mr. Ludlow and Capt. Cullick were at this time attending a meeting of the Commissioners, in Boston.
training dayes untill the Courte take furder order: & Will: Hill is to returne the names of those that doe not meete according to appointment, as notis shall be giuen them.

Tho: Woodford is freed from watching, during the pleasure of the Courte.

Roger Ludlow Esqr and Capts John Cullick are chosen Commissioners for this yeare ensuing, and are invested with full power to agitate such occaytions as concerne the united Colloynes in the business of this Jurisdictyon, according to their former Commission.

There are to be prest out of this Collony, 60 men, besides officers, which are to be p^portioned out of the severall Towns p^ Mr. Talcott and Sam: Smith, Mr. Hill & Dauid Wilton; they are also to p^portion for the p^visions sutable for such a servis, for two months time.*

MAY THE 29TH, 1653.

Will: Lewis & Will: Phillips doe acknowledg themselves to be a hundred pounds indepted unto this Jurisdictyon: the condition is, that yf Jon: Doyes shall be of good behauior to all peopell within this Jurisdictyon to the end & Terme of tenn days next ensuing, then this obligatyon is voyd, otherwise to stand in force.

Will: Waller is to deliuer unto John Clarke Junior, of Sea-brooke, a pair of carte-wheels that the said Waller hath now in vse, within 8 days after this date, & the wheeles are to be aprised by Francis Bushnell, Steeph: Post & Tho: Tracy, & what the said Waller is indepted upon account unto the said John Clarke is to be allowed out of the prices of the wheels, & the said Waller is to pay unto the said John Clarke, for his dammage, 30s, as allso the cost of the Courte.

* The Commissioners of the United Colonies, who were at this time in session at Boston, having "considered what number of souldiers might bee requisite if God call the Colonynes to make warr against the Dutch, & concluded that five hundred for the first expedition should bee the number out of the foure Jurisdictyons," apportioned this number to the several colonies as follows; to Massachusetts, 333; Plymouth, 60; Connecticut, 63; New Haven, 42. Captain John Leverett, of Boston, who had been despatched as the agent of the Commissioners, to the Manhattoes, to treat with Gov. Stuyvesant and his Council, was selected as Commander in Chief of the forces to be raised, "with respect to the opportunity hee now hath to velw & observe the scituation & fortifications at the Monhattoes." [Records of U. Colonies.]
Capt. Sebadoe is this day fined ten pounds for bartering with the Indyons, powder & lead.

Forasmuch as John Dawes hath giuen forth threatening, malicious speeches against Mr. Hopkins his person, for his executing of justice (when hee was Governor,) on the said Dawes his wife, this Courte censures the said John Dawes to bannishment; that the said John Dawes shall within ten days ensuing depart from this Jurisdiction, and not to returne againe to any place within this Jurisdiction on the perill of his life.


Searjant Rich: Olmsted is allowed by the Courte to exercise the souldiers att Norworke & to vewe the armes & to make returne to the Courte of the defects.

Whearas ther is a difference betwixt Norwauke & Farfield, each towne is appointed to send two men to vewe the place and debate betwixt themselues, & if they cannot agree they are to make choyce of two inhabitants of Stratford to vew the said difference with them & make returne to the Courte how they finde it, that so there may be an issue of the same, they paying the sayd Stratford men for their time. Will: Berdsly and Phillip Groues are appointed by the Court to that servis.

The Courte hauing received order from the Commissioners that their are to be sixty fiv 5 men to be prepared forthwith*, to be at a day's warning, with prouisions sutable; the Courte rayseth the men out of the severall towns of this Jurisdiction as followeth, who are to be forthwith impressed to be at a days warning or call, as also that sutable prouisions and ammunity shall be forthwith prepared:—

<table>
<thead>
<tr>
<th>Town</th>
<th>Men</th>
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<tbody>
<tr>
<td>Winser</td>
<td>12</td>
</tr>
<tr>
<td>Pequett</td>
<td>5</td>
</tr>
<tr>
<td>Mattebezek</td>
<td>1</td>
</tr>
<tr>
<td>Norwack</td>
<td>1</td>
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<tr>
<td>Hartford</td>
<td>15</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>8</td>
</tr>
<tr>
<td>Farmington</td>
<td>3</td>
</tr>
<tr>
<td>Seabroock</td>
<td>5</td>
</tr>
<tr>
<td>Farfield</td>
<td>8</td>
</tr>
<tr>
<td>Stratford</td>
<td>6-64</td>
</tr>
</tbody>
</table>

The officers of this Company, that the Courte requires to be over them are as followeth:—

Lieutenant Cooke is to be Commander in Cheife;
Lieutenant Bull, to be their Lieutenant;

* See note on page 241, ante.
Lieutenant Thomas Wheeler, of Fairfield, to be their Ensigne; Rich: Olmsted, of Norwocke, to be a Seriant, & the other Seriant is to be chosen by the officers of this Company; Hugh Wells, to be their drummer.

The Courte orders that there shall be a Committee in each Towne in this Jurisdiction, with whom the Constables of each Towne shall take their advice in the pressing of men for this present expedition. The names of the Committee are as followeth; For Windsor, Mr. Woolcott, Mr. Chester, Mr. Clarke, Mr. Phelps & David Wilton; for Hartford, Mr. Webster, Mr. Westwood & Good: Bacon; for Wethersfield, Mr. Wells, Nath: Dickerson, Sam: Smith; for Farmington, Mr. Steele, Good: Harte; for Pequett, Mr. Wintopp (if at home,) Capt: Denison, Good: Calking & the Constables; for Seabroock, Capt: Mason, [37] Good: Clarke & Good: Chapman; || for Stratford, Good: Groues & Good: Thorenton; for Fairfield, Mr. Ward & Will: Hill.

The Court orders that the military officers of Stratford shall remaine as they ware before Mr. Ludlowe went away, untill Mr. Ludlowe returne againe.

Granted to John Winthrop Esqr, the trees or timber of three or four swamps where he can finde any Pine, Spruce or Cedar, or any other wood fitt to sawe, & liberty to cutt any other timber in any part of the wast lands for the supply of his saw mill.

The provisions to be prepared by this Jurisdiction for the present expedityon, are as followeth; 6 bb. of Porke, 4 bb. of Flower, 3500 lb of Bread, 4 firkins of Butter, 400 lbs of Cheese, a bb. of oat meale, 1 ancor of Licquors, 2 bush: of salt, a tunn of Bear, 2 hh. of pease.

Richard Lettin complayning that his deafnes makes him un-capable of trayning, & hee desiring to be freed, its referred to the Townsmen of Fairfield to consider of it, & to free him if they see good cause.

The Court is adiorned vnto the last Wensday in June, at one of the clocke, unless the Governour see cause to call it sooner.
A Session of the Generall Courte, in Hartford, called by the Governor, this 25th of June, 1653.

It is ordered by this Courte that their shall forth[with] bee presented to the Bay, the present stresses, fears & dangers that the English bordering vpon the Dutch, both upon the mayne & Long lland, are in:

Secondly, to present the judgment of the Courte concerning the power of the Comissioners about making warr:

Thirdly, to present the reasons & grounds of the Courtes judgment, as aforesaid:

Fourthly, humbly to craue that the designe may goe on according to the consult of the Commissioners & therefore that three Magistrates may giue a call to the Commissioners to meete in thses parts for the managing of the present occatyons of the Collonyes, according to the Articles of Confederatyon. & that if thses things bee denied, then in like manner to desire that we may haue libberty to gather up voluntiers amongst them, to inable us to promote or own safty & effect what necessarily conduces thereunto.

June the 27, 1653.

Whereas there are certaine barrells of powder and ammuni-tyon* that came out of the Bay into this Riuier & Jurisdiction due to this Collony from or friends in England for reasonable pay, it is therefore ordered, that the same be kept intire, not devided, vntill the expedition now in hand bee over, or else this Courte giue other order to the contrary.

It is ordered that Mr. Haynes & Mr. Ludlow shall treate with Mr. Eaton & or friends of New Hauen, boath about the ship, as also what incouraygment to sende to the English of Long Island & Indyons, as friends.

The Generall Courte is adiorned untell the last Thursday in July, if in the meane time the Governor see not cause to call it sooner.

* See note, on page 239, ante.
A Session of the Generall Courte in Hartford, this 28 of July, 1653.

John Haynes Esq', Governor.

Magistrates: Mr. Woolcott, Mr. Webster, Mr. Cullick.

Deputyes: Mr. Phelps, Mr. Trott, Mr. Tailcott, Mr. Westwood, Edw: Stebbing, John Bissell, Nath: Dickerson, Sam: Smith, Andr: Bacon, Tho: Coleman, Stephen Harte, John Halls.

This Courte desires the Governor to write to Capt. Mason, yt he would heare ye difference between James Ellis & Pataquack Indyons, & if hee can, to end it, and to let them know from the Courte that if hee doe not end it they must come up to the Courte.

The Courte is adiorned to this day fortnight, at one of the clock in the afternoone.


Mr. Haynes Esq', Governo^.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Gaylard, Mr. Phelps, Mr. Trott, Mr. Tailcott, Mr. Westwood, Edw: Stebbing, John Bissell, Andr: Bacon, Daud Wilton, Sam: Smith, Tho: Coleman, Steph: Harte, Will: Smith, John Hall.

Mr. Ludlow & Mr. Cullick are desired to attend the next meeting of the Commissioners at Boston, in Sept. next.

This Courte appoints the Govornor, Mr. Webster, Mr. Cullick & Mr. Tailcott, as a Committee to treate with the owners of the Frigott, & agree with them for the use of the same, & to d'd her up to them as soone as they can.

This Courte consents that the Treasurer should receive of Capt. Cullicke, ye some of 10l. or 20l. for ye Countries vse, which they will repay.

The Courte is dissolved.
[40] A Generall Court held the 8 of September, 1653.

John Heynes Esquire, Governor:
Mr. Webster, Mr. Woolcott, Mr. Clarke, Mr. Welles.

[Deputies:] Mr. Steele, Steev: Harte, Mr. Talcott, Mr. Westwood, Andr: Bacon, Edward Stebbing, Mr. Gaylard, David Wilton, absent; John Byssell, John More, Capt. Dennison, Good: Chesbroock, Andr: Winard, Tho: Morehouse, Rob: Webster, Will: Smith, John Clarke, Robt Chapman, Nath: Dickenson, Sam: Smith, Mr. Trott, Tho: Coleman.

Liutenant Cooke is allowed fifty acres of meadow in Massaconoe. This Li Cooke ownes to be in his father Ford's improve-m', at a Court in May, Anno '61.

The Courte doth grant the soulders of these 4 Townes upon the Riuier and Farmington, one day for a Generall Trayning toegather, & they haue liberty to send to Capt. Mason to desire his presence & to give him a call to command in chief, & to appoint the day; pruied that each Towne shall haue power to reserve a guard at home, for the safty of the Townes, as occasion shall searue.

It is ordered that Hartford Guard shall be allowed halfe a pound a powder for a man upon the Electyon day, & no person is to desert the Guard that is therein lysted but with liberty from the Governor.

The list of the persons & estates in the several Towns:

<table>
<thead>
<tr>
<th>Town</th>
<th>Persons</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>19749</td>
<td>01968</td>
</tr>
<tr>
<td>Windsor</td>
<td>15084</td>
<td>01501</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>12243</td>
<td>03334</td>
</tr>
<tr>
<td>Farmington</td>
<td>05157</td>
<td>8822</td>
</tr>
<tr>
<td>Seabrooke</td>
<td>04268</td>
<td>7450.19s</td>
</tr>
</tbody>
</table>

The Court granteth Mr. Winthrope liberty to improve for his own particular, ten acres of ground, where it may sute him for the keeping of goats, betwixt this & Pequet, without the bounds of the libbertyes of the plantatyons; & likewise he hath liberty to finde out a place for the setting up a saw mill where it may not prejudice the plantatyons or farms allredy giuen out.

Liutenant Cooke is to haue 50 acres in Massaconoe, on boath sides the Riuier, next aboue the Fauls. John Bissell is also
to haue 60 acres on both sides the aforesaid Riuer, next the Leistennant.

There is also granted to Tho: Ford 50 acres at Massacoe, whereof foure & forty hath bine improved by him by plowing & mowing as it was measured by Mathu: Graunt, bounded by the upland south west & compassed round by the Riuer, unless it be about 30 Rodde on the south east against another stripp of meadow.

There is five pound to be payd by the aforesaid partyes to the Tresurer, which was formerly disbursed by the Country.

It is desired, that Mr. Woollcott & Mr. Clarke should dispose of the remainder of the ground at Massacoe, to the inhabitants of Wyndson, as they judg convenient, & to order the laying out of the former grants.

[41] Whereas it is obserued that many seamen, diuers times waygh anker in the harbours of severall Plantatyons within thes libbertyes, & pass out on the Lord's Day, to the griefe & offence of the behoulders; for the preventing whereof, it is ordred, that after the publishing this order, noe vessell shall depart out of any harbour within this Jurisdictyon but the master of the boat or vessell shall first giue notis of the occa- tyon of his remoue to the head officer of the Towne next the said harbour where they see ancor & obtaine lysence under the hand of the said officer for his liberty therein; otherwise they shall undergo the censure of the Courte.

The Courte is adiorned to the last Wensday of this month, at 9 a clock.

A Generall Courte in Hartford, caled by the Govornor, upon especiall occatyon, 21th Octobr, 1653.

John Hayns Esq", Govor.
Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputyes: Mr. Phelps, Mr. Trott, Mr. Tailcott, Mr. Westwood, Mr. Steele, absent, Mr. Gaylerd, absent, Edw: Stebbing, Andr: Bacon, John Bissell, Dauid Wilton,
Nath: Dickerson, John Hollister, John Deming, John Coles, Will: Smith, Rob: Webster, absent.

This Court desires the Magestrates & Deputyes of the Courte in Windsor to consider of the complainte of some there about the burning of tarr in or neare unto the towne, to their offence & prejudice, & to order the same as they judge meete, for the preventing of inconveniences for the future.

Mr. Gouorno', Mr. Ludlow, Mr. Tailcott & David Wilton are chosen for a Committee to goe next seconnd day to Newhauen and meete with their Committee to consider aff:*

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[42] A Speciall Generall Courte, caled by the Govornor, held in hartford, the 29 October, 1653.

John Haynes Esq', Govornor.

Magistrates : Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes : Mr. Tailcott, Mr. Westwood, Mr. Phelps, Mr. Trott, Mr. Hollister, Mr. Dan: Clarke, Edw: Stebbing, Andr: Bacon, John Bissell, Nath: Dickerson, David Wilton, John Deming, Steph: Hart, John Coale, Good: Calking, Good: Meads, Will: Beardsly, Tho: Sherwood, Rob: Webster, Will: Smith.

It is ordered by this Courte, that the writings which have beene read in the Courte, shall be sent to the Bay, and to Colonnell Fenwick, Mr. Hopkins & Colonnell Haynes,† vnder the

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* The refusal of Massachusetts to bear any part in the proposed war against the Dutch, which had been resolved upon by the Commissioners of all the other N. England Colonies, at the meeting in September, gave great offence to their confederates, and was announced by the latter as a violation of the articles of confederation and tending to a dissolution of the union. Special sessions of the General Courts of New Haven and Connecticut were convened shortly after the return of their Commissioners from Boston, and the former Colony determined upon seeking redress and aid from England. An address to the Lord Protector was voted, and an agent appointed to solicit from the Parliament, ships and men for the prosecution of the war.

A Committee was appointed to confer with Connecticut; to meet with whom, for the purpose of 'considering affairs,' the General Court of Connecticut appointed the Committee named above. The week following, letters were ordered to be addressed to Massachusetts,—and to Col. Fenwick, Mr. Hopkins and other influential friends of the Colony, in England. [New Haven Records: Trumbull's Hist. of Conn. ii. 212.]

† This was probably Hezekiah, second son of Governor Haynes, who (with his elder brother, Robert,) remained in England. In the civil war he sided with the Parliament, and eventually became a major general under Cromwell. [Trumbull's Connecticut, i. 216 Note.]
Secretary's hand, as from the Generall Courte, for them to doe therein according to their wisdomes & light.

It is ordered & granted that warrants shall issue forth from the Tresurer, to the seuerall Townes in the Jurissdictyon, for the leving of a Rate & halfe, for this yeare, to be payd $ in wheate, at 4ss. pr bush: $ in peass or rye, at 3ss. pr bush: & $ in Indyon corne, at 2ss. bd.

Mr. Ludlow, Mr. Wells, Mr. Westwood & Mr. Hull are desired to keepe a perticuler Courte at Farfield, before winter, to execute justice there as cause shall require.

The Courte is adiorned to the first Wednesday in December next, in the forenoone, except the Governor see cause to call it sooner.

A Session of the Generall Courte, in Hartford, the 23th of Novemb', 1653.

John Haynes Esq', Gover'r.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Tailcott, Mr. Trott, Mr. Westwood, Edw: Stebbing, Dauid Wilton, Andr: Bacon, John Bissell, Nath: Dickerson, Dan: Clarke, John Hollister, John Deming, Steep: Harte, John Coale, Rob: Webster.

This Courte taking into there serious consideratyon the complainte of the inhabitants of Middletowne, concerning John Willcock, doe order, that John Willcock shall, within 12 moneths from this time, build a tenetable howse upon the home lott giuen him by the Towne or layd out to him by them, & liue therein according to agreement, & so long as other inhabitants in that Towne are injoynd & haue agreed to liue uppon their lotts, if he soe long liue, or elce prouide an inhabitant to liue thereon in his stead for the time aforesayd; which if he shall neglectt to doe, then his home lotts & all his other allotments thereunto appertaining shall returne to the Towne & bee to ym and at their dispose, as if they had never beene laide out to him.
This Courte approues that the name of the Plantation commonly called Mattabesick shall for time to come bee Middel-towne.

This Courte agrees & concludes that the 20l. formerly granted to a fellowship in Harvard Colledg. shall be payd next spring.

This Court is adiorned to Wednesday next, at 9 a clock in the morning.

[43] A Session of the Generall Courte in Hartford, the 30th of November, 1653.

Mr. Haynes Esq', Gouornor.

Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Tailcott, Mr. Phelps, Mr. Trott, Mr. Westwood, Dan: Clark, John Bissell, Dauid Wilton, Edw: Stebbing, Nath: Dickerson, Andr: Bacon, John Deming, Mr. Hollister, Stee: Harte, John Coale, Rob: Webster, Will' Smith.

The Courte is adiorned to the first Wednessday in March next, after Lecture.

A Session of the Generall Courte in Hartford, the first of March, 1653-54.

Magistrates: Mr. Wells, Moderator. Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Phelps, Mr. Tailcoat, Mr. Trott, Mr. Westwood, Dauid Wilton, John Bissell, Andr: Bacon, Nath: Dickerson, John Deming, Rob: Webster, Will: Smith, Edw: Stebbing.

Vpon the complaint of Pawcatuck Indyans, this Courte orders, that they shall enioye their planting ground at Paucatuck, prouided they cary friendly & peacably to the English:—

And Goodman Stebbing & Good: White, being to goe to Paucatuck, haue libberty granted them to looke out & finde where Mr. Haynes may haue at Paucatuck the farme of three
hundred acres formerly granted, which was then to abutte in part or whole uppon Paucatuck Riuera, & they to make report to the Courte of what they shall finde & the true bounds of what is desired.

This Courte being informed that the inhabitants of Pequett have taken possesion of Vncus his forte & many of his wig-wams at Monheag, doe order, that a letter should bee writte from the Courte to the inhabitants, to acquaint them of Pequett, to advise them not to molest the Indyons in their planting ground or other rightfull possessions, & that if they have done as is complayned, the Courte expects they should give an account of their soe acting.

The Courte is adiorned till Munday next, at 8 a clock.


In respect of a sad breach God hath made amongst us, in regard of the sudden death of the late Governor,* & the like mortallity of our neibours in the Bay, & some eminent removalls of others, & spreading opinions in the Collonies, the condityon of our native Countrey, the alienations of the Colonies in regard of the Combinations, It is therefore ordred that ther may be a day of humiliation throughout this Jurisdictyon, on the 15th day of this month.

A Session of the Generall Courte in Hartford, 6th March, 1653.

Magistrates: Mr. Wells, Moderator. Mr. Ludlow, Mr. Winthrop, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clark.

Deputyes: Mr. Phelps, Mr. Tailcoat, Mr. Westwood, Mr. Trott, Edw: Stebbing, John Bissell, Dauid Wilton, Nath: Dickerson, Dan: Clarke, Andr: Bacon, John Deming, Robt: Webster.

Mr. Tailcott and Mr. Sam: Willis were voated & passed to be nominated at the next Generall Courte of Electyon, for Magistrates.

*Gov. Haynes died March 1st, 1653-4.
It is ordered, there shall be a speciall warrant granted to Jonathan Guilbert toarest Tho: Baxter for his severall misdemea-
meanors committed within this Jurisdictyon, to the disturbance
of the peace thereof, & the said Jonathan to haue power to
rayse such considerable forces as hee sees meete to execute his
warrant.

Mr. Westwood & Rich: Goodman are desired to veiw the
prison & cause such reperatyons to be done thereunto as they
judge meete.

It is ordered, that Stratford & Fairefild should each Towne
chuse a man, to be chosen Assistants to the Magistrates, and
present them to the next Courte of Electyon for that end.

The Courte is adiourned to the third Wednesday in Aprill
next, by 9 a clock in the morning, except the Moderator sees
cause to call it sooner.

[45] Att an Assembly of Freemen, in Hartford, this 16th
Febu: 1653, to chuse a Moderator.*

Mr. Thomas Wells was chosen Moderator for the present
Generall Courte under adiourmt: & was invested with full
power by them to call the next Generall Courte of Electyon.

A Session of the Generall Courte in Hartford, the 6 of
Aprill, 1654.

Magistrates: Mr. Wells, Moderator. Mr. Webster, Mr.
Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Tailcott, Mr. Phelps, Mr. Trott, Mr.
Westwood, Dauid Wilton, Edw: Stebbing, John Bissell,
Natha: Dickerson, John Holister, Dan: Clarke, John
Deming, Andr: Bacon, Rob: Webster.

Vppon informatyon of some weaknes that for the present
attends the body of Mr. Mathew Allen, this Court frees him
from trayning for the present untill they see cause to the con-
trary.

* This was rendered necessary by the death of Gov. Haynes, and the absence of Deputy Gov-
ernor Hopkins, who was now in England.
This Court having duly considered the insufferable, reproachful speeches of Thom: Baxter against the Cheif of this Jurisdiction, & his insolent carriages in seuerall p'ticulars (testyfied upon the oath of seaverall credible persons,) to the greate disturbance & breach of the peace of this Common wealth, doe

order & sentence, that the saydTho: Baxter shall pay as a fine to the Common Treasuory the summ of fifty pounds, besides the 20l. allredy seized for the breach of his Recogniscance, & that he shall alsoe putt in 200/. bond as security from some able person in this Jurisdictyon, that the Courte shall approue & accept, for his behauior of the space of one whole yeare next ens[uing],] and be farther responsible to Newhaven & Road Iland for what misdemeanors he hath committed in their Jurisdictyons.

Rob: Griffen, of Newport, in Roade Iland, maketh oath in Courte, that hee did supply Tho: Baxter with what meate or provisions hee needed for himselfe & could haue supplyed him and all his men with provisions from October last to this day, whereby it appears that the ground of Baxters running away from Road Iland was not through want of provisions for his men, as he falsly pretended.

[46] This Court uppon the complaint of Mr. Sam: Mayo against Tho: Baxter for his unjust seizure of his vessell, the Desire, of Barnstable, & his goods therein, vnder a pretence of a commityon recev'd from Roade Iland, hauing duly weighed the premeses & considered all that the said Baxter can or will say in his owne defence, for his soe doing, doe finde, adiudge & declare, that the sayd Baxter hath not acted therein according to his commission or instructyons, & therefore his seizure is vniust, whereby the sayd vessell, with all that belongeth unto her, is adiudged of right to belong unto the sayd Mr. Sam: Mayo; & doe also adiudg the sayd Tho: Baxter to pay unto Mr. Mayo, for damage in severall respects sustained by him, by reason of the aforesaid vniust seizure, one hundred & fifty pounds; and the cable at Mr. Briants to be d'd to Mr. Mayo; & the said Baxter is to d'd in to Mr. Mayo the 2 bonds, one of 40l. & another of 1000l. giuen him by Dickenson & Karman, of Hempsted, in reference to the seizure: the perticulars are as followeth:—
Imps For 3 mens wages & himselfe from 18 Aug. last, 68. 0. 0
For waring cloaths & bedding, . . . 10. 0. 0
For swords & gunns, . . . 6. 0. 0
For 1bb of tarr, . . . 1. 4. 0
For expences in trauell in p'suance, . . . 10. 6. 0
For sayls & ropes that are lost, . . . 12. 0. 0
For a hh. of meale, . . . 2. 10. 0
For the loss of the use of the vessell, . . . 40. 0. 0

150. 0. 0

Only it is provided & explained that if the said Baxter shall returne with the vessell to the sayd Mayo the sayls & ropes, with two swords and 4 gunns which are taken from the vessell, they are to be discounted as part of payment out of the 150l. damage, at the price of 18l.

[47] This Courte, considering the order sent over from the Counsell of State by authority of parlaiment of England, that as wee expect all due incoridgment, aide and assistance from the said Common wealth of England, as the state and condityons of affaires will admitt, soe it is expected that wee should in all cases so demeane o'selues against the Dutch as against those that haue declared themselues enemies to the Coðnon wealth of England, doe therefore order & declare, that the Dutch hose the Hope, with the lands, buildings & fences thereunto belonging, bee hereby sequestred & resarued, all perticular claimes or pretend right thereunto notwithstanding, in the behalfe of the Common wealth of England, till a true tryall may be had of the pr'mises, & in the meane time this Court prohibitts all persons whatsoeuer from improving of the premises by virtue of any former title had, made or giuen, to them or any of them, by any of the Dutch natyon, or any other, without the aprobation of this Courte, or except it bee by virtue of power & order rec'd from them for their soe doing; & whatever rent for any part of the premises in any of their hands, it shall not be disposed off but according to what order they shall receive from this Court or the Magistrates thereof.

This Courte considering & beeing deeply sensible of the sad effects & consequences that attend Indyons being supplyed or furnished with liquors or strong water, whereby they haue
of Connecticut.

beene acquainted with and exposed unto the commission of a grievous sinn to the greatedishonor of God, abuse of themselues & great hazard of their liues & peace of others, doe therefore order, sentence & declare, that it shall not be lawfull for any person whatsoever, male or female, one or other, within this Jurisdictyon, either directly or indirectly, to sell, barter, lend, giue or any otherwise, under any plea, coller or pretence whatsoever, convey to any Indyan or Indyans, small or greate, any strong water or liquors, sack or any other sort of wine of any kinde, upon penalty of five pounds for a pint, for every pint of either wine or liquors aforesayd, & forty shillings for the least quantyte; one third part of the penalty to bee & belong to those that shall informe & proue any delinquency, *to the publique Treasury.

[48] It is also ordred, that whatsoever Berbados Liquors, commonly caled Rum, Kill Deuill, or the like, shall be landed in any place of this Jurisdictyon, and any part thereof drawn and sold in any vessell, lying in any harber or roade in this Common wealth, after publicatyon of this order, shall be all forfeited & confiscated to this Common wealth; & it shall be lawfull for any person in this Jurisdictyon to make seizure thereof, two thirde parts to belong to the publique treasury & the other to the party seazing.

And it is also farther ordred, that every ancor of Liquors that is landed in any place within this Jurisdictyon, shall pay to the publique treasury 10s. & every butt of wine 40s. or hodshede of wine 20s. or quarter cask 10s. wheather they are full or noe. *This order repealed, M'rch 12th, '58-'59.

It is alalso ordered, that none shall haue liberty to retaile any quantity of strong waters or wine of any sort without a license from the Courte of Magistrates, uppon peanalty of 20s. for every default.

The Courte is adiorned till next Wednesday come fortnight, at one of the clock in the afternoone.

* "and two thirds," or words equivalent, seem to have been omitted here.
A GENERALL COURTE OF ELECTYON, THE 18TH DAY OF MAY, 1654.

Edward Hopkins Esq', chosen Gouornor. absent.
Mr. Wells, chosen [Deputy] Gouornor.

Magistrates chosen: Mr. Webster, Maior Mason, Mr. Winthop, John Cullick, Sec'; Mr. Woolcot, Mr. Clarke, Mr. Willis, Mr. Tailcot, Tresur'.

Deputyes: Mr. Steele, Mr. Westwood, Mr. Trott, Mr. Phelps, Mr. Fitch, Capt. Denison, Mr. Warde, Hugh Calking, John Bissell, Dauid Wilton, Tho: Foard, Andr: Bacon, Will: Hill, Dan: Titterton, Tho: Coleman, John Hollister, Phill: Graues, John Lattimore, Mathu: Grisswold, John Cole, Rob: Webster, Will: Cornwell, Mathu: Marven, Mathu: Camfield.

The freemen voted that this Generall Courte should have power to chuse Commissioners for the ensuing yeare.

The freemen voted & ordered to bee added to the Fundamentals, as followeth:—

That the maior p't of the Magistrates, in the absence of the Govornor & Deputy, shall have power to call any Generall Courte; and that any Generall Courte, being legally called & mett, the maior p't of the Magistrates & Deputyes then mett (in the absence of the Govornor & Deputy,) shall have power to chuse vnto & from among themselues, a Moderator; which being done, they shall be deemed as legall a Generall Courte to all intents & purposes as if the Govornor or Deputy were present.

The names of those who at this Courte ware mayd free, are as followeth:—

Hartford; Walter Gray, Willam Williams, John Clow, Nathan: Rusco, John Stedman:

Windsor; George Grissell, Samm: Marshall, Joseph Lummis, Thomas Lummis, Nathan: Lummis, Simon Woolcott, Joseph Phelps, Samm: Grant, Walter Lee, Anthony Hoskins, Nicholas Wilton:

Wethersfield; Thomas Wright, James Wright, John Graues, Phillip Smith:

Midletowne; William Harris, George Graues, Samm: Stock-
ing, John Savidge, Samm: Hall, Natha: Browne, George Hubbard:

Norwack; Mathu: Camphile, Thom: Hanford:


[50] It is ordred by this Courte, that Mr. George Hull & Allexander Knowles, of Fairefild, Phillip Graues, of Stratford, & Mathew Camfill, of Norwack, shall be Assistant to such Magistrates or Magistrates as the Courte shall at any time send among them, in the executyon of justice, & they hereby impouer them to examine misdeameanors, to graunt out suinons, or bind ouer delinquents to Courte, in this Jurisdiction, for either of them to marry persons, to press horses by warrant from them as the publick welfare of this Common wealth & their particular Towns may or shall at any time require; they giuing an acco* to this Courte of the same, when required thereunto.

This Courte taking into consideratyon the complaint of Vncus agt some in Pequett for laying out & taking up parte of his land which hee conceiues they haue no right unto, doe desire, with the consent of the said Vncus, that Maior Mason would as speedily as hee may, taking Mathew Grisswold, of Seabroocke, with him, goe to Pequett & joyne with Mr. Wintrop to draw the line betwne Pequett & Vncus according to the bounds graunted that towne, beginning their line & soe carrying it on in the most indifferent place & way, that noe advantage (as neare as can,) may be taken by Points or Coues, either to them or this Jurisdiction, but that which is most equall on boath sides to be attended; which being done, they are desired to sett downe where they finde the line to end, & indeavør to compose differences bet: Pequett & Vncus, in loue and peace; and what they shall doe in there premises, in euery respect, they are desired to make repourt of to the Generall Courte.

Mr. Hopkins & Mr. Wells are chosen Commissioners for the yeare ensuing, & if Mr. Hopkins come not in season to attend that saruis, then Mr. Webster is desired to supply his absence.

It is ordred by this Courte, that the Assistants at the sea side shall haue liberty & power to examine those p'sent misdeame

nors amongst them, & as they finde cause either to sende up
delinquents to come to there tryall at Conetytcut, or otherwise to sende up for som Magistrates to goe theither to keepe Courte amongst them. Mr. Deputy, Mr. Webster & Mr. Clarke were desired & appointed to attend that saruis if neede soe require.

Robert Webster is confirmed by the Courte Leiftenant in Middeltowne, for the yeare ensuing accord: to the motyon of the Towne.

Mr. Tailcoate & Andrew Bacon are desired to goe downe to Seabrook & attend the petityon of the inhabitants of this Towne.

It is ordered, that the Secretary of the Courte shall truly in the Country Booke of Records record the agreement of this Jurisdictyon with Colonell George Fenwick Esqr", about the forte.

Whereas, not withstanding an order of this Comon wealth that noe corne or provityons mentyoned theirin shall be transported out of this Jurisdictyon upon penalty of confisscatyon, except they enter the same with the Committy appointed by the Courte, & giue in security to them or either of them that the premises shall be delievered as in the said order* is expressed, much corne & other provisions contrary to the sayd order is transported, and the end of the order hazarded; for the prevention whereof this Courte doth hereby authorize Cap* Denison, of Pequett, upon all vessells that come into yt Harber, and for yt end hee is farther authorized to goe aboard any such vessells & to require an account of theire loading & sight of their Cockett,† & such vessells as hee findes that the Ma's: of them haue not attended the aforesaid order, hee shall stop and binde ouer the said Ma's: with suffitient security, to answer the same at the next Courte at Hartford; for which hee shall haue one fourth parte of what the said Courte shall see cause to take from such delinquents, by virtue of the aforesaid order, & the Ma of each vessell that lades at that Towne, in prt or whole, shall enter his cargoe & giue in security to him in the behalfe of this Jurisdictyon, according to that order, to whome hee shall graunte a certificate, for which the Ma of each such vessell shall pay unto him 12d.

* Page 131, ante.  † A custom-house voucher, or permit.
This Courte declareth to Herman Garritt, yt for the present they judge the profe about ye land the Country claimes to bee stronger then his, that is in pt. of the Pequett Country, & therefore the grounds of his claime to it not to bee of sufficient strength, & soe consequently at the Countrys liberty to dispose of, & therefore they advise Herman Garritt not to molest Mrs. Haynes in the improuement of it, hauing sufficient libertie of planting by it for hismefte & his men, & that if he can produce any further or clearer testimony to evince his right, the Court will attend it.

Edwar Stebbing & Tho: Coleman are appointed to draw up some rules for sealing leather etc.

The Courte adiorned to the first Wednesday in Aug: except the Deputy see cause to call it sooner.

[53] A Session of the Generall Courte in Hartford, called by the Deputy Govor', this 13th June, 1654.

Mr. Wells, Deputy Govor'.

Maior Mason & John Cullick are chosen Commissioners for the yeare ensuing, and are desired to goe downe to the Bay, and attend the service there as occasions p'sent.

The Commission of Maior John Mason, of Seabrooke, and Capt. John Cullick, of Hartford, men of approved fidellity & discretion, now sent from the Generall Courte of Conneticut, assembled in Hartford aforesaid, this 13 day of June, 1654:—

Whercas, the Generall Courte of Coñetticutt haue rec'd a letter from his highness Oliuer, Lord Protector of England, Scotland & Ireland, in reference to an expedition which is judged necessary without delay to be attended, wherein all the Colonies are (as is conceiued,) deeply concerned, doe therefore send you as agents from this Collonye to treate with Maior Rob: Sedgewick & Capt: John Leveritt, sent ouer with Comission from his said Highness, now at Boston, or else where, with such other person or persons as are joined in comission or counsell with them, either from his said Highness or any of the Colonies, about all matters and things what soe ever, that may appeare

* The names of the other members of the Court are not recorded.
necessary to bee debated, relating to the aforesaid expedityon; and you are to certifye upon all occatyon what shall bee the result & issue of yr negotiations in reference to the premises.*

Instrucyons for Maior John Mason & Capt. John Cullick, sent as Agents from the Generall Courte of Connecticut, now assembled at Hartford, this 13th of June, '54:—

You are with all convenient speed to trauell to Boston, in the Massachusetts, where you may meete with Maior Rob: Sedgewick & Capt. John Leueritt, togeather with the Agents from the other Collonies, to whome hauing (at request,) shewed yr Commission, veiwed & prused theirs, according to the contents thereof you are to treate & negotiate with them about prsuance of an expedition agt the Duch &c. If you finde the Massachusetts Colonye shall joyne with their due proportions of men with the other Colonyes, you may ingage or meete proportion with them of men as neare as you can, in order to the designe, according to the Articles of Confederatyon, provided the whole number from Eng[land] & all the Colonyes exceed not 1500. If the Massachusetts Collonye shall refuse to joyne in portyon in the aforesaid service & uppon debate it appeares the other Colonyes, or those of them that shall joyne, may or are able to carry on the designe with hopefull fruite of success without the Massachusetts, you may ingage this Colonye to joyne therein, prvided the number of men to goe out from us exceed not 200, wherein you are to avoyde volunteers what you may, but rather then the designe shall fall you may admitt of 4 or 500, prvided they all ingage to be under the command & at the dispose of such commanders as you shall approve or appoint; if neede bee you may ingage, if the rest in counsell see meete, the ordinary wages for soulidiers, & their proportyon of the spoile with others in that seruice, if God in his mercy give us success.

* In a letter, of the 10th of June, Mr. Welles writes to Major Sedgewick and Capt. Leveret, "I have received yours of the 5th of this instant, and have given a call for a Generall Courte, but our townes being farr distant wee cannot meeete untill the beginning of the weeke. I have sent a messenger to Major John Mason, who lives at Seabrooke, but he is not yet returned. I know that our Colony will with all thankfullnesse imbrace this favour and respect from his Highness, and with all readiness attend the counsell and advice of his Commissioners; wee shall send one commissioner to joine in counsell with yours, and I suppose by this time you understand what concurrence there is from the Bay, that you might informe us what number of men you expect from us and what kinde of provisions you most need," &c. [Hutchinson's Collection, 253.]

Mr. Wells, Deputy Gouvr.

Magistrates: Mr. Webster, Maior Mason, Mr. Woolcott, Mr. Cullick, Mr. Tailcoatt.

Deputies: Mr. Steele, Mr. Phelps, Mr. Trott, Mr. Westwood, Mr. Hollister, Tho: Coleman, Andr: Bacon, John Latimore, John Coale, John Clarke, Rob: Webster, Will: Cornewell.

Mr. Wells, Mr. Webster, Mr. Tailcoat, Mr. Steele, Andr: Bacon & John Cullick & Sam: Fitch are chosen as a Committee to drawe up and sende one letter to the Coporatyon, one to Generall Monck and one to Mr. Hopkins, & to pr vide for the Comissioners.

The order for restraint of trade with the Dutch & other for-reigne natyons is repealed.

It is ordered, that there shall bee a man prvided to bee with Maior Mason uppon the sarvice of the Country at Seabroock, adding for the same to his sallery, 20l. a yeare.

Dan: Garritt is to attend the prison, as Mar thereof.

The Courte is dissolved.

[54] A Session of the Generall Courte in Hartford, the 3d of October, 1654.

Mr. Wells, Deputy Gouvr.

Magistrates: Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailcoatt.

Deputies: Mr. Steele, Mr. Gaylerd, Mr. Trott, Mr. Allen, Mr. Fitch, Mr. Westwood, Edward Stebbing, Nath: Dickerson, John Bissell, Andr: Bacon, John Hollister, Tho: Sherwood, Tho: Fairechild, Tho: Coleman, John Clarke, Rob: Webster, Tho: Chapman, Tho: Whitmore.

The distribution or devision of men to bee pressed out of each Towne to attend the expedition to Narragansett,* according to the conclusion of the Comissioners, is as followeth:

---

*The Commissioners, at their meeting in September, had resolved upon war with Ninigret,
Windsor, 8 persons. Wethersfield, 6.
Pequott, 4. Farmington, 2.
Mattabesec, 1. Seabrook, 4.
Norwacke, 0. Fairefield, 6.

The persons that are to goe first, we them are 24, are to bee out of the Townes following;—Windsor, 4; Pequott, 4; Mattabeesec, 1; Hartford, 6; Wethersfield, 4; Farmington, 1; Seabrook, 4;—24. The remainder of the first number being 21, we them are to attend & be in redlines as a reserve, are to goe out of the towns following;—Windsor, 4; Hartford, 3; Wethersfield, 2; Farmington, 1; Fairefield, 6; Stratford, 5;—21.

Mr. Webster, Mr. Stone, Mr. Fitch, Mr. Will: Whiting & Mr. John Whiting, presenting to this Courte a distributyon of Mr. Whitings estate, agreed upon by them and under all their hands, and baring date the 30th September, 1654, the Courte allows the said distributyon & orders it to bee recorded.

The Courte also allowes and approves of the judgment and apprehensions of the Comittee, (viz : Mr. Cullick, Mr. Steele & Mr. Ailyn,) about Mr. Whitings will, so farr as they all agree, & order it to be recorded.

This Courte giues Mr. Will: Goodwin libberty to make use of wth Timber from the waste land belonginge to the Country, hee shall have occasion for to keepe his sawe mill in employment.

This Courte grants Mr. Cullick libberty to draw and sell one hogshead of Clarrett & a quarter casck of red wine to his friends & neighbors, free from the Countryes excise. And this Courte doth also further graunt unto the said Mr. Cullick, free license and libberty for the futur to draw out or sell to his friends & neighbours wth wine & liquors hee shall see cause, free from the Countryes excise.

[55] It is ordered by this Courte, that it shall not bee lawfull

and had ordered forty horsemen and two hundred and fifty foot soldiers to be forthwith levied from the several Colonies. Of these, Massachusetts was to provide the forty horsemen and 153 foot; Connecticut, 45; Plymouth, 41; and New Haven, 31. A part of this force was to be despatched with all expedition to the Niantic country, and the remainder to hold themselves in readiness to march upon notice from the commander-in-chief,—the selection of whom was conceded by the Commissioners, to Massachusetts. [Rec. of U. Colonies; Hutchinson's History, I, 186, 187, & Collections, 261; Trumbull's H. of Conn. I, 223, 224.]
for any persons whatsoever to draw any Wine, Strong waters of any sorte or kind, stronge Beare or Syder, & sell it out by re-
taile to any persons whatsoever, except such person or persons in each Towne as are licensed so to doe from the Courte.

Whereas, Notwithstanding a former order restraining the selling of all wine & liquors to the Indyans, that greate & cry-
ing sinn of Drunkenenes reignes amongst them, to the greate dishon-
or of God & hazard of the liues and peace boath of the English & Indyans, wch as this Courte is informed is by the frequent selling of Syder or strong Beare to them, It is now ordered by this Courte, that it shall not bee lawfull for any person or persons whatsoever within these libbertes, directly or indirectly, to sell, lend, barter or giue to any Indyan or Indyans whatsoever, small or greate, one or other, any wine, liquors, beare, syder* or metheglin, or any sorte or kinde whatsoever except it bee their ordinary howshould beare, for wch they shall haue noe recom-
pence, uppon the former penalty of fiue pounds for every pinte & 40s. for the least quantity, one third parte to bee to the partyes informing and the other to the publique Treasury.

This Courte orders, that the 5th day of the next weeke bee kept a publique Fast & day of humilliation, throughout all the Plantatyons in this Jurissdiction, to seeke the presence and bless-
ing of the Lord uppon the present expedition to the Narragan-
setts, according to the conclusion of the Commissioners, wherein or future peace & comforts are much concerned.

This Courte desires & appoints the Magistrates to take the most seasonable time to giue order for a publique day of Thanks-
giving throughout this Jurisdiction.

This Courte frees Thom: Allen, the sonn of Mr. Mathu
Allen, from his fine of 20l.

The Comittee chosen by this Courte to press men and neces-
saryes in each Towne, for this expedityon, in each Towne till it bee ended, is as followeth;—

For Windsor, Mr. Phelps & Mr. Allyn, to joyne with the Magistrates there:

For Hartford, Mr. Webster & Andrew Bacon, to joyne with the Magestrates there:

For Farmingtone, Mr. Steele & the Constable:

* [In margin] "The p'ticular respecting Sider in this law, is repealed, Mrch 11th, '58-'59."
For Wethersfield, Mr. Hollister, Thomas Coleman, & Natha: Dickerson, to joyn with the Deputy Govonor:
For Middletowne, Rob: Webster, Tho: Whitmore, with the Constable:

[56] For Seabrooke, John Clarke & Robert Chapman, with the Maior:
For Stratford, Tho: Sherwood & Tho: Fairechild, with the Assistant & Constable:
For Fairefeild, Mr. Ward & Allexander Knowles, with the Constable:
For Pequett, Capt: Denison & Hugh Calkin, with the Constable. One drum & 1 pr Cullers, frō Pequett:
From Hartford, a Leivetenant, & Surgeon, & 4 hogshd. of Biskett:
From Windsor, a Seriant, & 2 bar: of meale, 1 bar: of peas, & a boate.

The men are to bee uppon there march next Tuesday morning; and are to meete in Hartford, from Windsor & Farmington.

It is ordered, that the size for all Casck for Beefe and Porke, after the 1 of March next, shall bee 31 gall. & ½.

The Courte is adiorned to ye 1 Wednesday in March next.

[57] A Session of the Generall Courte, at Hartford, Septemb' 14th, 1654.

Mr. Wells, Deputy Govonor.

Magistrates: Capt: Cullick, Mr. Woolcott, Mr. Clarke, Mr. Willis, Mr. Talcott.

Deputyes: Mr. Steele, Mr. Trott, Mr. Phelps, Mr. Gaylor, Mr. Allen, Mr. Fitch, Mr. Westwood, Edw: Stebbin, And: Bacon, Mr. Hollister, John Bissell, Natha: Dickerson, Mr. Ward, Will: Hill, absent; Tho: Coleman, Steph: Hart, Tho: Fairechild, Rich: Olmsted, Rob: Webster, Tho: Whitmore, Will: Cheesbroock, Hugh Calkin, John Clarke, Rob: Chapman.

The Lists of the Persons & Estates in the severall Townes within this Jurisdictiony:
OF CONNECTICUT.

<table>
<thead>
<tr>
<th>Persons</th>
<th>£</th>
<th>Persons</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>177</td>
<td>19609</td>
<td>474</td>
</tr>
<tr>
<td>Windsor</td>
<td>165</td>
<td>15833</td>
<td>74</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>113</td>
<td>12602</td>
<td>94</td>
</tr>
<tr>
<td>Middletowne</td>
<td>31</td>
<td>2173</td>
<td></td>
</tr>
<tr>
<td>Farmington</td>
<td>46</td>
<td>5519</td>
<td>53</td>
</tr>
</tbody>
</table>

The lists of the persons & estates of Pequott is to bee perfected & returne thereof bee made to the Magistrates when they keepe the particular Courte there, as is after ordered.

This Courte orders that the estate of Capt: Baxter, attached by the Constable of Fairefeild for the forfeiture of his recognizance, shall bee remitted.

This Courte orders that when executyon is don uppon the goods of Tho: Staples of Fairefeild, upon a verdict graunted to Capt: Baxter, forthwith attachmt bee graunted upon those goods for the use of the Country, untill this Courte sees what is to be done in reference to this fine.

Whereas, Notwithstanding former provision made for the conveyance of the knowledge of God to the Natives amongst us, little hath hitherto beeene attended through want of an able Interpreter, this Courte being earnestly desirous to promote & further what lyes in them a worke of that nature, wherein the glory of God & the everlasting welfare of those poore, lost, naked sonnes of Adam is so deeply concerned, doe order that Thomas Mynor, of Pequott shall bee writ unto from this Courte & desired that bee would forthwith send his sonne John Mynor to Hartford, where this Courte will provide for his maintenance & schooling, to the end bee may bee for the present assistant to such elder, elders or others, as this Courte shall appoint, to interpret the things of God to ym as bee shall bee directed, & in the meane time fitt himselfe to bee instrumentall that way as God shall fitt & incline him thereunto for the future.*

*" Upon a motion made to ye Commissioners, by Capt. Cullick, from the Generall Courte of Connecticut, to take into yr consideration yr instruction of yr Indians in theire Jurisdiction, in yr knowledge of God, and their desire yr John Minor might bee entertained as an interpreter to communicate to yr said Indians those instructions wch shall bee delivered by Mr. Stone, Mr. Newton or any other allowed by the Courte, and also yr yr said Minor may bee further instruct ed and fitted by Mr. Stone to bee a meete instrument to carry on the worke of propagating yr Gospel to yr Indians, yr Commissioners conceiving yr said propositions to bee much condu-
It is ordered by this Court, that Capt: Cullick, Mr. Steele, Mr. Allen, as a Comitte by this Courte appointed, are to consider of Mr. Whitings will, & a right interpretatyon thereof, togeather with the SuPre\[\text{rs} \text{ of the said will} & \text{make report thereof} \text{ to this Courte.}

It is ordered by this Court, that Mr. Talcoat, Mr. Allen, Mr. Hollister, shall joyne with Capt: Cullick in receving the accounts for the forte rate, for the yeare past, of the Constables for the severall plantations uppon the River.

Maior Mason & Capt. Cullick, (if his occasions can permitt him, if not,) Mr. Clarke, are desired to goe to Pequott & with Mr. Winthrop to keepe a perticuler Courte, before winter, to execute justice there as cause shall require.

This Courte grants power to Maior Mason to call the Traine bands togeather once in 2 years, to exercise in a Generall training on the first or second weeke in September.

It is ordered, that warrants shall goe forth from the Tresurer for a whole rate for the Country, according to the order of rating, to be payd \( \frac{3}{4} \) in wheate, \( \frac{1}{3} \) in peas, \( \frac{1}{3} \) in Indyan: wheatt at 4s. peas at 3s. p" bush: Indyan at 2s. 6d.

It is ordered by this Courte, that the next Wednesday come three weekes, bee kept a day of Publique Thanksgiuing in the several Plantations within this Jurisdiction.

The Courte is adiorned to the first Wednesday in March next except the Deputy Governor see cause to call it sooner.

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Articles of Agreement, made and concluded betwixt George Fenwick Esq of SeaBrooke Fort, on ye one part, and Edward Hopkins, John Haynes, John Mason, John Steele and James Boosy, for and on ye behalfe of ye Jurisdiction of Connecticut River, on ye other part, ye 5th of Decembr, 1644.*

The said George Fenwick Esq doth by these presents convey cing to ye propagating of ye hopeful work, doe desire ye Magistrates of Connecticut to take care ye said Minor bee entertained at Mr. Stones or some other meet place, and they shall or- der ye due allowance bee made for his dyet and education out of the corporation stock.” [Rec. of U. Colonies; Sept. 23d, 1654.]

* Recorded here, pursuant to an order of the Court, May 18th. [See pp. 119, 215, 258. ante.]
and make over to ye use and for ye behoofe of ye Jurisdiction of Connecticott River aforesaid, ye Fort att SeaBrooke with ye appertenances hereafter mentioned, to bee inioyed by them for euer:

Two demiculvering cast peeces, with all ye shott thereunto appertaining, except fifty wch are reserved for his own use:
Two long Saker cast peeces, with all ye shott thereunto belonging; one Murderer, with two chamb'^s, and two hammered peeces; two barrells of Gunpowder:
Forty musketts, with Bandaleers and rests, as also four carabines, swords, and such irons as are there for a draw bridge; one sow of lead, and irons for ye carriages of ordinance; and all ye housing within ye Palisado:

It is allso provided and agreed betwixt ye said parties, yt all ye land uppon ye River of Connecticott, shall belong to ye said Jurisdiction of Connecticott, and such lands as are yet undisposed shall bee ordered and given out by a Committie of five, whereof George Fenwick Esq'^ aforesaid is allwayes to bee one.

It is further provided and agreed, yt ye Towne of Sea Brooke shallbee carried on according to such agreements, and in yt way which is allready followed there and attended betwixt Mr. Fenwick and ye Inhabitants there.

It is allso provided and agreed betwixt ye said parties, yt George Fenwick Esq'^ shall have liberty to dwell in and make use of any or all ye hosing belonging to ye said Fort, for ye space of ten yeares; hee keeping those wch hee makes use of, in sufficient repaire, (extraordinary casualties excepted;) and in case hee remove his dwelling to any other place, yt hee give halfe a yeares warning thereof, yt provision may bee made accordingly; onely it is agreed yt there shall bee some convenient part of ye hosing reserved for a Gunner, and his family, to live in, if ye Jurissdiction see fitt to settle one there.

It is further provided and agreed bettwixt ye said partyes, that George Fenwick Esq'^ shall inioye to his owne proper use, these particulars following:—

1. The house neare adioyning to ye wharfe, with ye wharfe and an acre of ground thereunto belonging, provided ye sayd acre of ground take not up above eight rodd in breadth by ye water side:
2. The point of land and ye marsh lying under ye barne already built by ye said George Fenwick:

3. The Island, commonly called Six Mile Island, with ye meadow thereunto adjoyning, on ye east syde ye River:

4. The ground adjoyning to ye Towne-feild, wch is already taken of and inclosed with 3 rayles by ye said George Fenwick; onely there is lyberty granted to ye said Jurisssdiction, if they see fitt, to build a Fort uppon ye westerne point, whereunto there shalbee allowed an acre of ground for a house lott.

[60] It is also provided and agreed, yt ye said George Fenwick Esq shall have free warren in his owne land, and lyberty for a Fowler for his owne occasions, as also ye like liberty is reserved for any other of ye Adventurers yt may come into these parts, with a double howse lott, in such place where they make choise to settle their aboade.

All ye formentioned graunts (except before excepted) ye said George Fenwick Esq doth ingage himselfe to make good to ye Jurisssdiction aforesaid, against all claymes yt may bee made by any other to ye premises, by reason of any disbursements made upon ye place:

The said George Fenwicke doth also promise yt all ye lands from Narragansett River to ye Fort of Sea Brooke, mentioned in a Pattent graunted by ye Earle of Warwicke to certaine Nobles and Gentlemen, shall fall in under ye Jurisssdiction of Connecticutt, if it come into his power.

For and in regard of ye premises and other good considerations, ye said Edward Hopkins, Jno Haynes, Jno Mason, Jno Steele and James Boosy, authorized thereunto by ye Generall Courte for ye Jurisssdiction of Connecticutt, doe, in behalfe of ye said Jurisssdiction promise and agree to and with ye said George Fenwicke Esq, yt for and during ye space of ten full and compleate yeares, to beginn from ye first of March next ensuing ye date of these presents, there shall bee allowed and payd to ye said George Fenwicke or his assignes, ye particular sums hereafter following:

1. Each bushell of Corne of all sorts, or meale yt shall passe out att ye Rivers mouth, shall pay two pence per bushell:

2. Every hundred of Biskett yt shall in like manner passe out att ye Rivers month, shall pay six pence:
OF CONNECTICUT. 269

3. Each milch cow, and mare of three yeares ould or upwards, within any of ye Townes or farmes uppon the River, shall pay twelue pence pr annû: during ye fored tearme:

4. Each hogg or sow yt is killed by any p'ticular person within ye lymitts of ye River and the Jurisdiction aforesayd, to bee improved eyther for his owne p'ticular use, or to make marketts of, shall in like manner pay twelve pence pr annû:

5. Each hogshead of Beaver traded out of this Jurisdiction, and past by water downe ye River, shall pay twenty shillings:

6. Each pound of Beaver traded within ye lymitts of ye River shall pay two pence, onely it is provided yt in case the generall trade with ye Indians* now in agitacon proceed, this tax uppon Beaver, mentioned in this and ye foregoing article, shall fall:

7. The sayd Committie doe, by the power aforesayd, consent and agree to and with ye sayd George Fenwicke Esqr. yt hee ye said George Fenwicke and his heires shall bee free of any imposition or customes yt may heereafter by the Jurisdiction bee imposed att ye Fort.

It is agreed yt the aforesaid payments shall bee made in manner followinge:—

What shall bee due from ye graine that is exported shall bee payd in graine according to the proportion of the severall kindes of graine that doe pass away, att the common current price, neyther attending such prises on ye one hand that the Courte may sett, nor yett on the other hand such as Corne may bee sowld att through the necessytes of men; and in case of [61] any difference,[| then the price shall bee sett by two good men the one to be chosen by Mr. Fenwicke and the other by the Courte: what shall bee due otherwise shall bee paid in Beaver, wampom, barly, wheat or pease, the former consideration for the price to bee herein also attended; and it is provided and agreed that a strict order and course shall bee taken in observing what graine is putt aboard any vessell that goeth downe [the] River, from any of the Townes, and due notice being [taken] thereof, every boate or vessell shall bee inioyned to

*See page 113, ante; Rec. of U. Colonies, in Hazzard's St. Papers, ii. 19.

24*
take note from some deputed by the Courte in each Towne, what quantityes and kindes of graine are aboard the said vessell, and to deliver to Mr. Fenwicke or his assignes att Sea-Brooke, so much as will bee due to him according to the forementioned Agreements. And likewise [for the] other payments due care shall bee taken that [they bee] made att the place aforesaid, in as convenient a way as [may] comfortably bee attended, and yt all indirect courses bee prevented whereby the true meaning of these agreements may bee evaded.

In witness whereof the parties beforementioned have hereunto put their hands, the day and yeare abouesayd.

Geor: Fenwick
Edward Hopkins,
Jo: Haynes,
John M[ason,]
John Steel,
James Boosye.

I have examined and compared this writing with the originall and finde it to bee a true Copy this 4th of March, 1655-56.
John Cullick, Sect.

It was afterwards concluded both by the Generall Courte of Connecticutt and Mr. Fenwicke, that in case there should any difference arise touching the Interpretation of any of the within mentioned Agreements, the determination and issuing thereof should bee referred to those who made the sayd Agreements, being best acquainted with their owne intendments.

It was also agreed betwixt George Fenwick Esq" and the Committee mentioned, the 11th of Octobr, 1645, in regard there hath not bee en a due and full attendance to the said Agreements this present yeare, by [many,] which in parte arose from the unwillingness in masters of vessells to [stay] allwayses att SeaBrooke for the delivery of the corne due to Mr. [Fenwick,] that the sayd Agreements shall beginn and take place from the [first] of March next, being 1645, to the end and tearme of tenn yeares; [and] for the preventing of the beforementioned difficulty, George Fenwick [Esq"] doth agree & is content to take what corne shall bee due unto [him, att] the Townes of Hartford or Wethersfeild. And the sayd Com[mittee doth, in] behalfe of the Generall Courte, and by vertue of [power commit-
ted] to them, [agree] and undertake that att any time [within four]teene days, [after] warning and notice given by [Geo: Fenwick Esqr, or his assignes, there] shall bee delivered to [any vessell he or they shall appoint, such corne] as is due to him by [vertue of this Agreement, att eyther of the Townes aforesaid. Nevertheless, it is still provided that the Mar of every vessell [62] carry a note of the quantityes of grayne,] || with the sev- erall kindes thereof, that are laden by any aboard his vessell from such persons as are deputed by the Generall Courte to that service, and deliver it to George Fenwick or his assignes, before they depart from SeaBrooke, under the penalty mentioned in an order, made by the Generall Courte of Connecticut, for preventing of any indirect or collusive proceedings in violation of the sayd Agreement. And whereas several penalties are by the sayd order to bee inflicted uppon such as shall transgress, or seeke to evade the true meaning of the sayd agreements, It is now agreed and consented to by the afore-sayd Comittie, that the one halfe of that which is so forfeited by any shall bee and appartayne to the sayd George Fenwick Esqr, or his assignes, and the other to such as shall informe.*

E: Hopkins.

I have examined and compared this writing with the original, and finde it to bee a true Coppy, this 4th of March, 1655-56.

John Cullick, Seer.


It was agreed betwixt Edward Hopkins on ye behalfe of George Fenwick Esqr, and John Cullick, John Tallcott, John Porter and Henry Clark, James Boosie and Samuell Smith, on behalfe of ye Jurisdiction of Connecticut, that the Agreement formerly made with Mr. Fenwick shall bee altered, and what was to bee receaved by him according to that, reduced to the tearmes heareafter expressed: viz: there shall, yearely for ten yeares payd to Mr. Fenwick or his Assignes, one hundred and eighty pounds p' annum, to bee payd every yeare before ye last of June, as it shall bee required by the Assignes of the sayd G.

* Pages 61 and 62, of the record, are much torn and defaced; the missing portions have been supplied by reference to the original agreement, preserved in Vol. I of 'Towns & Lands,' Doc. No. 3.
Fenwick, either to such vessels as shall bee appointed, or to such house or houses in Wethersfield or Hartford as hee shall direct and order, to bee payd $\frac{1}{2}$ in good wheat att 4s. pr B: $\frac{1}{2}$ in pease att 3s. pr B: $\frac{1}{3}$ in Ry or Barly att 3s. pr B$1$, and if Ry or Barly bee not payd, then to pay it in wheat and pease in an equall proportion; only this present yeare, some Indian corne shall bee accepted, but as little as may bee; Allso there is to bee receaved by the sayd Geo. Fenwick, what shall bee due from Springfield for the foresayd terme of 10 yeares, as allso what else may bee due uppon the Beaver trade, according to the former Agreement with him: Allso, whereas the Towne of SeaBrooke is to pay, in this sum of 180l. for this yeare, 10l., when that Towne increaseth so as they pay a greater proportion in other rates, in reference to what these Townes, Windsor, Hartford, Wethersfield and Farmingtowne doe pay, they shall increase there pay to Mr. Fenwick accordingly: allso, whereas Mattabesuck may hereafter bee planted, they shall pay to Mr. Fenwick in the same proportion they pay other rates, to these Townes: These foure Townes being accounted at one hundred and seaventy pounds.

Edward Hopkins, John Tallcott, John Cullick, James Boosie.

I haue examined and compared this writing with the originall and finde it to bee a true Coppie, this 4th of March, 1655-56.

John Cullick Secr.

[64] A Session of the Generall Courte in Hartford, the 7th of March, 1654-55.

Mr. Wells, Deputy.

Magistrates: Mr. Webster, Mr. Woollcott, Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailecoate,

Deputies: Mr. Steele, Mr. Phelps, Mr. Trott, Mr. Gaylerd, Mr. Allyn, Mr. Westwood, Mr. Hollister, Edw: Stebbing, John Bissill, Andrew Bacon, Nath: Dickerson, Steph: Harte, Tho: Coleman, Tho: Whittmore.

Richard Church is freed from watching, warding & training.
This Courte allowes the souldiers yt went uppon the last expedition to ye Narragansetts, by vertue of the determination of the Comissionrs, as followeth:

To the coomon souldiers, 16d. a day;
To the Drumers, 20d. a day;
To the Serieants, 2s. a day;
To the Ensigne, 2s. 6d. a day;
To the Leiftenant, 3s. a day;
To the Steward, 2s. a day.

This Courte desires Mr. Wells & Nath: Dickerson, for Wethersfield; Mr. Webster and Mr. Cullick, for Hartford; Mr. Clarke & Mr. Allyn, for Windsor; Mr. Steele & Steph: Harte, for Farmington; Thomas Allyn and Robert Webster, for Middletowne, to receive, allowe & signe to the Treasurer, such bills of debts from ye Country to any particular person as shall bee brought in to them in theire several Townes. And Mr. Webster & Mr. Cullick are desired to audite the Treasurers acco* for the yeare past.

This Courte hath considered the acknowledged transgression of lawe, about casting Ballast in an inconvenient place, at Wethersfield, by William King, Marriner; uppon severall grounds they doe mitigate the penalty of the said order, and doe adiudge the said King to pay for his transgression aforesaid, 20ss.

This Courte advises that yt bee presented to the Gen: Courte in May next, that it may bee ordered, that notwithstanding the former order w^h req: that such goods as are distreined uppon execution should bee apprized by 3 men, as yt Lawe directs, w^h now proves to bee inconvenient & sometimes injurious to ye creditors, it shall hereafter bee lawfull for ye Marshall to make sale of such goods distreined wthout the apprizemt before specified, as well as hee may, for the good of the debtor, for the same pay that the debtor was to make.

Mr. Thomas Wells, chosen Govr'no.
Mr. John Webster, Deputy Govr'no.
Mr. Hopkins, Magistrate; Maior John Mason, Magistrate; Mr. Winthrop, Magistrate. Mr. Woolcott, Magistrate. Mr. Cullick, Magistrate & Sec.; Mr. Clarke, Magistrate; Mr. Willis, Magistrate; Mr. Tailecoate, Magistrate, Treasurer; Mr. John Cosmore, Magistrate; Capt. Thomas Topping, Magistrate.

Deputyes: Mr. Steele, Mr. Phelps, Mr. Gayler, Mr. Allyn, John Bissell, Mr. Trott, Nath: Dickerson, Mr. Hollister, John Deming, Mr. Warde, Mr. Hill, Mr. Westwood, Edward Stebbing, Andrew Bacon, Mr. Brewster, absent, Will' Cheessbrooke, absent, Robert Webster, Will' Smith, absent, John Pratt, absent, Phillip Groves, Steph: Harte, absent, John Clarke, Rich: Webb, Nath: Camfeild, Thomas Fairechild.

The names of those wch were made Freemen of this Jurisdiction, at this Courte, are,—Mr. John Russell Senior, Jacob Gibbs, John Hubberd.

The freemen hath impowered this Generall Courte to chuse Commissionrs for them, for the yeare ensuing.

A letter is to bee sent to East Hampton, in ans: to theires, yt it can bee no advantage, but rather the contrary, to their devided, shattered condition, not to have dependance uppon or bee under some settled Jurissd: &c. and therefore advise ym so to doe, &c. and to pay wtt is theire just dues to this Common-wealth.

Math: Camfeild, for Norwaack, & Phillip Groves, for Stratford, are confirmed Assistants, according to former order, in May (54.)

Maior John Mason & Capt. John Cullick are chosen Commissionrs for this Collony for the yeare ensuing, to agitate with the other Collonyes, according to the Articles of Confederation, and Mr. Tailecoate is chosen as a Reserve.

Mr. Governor, Mr. Deputy & Mr. Clarke are desired to goe downe to the sea-side to keepe Courte at Fairefeild or Stratford.

Maior Mason, Mr. Cullick & Mr. Tailecoate, are desired to goe to Pequett, as soone as may conveniently sute them and the Towne, to keepe Courte there, and wtt other necessary service shall appeare.
This Courte, considering the petition of Capt. John Underhill, in reference to his seizure of ye Dutch Howse, Hope, & lands; they doe, in way of answer, returne as followeth: First, yt notwithstanding all yt hath yet appeared to them, they may and doe declare yt till more appeares, they shall meintenie theirse owne seizure of ye p'ises, according to the end and extent thereof. 2dly, yt they see not cause to warrt his seizure, neither shall they allowe or approve of his sale thereof, to any person wttssoever, from this Jurisdiction.*

Concerning Mrs. Styles petition, ye Courte declares yt if the Co'mittee yt goes to keepe Courte at Stratford and the Towne of Stratford sees cause, they may settle uppon Mrs Styles wtth shee desires.

[66] This Courte considering the sad complaint of Goody Beckwith, of Fairefeild, in reference to her husbands deserting of her, doe declare yt by wt evidences hath beene p'sented to them of ye manner of her husbands departure and discontinnuance, they judge that if the said Goody Beckwith, wife of Thomas, shall uppon her oath testifie to the Magistrates that are shortly to keepe Courte at Stratford, that her husbands departure was as others have testified it to bee; and yt shee hath not heard from him nor of him any ways since hee deserted her, the said Magistrates may give her a bill of Divorce & sett her free from her said husband.

This Courte considering the appeale of Jonas Wood, of South Hampton, and well weighing the grounds & causes thereof, doe

* In May, 1653, Capt. Underhill was commissioned by the Colony of Providence Plantations, as commander in chief of their land forces, for the prosecution of the war against the Dutch. Under and by virtue of this commission, (and, as he alleges, with the permission of the General Court then in session at Hartford,) on the 27th and 28th of June, 1653, Capt. Underhill seized the Dutch Fort, "The House the Hope," at Hartford, with the lands adjacent. In April, 1654, [page 254, ante.] the General Court ordered the Dutch house, with the lands &c. thereunto belonging, to be sequestered and reserved in the behalf of the Commonwealth of England, "all particular claims or pretended rights thereunto notwithstanding;" till a true trial may be had of the premises, and in the mean time prohibited all persons from improving the premises by virtue of any title other than should be given them by the Court.

In the petition now presented to the Court, (a certified copy of which is preserved in Vol. I of "Towns & Lands," Doc. No. 81.) Capt Underhill asks permission to sell and convey the property he had seized two years before,—pleading his past services to the Colonies, his straitened circumstances, and the justice of his claim. Notwithstanding the refusal of the Court to grant the prayer of the petition, Capt. U. proceeded to effect a sale, and on the 16th of July following, executed a deed of the premises to Wm. Gibbins & Richard Lord. [Towns & Lands, l. 82.]
judge and declare, that as things have appeared to them they cannott but justifie the said Woods appeale against John Cooper, and doe judge that Cooper hath vnjustly molested, troubled, greived, and dissparaged the said Wood, in a speciall manner in and about his telling Wood that hee lyed against his knowledge and concience, wch charge of his hath evidently appeared to this Courte to bee altogether groundless and scanda-
lous. The pr'mises being considered, they doe adiudge the said John Cooper to pay as followeth:

Im: To Wood, for his charge uppon the first Jury, and all other charges for his owne defence and clearing, at the severall other Courtes at South Hampton, wherein hee was defendt, and all other charges of evidences, witnnesses and otherwise, in order to his appeale to this Courte, ye sum of thirty pounds, £30. 0. 0.

2dly To Wood, for slaundering of him, as aforesaid, 05. 0. 0.
3dly To the Country, in pt of theire charge in attendance uppon ye aforesaid appeals, 05. 0. 0.

40. 0. 0.

It being the true intent & meaning of this Courte, notwithstanding the pr'mises, that John Cooper should pay all the charges of the two last pr'ticular Courtes at South Hampton and of the Generall Court there, over and above the aforesaid sum of forty pound, that is, so farr as Cooper as plaintiff procured ye charge for himselfe or for the maintenance of his cause against Wood; but so farr as Wood procured any charge for his owne defence & clearing, Wood is to pay out of the aforesaid sum of 30l.

If John Cooper shall not satisfie & discharge to Jonas Wood the judgemt of this Court, viz: the sum of 35l. betweene this & the first of July next, then Wood may proceed to execution. The Secr. is ordered to deliver execution to Jonas Wood accordingly.

This Courte allowes Cornelius Hull, out of the publique Treasury, for his charge and expence in coming up hither to give in testimonie concerning Baxster, 20ss.

John Elderkin, of Pequett, being presented to this Court as chosen by ye Towne of Pequett to keepe an ordinary, accord-
ing to order of Courte, wch hee hath accepted of to attend after 29 Sept: next, the Court confirms him in that place.

[67] This Courte allows the keeper of the prison, for his yearly salary 12l. & for delinquents 6s. 8d. ahead.

It is ordered, that the Towne of Norwack shall possess & injoy all ye land wch they purchased of the Indians, not of right belonging to the plantation of Fairefeild.

This Court orders, that in the intervals of Generall Courts, ye Magistrates shall have power to appointe publique dayes of Thanksgiving & Humiliation, in this Jurisdiction, as they shall judge meete.

It is ordered by this Courte, with the approbation of ye Depu-tyes from the seaside, viz: Fairefeild, Stratford & Norwacke, that the whole charge of all such Courts as are kept in any of the aforesaid Townes, wherein none are questioned for ye breach of some capitall lawes, shall bee borne by those said Townes, and that all the charge of such Courtes in any of the aforesaid Townes as shall have some charged in them for the breach of any capitall law as aforesaid, shall bee borne one halfe by the said Townes, & the other halfe by the Country.

Whereas, it doth evidently appeare to this Courte that the Secretary thereof, for some yeares past, hath not had suitable recompence for his great paines in the service of his place, by the former provision or allowance they have made in consideration thereof; It is ordered by this Courte, that the Sec'r shall have 18d. for every action entred by the taking out of any warrant respecting the same, either from himselfe or any other Magistrate, under the sum of forty shillings, and 6d. for every warrant: And for every action, as before, above ye sum of forty shillings, the Sec'r shall have 2s.; And that if any Magistrate graunts a warrant respecting any action, they shall bee paid for every warrant, six pence: and they shall take the Secretary's fees of such persons as they graunte theire warrants to, and at every Courte, make due payment thereof to him:

It is also further ordered, that the Sec'r shall have for every Attachement or Replevin, bond and action belonging thereunto,* 5s.; for every Execution under fifty shillings, 2s. 6d., and every Execution above fifty shillings, 5s.; for every Will or In-

* [In margin:] “and for coppies of them, halfe so much.”

25
ventory or both, under $50l., 3s. 4d.; & for every under a hundred pound, five shillings; and for every one above a $100l., 6s. 8d. And for the Orders of common concernment in each session of the Generall Court published, 2s. from each Towne where they are published; & what writing perticuler Townes or persons makes ye Secr, at any Generall Courte or session thereof, they shall pay and allowe, without any delay, good recompence & satisfaction to his reasonable content. For every Recognise: entring in Courte, uppon the entry thereof 2s.

The Courte is adiourned to the 1 Wednesday in July next.

[68] A Generall Court in Hartford, the 4th of Octob', 1655.

Mr. Wells, Governo.
Mr. Webster, Deputy.

Magistrates: Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailecoate.

Deputies: Mr. Fitch, Mr. Allen, Mr. Trott, Mr. Hull, Mr. Steele, absent, Mr. Woolcott, Mr. Westwood, Mr. Hill, absent, David Willton, Edward Stebbing, John Bissell, Andrew Bacon, Nath: Dickerson, Sam: Smith, Tho: Coleman, John Brunson, William Smith, Phillip Grove, Thomas Fairechilde.

Bartho: Barnard, of Hartford, is fyned 5s. for not returning the warrants seasonably for Deputies, according to order.

The Widdow Gibbs her forfeiture of 4l. as by record of Courte, in Sept. (54) is by this Courte remitted to one halfe, yt is to say, that shee shall pay but 40ss. wch*

Richard Lettin, being called 3 times to appeare at this Courte in answer to his Recognisc: and not answering thereunto, hath forfeited his Recognisc: of 20l.

George Phillips, by reason of severall weaknesses that attend him, is freed by this Courte from Training during his aforesaid weakness.

The Comissioners of Stratford & Fairefeild are fyned 40s. a

* The original is thus incomplete.
peece, for theire neglect of meeting according to order, for the perfecting the Lists.

Sea-Brooke is fyned forty shillings, for not sending ye Lists of their estates to the Courte.

Norwacke is fyned in like manner, for ye same defect, 40ss.

The Lists of the persons and estates in ye severall Townes within this Jurisdiction:

<table>
<thead>
<tr>
<th>Persons</th>
<th>Estates: £</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>176. 19525. Sea-Brooke,</td>
</tr>
<tr>
<td>Windsor</td>
<td>152. 15595. Norrake,</td>
</tr>
<tr>
<td>Wethersfeild</td>
<td>102. 12404. Strattford, 65. 8165. 10s.</td>
</tr>
<tr>
<td>Farmington</td>
<td>52. 5910. Fairefeïld, 90. 9255. 18</td>
</tr>
<tr>
<td>Midletowne</td>
<td>32. 2315. Pequett.</td>
</tr>
</tbody>
</table>

The last Wednesday in this month is appointed by this Courte to bee solely observed a day of publique Thankesgiving to ye Lord (for renewed mercyes,) by all the Plantations in this Jurisdiction.

This Courte a dijudget yt Wm. Lewis as Attorny to John Cogg[ ] shall pay unto James Wakely thirty shillings for his charges, dammages & unjust molestations hee has sustained, by reason of his Attornyshipp to Stephen Day, of Cambridge.*

This Courte graunts a penny in the pound, to bee levied to de[fray the] Country charges & debts, wch is to bee paid three fourths in wheat and pease and one in Indian.

This Courte orders that Danniel Porter shall bee allowed and paid out of the publique Treasury, as a salary for the next ensuing yeare, the sum of six pounds, and six shillings a journey to each Towne upon the River, to exercise his arte of Chirgerie.

The Courte is adiourned to ye last Wednesday in March next.

March 26, 1656.

Deputyes: Mr. Fitch, Mr. Allyn, Mr. Woolcott, Mr. Trott, Mr. Westwood, Edw: Stebbing, Capt: Willton, Nath: Dickerson, Andr: Bacon, Tho: Coleman, John Bissell, Sam: Bissell, Rob: Webster.

* [In margin] “John Cullick dissents from the Court in this Act of theires: John Cullick.”
It is ordered by the Courte, that Mr. Wollcott shall assist Mr. Clarke in attending the defects about trainings in the Towne of Wyndsor, in such cases as 2 Magistrates have power to issue.

This Courte doth graunt the request of Good: Wadsworth, Good: Lewis, Good: Wilterton, Good: Seager, in freeing them from training & watching.

Capt. Jno: Cullick this day promising to deliver into the Courte the originall agreements betweene Mr. Fenwick & this Collony for what they purchased of him, which being done, this Courte doth order that this Committee now chosen shall give Capt. Cullick a trve copy of them vnder their hands, which shall be att all times full and good in law to all intents & purposes as the originall writings, which writings shall be sealed with the scale of the Collony.

The names of the Committe now chosen to subscribe ye aforesd coppys are, Mr. Welles, Mr. Webster, Major Mason, Mr. Talcott, Mr. Steele, Mr. Westwood, Mr. Woolcott, Sam: Smith.

Mr. Webster, Mr. Tailcott, Mr. Fitch, Mr. Woolcott, and Sam: Smith are chosen to as a Committee for to take in 'the Accots from ye Capt. concerning the monies pd for their purchase of Mr. Fenwick.

The Courte is adjourned to this day fortnight, if the Governo sees cause y^ to call it.


Magistrates elected:

Mr. Webster Esq', Governo.
Mr. Welles Esq', Dept. Governo.
Mr. Hopkins Esq', Magist., Mr. John Winthrop Esq', Major John Mason, Magistrate, Mr. John Cullick, Magist.: & Sec'., Mr. John Clarke, Magistrate, Mr. Willis, Magistrate, Mr. Talcott, Magistrate & Treasurer, Capt. Topping & Mr. Ogden, Magist.
Deputyes: Mr. Steele, Mr. Allyn, Mr. Gaylard, Mr.
Brewster, Mr. Trott, Mr. Ward, Mr. Hull, absent, Mr. Westwood, Mr. Newberry, Nath: Dickerson, Sam: Smith, Nath: Ward, Edw: Stebbing, Andr: Bacon, Tho: Colem, Edw: Griswold, Math: Campfeild, Hugh Calken, John Brunson, John Hurd, John Welles, John Clarke, Robert Webster, absent, Tho: Allyn.


This Courte doth graunt that John Bissell shall keepe the ferry at Wyndsor for the next ensuing yeare, being ingaged to performe the former tearms of his keeping the same with this addition, that whosoever in this Jurisdiction shall be listed, with the approbation of the Gen: Courte, from yeare to yeare, for troopers, shall be passage free for horse & man, so long as he keepes himselfe vnder & performes the tearmes of his listing, so often as the said troopers shall with their listed horses travill with them to Springfeild towne or beyond.

Major Mason & Mr. Tailcoate are chosen Commissioners for the yeare ensuing, and Mr. Fitch as a Reserve.

Good: Groves is chosen an Assistant for the towne of Stratford, Ensigne Gold for Fairefield, Good: Campfeild for Norwalke; Good: Campfeild is ordered to give the oath vnto the other two Assistants.

Mr. Governor, Mr. Deputy, Mr. Cullick & Mr. Tailcoat are desired in some convenient time to advise with the elders of this Jurisdiction about those things yt are presented to this Courte as grievances to several persons amongst vs; (and if they judge it nessisary,) to crave their healpe & assistance in drawing up an abstract from the heads of those things, to be presented to the Gen: Courtes of the several united Collonyes, and to desire an answer thereunto as sone as conveniently may be.

This Courte, at the request of Stratford, doe graunt that their bounds shall be 12 myle northward, by Paugasitt River, if it be att the dispose by right of this Jurisdiction.

Jonas Wood having given to this Courte in writing vnder his hand, severall complaints agt some persons in South Hampton mentioned in the sd writing, & hath given bonds to prosecute his complts. to abide by the judgment of the Gen: Courte
in Octobr next: This Courte desire the Dep. Governo'r to write to Capt. Topping & Mr. Ogden & acqvaunt them with the aforesd complaints, and therefor if the complaints, with the grounds of them, are not timely removed and satisfaction made, it is desired & expected that the respective persons concerned should appeare in theire owne defence at the aforesd Gen: Courte, the first Thursday of Octobr next.

Geo: Fenwick Esq'r, having manifested his respect to this Collony in graunting that the Towne of Seabrooke should have the vse of the Westernne necke, for their young cattle & sheepe or goates, till further order be given by him or his assigne, he reserving to himselfe ye proprio notriynting; The Courte declares themselves, that is their apprehensions ye benefit & advantage of the aforesd graunt should belong only to thos persons that cohabitt in the town platte, till such time as the aforesd neck be called for again by & for the vse of the aforesd Geo. Fenwick Esq'r or his assigne.

This Courte graunts Mr. James Fitch a compitent farme, containing bet: 2 & 300 Acres, at Menunketeseck, so far as it is within their power to make the aforesd graunt.

[71] It is ordered by the Courte, yt the Assistant & Clerke of the Trained Band in each town of Stratford, Fairefeild & Norwalke, shall hereby have power committed to them to examin & censure all defects of armes, in their several townes; and also defects vpon training dayes, both in not coming late or otherwise; and to graunt out distresses agt the respective delinquents for the same.

The Courte is adjourned to the day before the Quarter Courte in Septembr next.

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A Generall Courte held at Hartford, Octobr 2d, 1656.

Mr. Webster, Governo'r.

Mr. Welles, Dep. Governor.

Magistrates: Mr. Clarke, Mr. Tallcott, Mr. Willys.

Dep: Mr. Steele, Mr. Allyn, Edw: Stebbing, Wm. Wadsworth, Joseph Mygatt, Rich: Butler, Mr. Gailer, Mr. Clarke, Mr. Newberry, Mr. Hollister, Mr. Robbins, Good: Dement, John Clarke, Mr. Ward, Hen: Grey,
John Herd, John Wells, Lifen^ Webster, John Brunson, Sam: Haile, Good: Calkin.

Vpon ye complaint of Jonas Wood, this Courte orders, yt Mr. Ogden shall bee written to fro this Courte to graunt execution to Jonas Wood, according to the verdict of the Jury, agt John Cooper, at a Courte held at South Hampton about a yeare since.

Ordered by the Courte, that Tho. Backsters bill or bond lying in the Courte shall be returned to him by the Secritary, w* it is or can be found.

It is ordered by the Courte, yt w* person so ever, either Indians or English, shall take any Wolfe out of any pit made by any other man to catch wolifes in, whearby they would defraude the right owner of their due from the towne or country, every such offendor shall pay to the owner of the pit 10s. or be whipped on their naked bodyes not exceeding 6 stripes.

Andr: Bacon & John Bernard are exempted from training & watching & warding, by the Courte.

It is ordered by this Courte & ye authority thearof, yt none in this Common Wealle shall sell any strong liquors after, above 8s. p^ gallon by retail, sil: any yt are lycenced except ye ordinary keepers, who shall not exceed 14s. p^ gallon by retaile: this order to begin at ye 1 Decembr next, & this order to continue for one yeare: & none in this Common weale lycenced shall sell wyne at above 18d. p^ quart, expt to ordinary keepers who are not to exceed 2s. p^ quart, & this order to continue for one yeare and to begin 1 of December next.

Good: Mygate is lycenced to sell strong lyquors by retaile.

It is also ordered for one yeare, yt two Magistrates shall have libertye to lycense such as they see meete, if thos lycenced shall retaile* to sell.

It is ordered by this Courte & the authority thearof, that no towne wth in this Jurisdiction shall entertaine any Quakers, Ranters, Adamites, or such like notorious heritiques, or suffer to continue with them above the space of 14 dayes, vpon the penalty of 5l. per weeke for any towne entertaining any such person; but the townes men shall give notice to the two next

*This word should be refuse. Several obvious errors and omissions occur in the record of this session, which is not in the hand writing of Mr. Cullick.
Magistrates or Assistants, who shall have power to send them to prison, for the securing of them vntill they can conveniently be sent out of the Jurisdiction.*

It is also ordered, yt no master of any vessell shall land any such Heritiq's: but if they doe, they shall be compelled to transport them againe out of this Collony, (by any one Magistrate or Assistant,) at their first setting saile from the port wheare they landed them, duering which time the Assistant or Magistrate shall see them secured, vpon the penalty of 20L. for any master of any vessell yt shall not transport them as aforesd.

[72] It is also ordered, yt none in this Collony shall sell any Indian any horse or mare, nor any boate or boate riginge, vpon ye penalty of five for one, for any such default.

It is also ordered by this Courte, that vpon consideration of wt was commended to the severall Courtes, to have vpon recorde to posterity the most memorable passages of Gods providence & settlinge & hitherto continuing his people in this Country, for the attaineing hearof, Major Mason, Mr. Stone, Mr. Goodwyn, Mr. Wareham, Mr. Steele & Goodman Stebbing, are desired to meete to collect such remarkable passages; Mr. Pell: & Mr. Ward are desired to send in writing such occurances by the sea-side.

It is ordered by this Courte, that such Constables‡ within this Jurisdiction shall make retorne of their warrants at Octobr Courte, which they received the spring before, & shewe their accounts with the Treasuror about thos collections which they were adjoyned to attend by thos warrants for Country Levyes, vpon the penalty of 40s. to the publike Treasury, for every such default.

The Lists of the persons & estates in the severall Townes within this Jurisdiction:—

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* This Order, (with the three which next follow,) was made by the General Court in conformity with a recommendation of the Commissioners of the U. Colonies, who, at their session in September, had (upon the suggestion of the Governor and Magistrates of Massachusetts Colony,) "proposed to the severall General Courts, that all Quakers, Ranters and other notorious Heretiques be prohibited coming into the United Colonyes, and if any shall hereafter come or arise amongst vs, that they be forthwith secured and removed out of all the Jurisdictions," "And that no horse or mare, young or old, be sold to any Indian, vnder the penalty of five for one."

"And also that no boates or barkes or any tackling belonging thercunto be sold to any Indian, vnder the penalty of five for one." [Rec. of U. Colonies.]  

† Blank in the original.  

‡ For 'each Constable'?
<table>
<thead>
<tr>
<th>Persons</th>
<th>Estates</th>
<th>Estates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>188. 19675. 5s. 0.</td>
<td>Stratford</td>
</tr>
<tr>
<td>Wyndsor</td>
<td>152. 15531. 0. 0.</td>
<td>Middletowne</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>12504. 10. 0.</td>
<td>Pequott</td>
</tr>
<tr>
<td>Norwaake</td>
<td>3154. 10. 0.</td>
<td>Seabrooke</td>
</tr>
<tr>
<td>Fairefeild</td>
<td>10053. 4. 0.</td>
<td></td>
</tr>
</tbody>
</table>

This Courte graunts a Rate in the Country, to bee levied by virtue of the Treasurers warrants to the Constables in each Towne, for three farthings in the pound, to bee pd halfe in wheat & halfe in pease.

This Courte orders, that when John Elderkin doth lay downe the ordinary att Pequott, y\textsuperscript{n} & not before Geo. Tounge may have a lycence from any one Magistrate to keepe an ordinary according to the orders of this Courte, in the aforesd towne of Pequot.

It is ordered, y\textsuperscript{t} next Wednesday come 3 weekes shall be kept a publique day of Thanksgiving to the Lord, for the gen: concurrances of many mercyes the yeare past, by all the plantations in this Jurisdiction, notice being to be given to y\textsuperscript{e} officers in each towne by the Deputyes of the Courte from the sd townes.

This Courte orders, that in y\textsuperscript{e} action whearin Sam: Smith as Attourny to Tho. Stephenson, did cast Mr. Robbins, 10$, y\textsuperscript{t} execution shall be respited vntill better prooffe appeare, provided he bring it in at ye Quarter Courte in Septem: next.

The Courte is dissolved.

\textit{Some other orders made at the Courte in Octob\textsuperscript{r} 4\textsuperscript{th}, 1656.}

The names of thos that are appointed by the Courte, to be Leather sealers, for the yeare ensuing : For Hartford, John Stedman, Edw: Grannis; For Wyndsor, Good: Olderige, Jobe Drake; For Seabrook, Jonath: Rudd, John Olmesteed; For Stratford, Good: Groves, & Robert Rice; For Norwaaek, Richard Olmesteed.

[73] Octob\textsuperscript{r} 2\textsuperscript{d}, (56.)

This Courte taking into serious consideration the several deceites and abuses which in other places have beene and are commonly practised by the tanners, curiers, butchers and workers of Leather, as also the abuses and inconveniences
which acreu to the seveall members of this Common wealth by leather not sufficiently tanned and wrought, which is occasioned by the necligence & vnskillfullness of thos severall tradesmen, which before, in & after it is in the hand of ye tanner may be much bettered or impayred, for prevention hearof, it is ordered by this Courte and the authority hearof,

That no Butcher, by himselfe or any other person, gash or cutt any hide of ox, bull, steare or cow, in fleing hearof, wheareby the same shall be impayred, vnder the penalty of 12 for every such gash in hyde or skin.

Nor shall any person or persons vseeing or which shall vse the mistery of tanning, at any time or times hearafter, offer or put to sale any kinde of leather which shall be insufficiently or not throughly tanned, or which shall not then have beene after the tanning hearof well & throughly dried, vpon paine of forfeiture so much of his or their sd Leather as by any searcher or sealer of leather lawfully apointed shallbe found insufficiently tanned or not throughly dried as aforesd.

Nor shall any person or persons vseeing or occupying the mistery of tanning set any of their fattes in tann hills or other places wheare the woozes,* or Leather put into tann in the same, shall or may take any vnkinde heates, nor shall put any leather into any hott or warme oozes w'tsoever, on paine of 20l. for every such offence; nor shall any person or persons vseeing or occupying the mistery or facultye of cureinge, burne or scauld any hide or leather in the cureinge, but shall worke the same in all respects with good & sufficient liqvor both for qualitie & quantyte, suitable to the condition of the Leather drest by him or them, on paine of forfeutre, for every such offence or act done contrary to the true meaning of this order, the full value of every such hide marred by his evell workmanship or handleing, which shall be judged by two or more sufficient and skillful persons, cureiros or others, and their oath given them for that ende by one Magistrate or Assistant. And every towne wheare neede is or shall be, shall chuse one or two persons of the most able & skillfull within their severall towneshipps, & present them to ye Courte or one Magistrate or As-

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* Ooze; "the liquor of a tan vat." Webster.
sistant, who shall appoint and sweare the sd persons by their discretion to make search and view within the presincts of their limmites as often as they shall think good and neede shalbe, who shall have a mark or seale prepared by each towne for that purpose: and the said searchers, or one of them, shall keepe the same & therewith shall seale such Leather as they shall [finde] suffitient in all points, one or other; and if the sd searchers or any one of them shall finde any Leather sould or offered to be sould, brought or offered to be searched or sealed, which shall be tanned, wrouented or vsed contrary to the true intent & meaning of this order, it shall be lawfull for the sd searchers or any of them to seize all such Leather and to retaine the same in their custody; vntill such time as it bee tryed by such tryars & in such manner as in this order is appointed, viz: vpon the forfeture of any Leather, ye officer so seizinge ye same shall within 3 dayes call to him 3 or 4 men, honest & skilfull in such ware, to view the same in the presence of the perty, who shall haue timely notice thearof, or without him, who shall certeyne vpon their oaths to the next Quarter Courte or one Magistrate or Assistant, the defect of the same Leather, except the perty before submit to their judgment. Nor shall any searcher or sealer of Leather refuse with convenient speede to seale any Leather suffitiently tanned haveing timely notice; nor shall any such searcher or sealer seale that which is insuffitiently tanned, vpon the forfeture for every such offence [of] 10s; & the fees for searching & sealing of Leather, shall be 2d p't hide for every number under five, & 12d for every dicker* of Leather, which the tanner shall pay vpon the sealing the sd Leather, from time to time:

[74] Lastly, its ordered by the authority aforesd yt ye severall fynes & forfetvres in this order mentioned, be equallly devided into 3 p'ts; one part to the Common Treasuror of the Country, 3d p't to the Common Treasury of the towne wheare the offence comitted, one 3d p't to the seizor or seizors of such Leather which is insuffitiently tanned, curried or wrought fró time to time.

* Dicker or diere; "a quantity of leather consisting of ten hides." Johnson.
† Thus, in the Record.
A Generall Court, called by the Gouerno't & Magis-
trates, this 26th of Febr, 1656.

Joh. Webster Esq', Gouernor.
Tho: Wells Esq', Deputy.

Magistrates: Major John Mason, Capt. John Cullick,
Mr. Clarke, Mr. Willis, Mr. Tailcoat.

Deputies: Mr. Steele, Tho: Judd, Robert Webster, Geo:
Graues, Mr. Trott, Mr. Robbins, John Dement, Mr.
Hollister, Capt. Denison, Will: Cheesbrook, Phillip
Groues, Willi: Beardsly, Mr. Allyn, Mr. Gailer, Mr.
Phelps, Mr. Clarke, Nath: Ely, Sam: Hale, Cornelius
Hull, Henry Grey, John Clarke, Robert Chapman, Mr.

This Court desires that Major Mason doe warne John Olm-
steed, Constable in Seabrooke, to appeare at the next session of
this Court in Hartford, to answer such irregularities in attend-
ing his warrant for choice of Deputies for this Court as shall bee
charged & prouded, complained of here by William Waller, where
the said Waller is also in like maner to be warned to make
good his compl't. Voted.

This Courte appointe Mr. Steele, Mr. Allin, Mr. Dan: Clarke,
Mr. Lord, William Wadsworth, Mr. Hollist'r, John De'ming,
Robert Webster, w'th the Magistrates, to bee Committee, to giue
the best safe advice they can to the Indians, if they agree to
meete & being mett shall eare the same of them.

This Court doth order that Mr. Warham, Mr. Stone, Mr.
Blinman & Mr. Russell bee desired to meet, the first fifth day
of June next, at Boston, to conferre & debate the questions
formerly sent to the Bay Court, or any other of the like nature
that shall bee prfounded to them by that Court or by owne,
w'th such divines as shall bee sent to the said meeting from the
other Collonies; and that they make a returne to the Gen;
Court of the issue of their consultations. Voted.

It is also ordered, that a coppy of the former order bee sent
to the foure Eld'rs chosen for the Synnod, w'th a coppy of 12
questions more, w'th this Court hath agreed should bee sent
by the first opportunity to the Gouernor in the Bay, for the
Synnod to consider w'th the former questions. Excluded.
It is also ordered, that the Deputies, with the Deacons of the Church in each towne, take care that their said Eldrs bee comely & honorably attended & suited with necessaries in their journey to the Bay and home againe; and that the same, with their portion of charge in the Bay, during their abode there upon this service, bee discharged by the Treasurer; and also the Deputies are impowered to press horses (if need bee,) for the end aforesaid. Voted.

It is ordered, that the levy upon the several townes for the Country, by the last Court, shall be made for a penny upon the pound. Voted.

[75] This Court doth grant liberty to Saml Marshall of Wind- zor, to sell strong liquors by retaile, for the space of one yeare.

This Court confirmes the former grant (prooued to them) of 20 myle Iland, with the meadow adjoyning on the east side the great Riuier, & comonage appertaining, to Robert Chapman of Seabrook.

Robert Webster is confirmed Recorder for the Towne of Middletowne, according to their desire. Voted.

( Whereas, there is pruision made formerly, against all vnlaw- full games, but the Court hath not explained themselves so farre as there may bee need, what games they judge & condemme as altogether vnlawfull, in the very nature of them, It is now ordered, that if any person or persons, of what rank or quallity so euer, in this Jurisdiction, shall after the publishing of this order, play at Cards, Dice, Tables, or any other game wherein that great & sollemne ordinance of a Lott is expressly & directly abused &phaned, the persons playing or that shall play, more or lesse, at any of the aforesaid games, shall pay for every offence 20s. a pence to the publicke Treasury; & the head of that family where any such game shall bee vused or played, (if hee or shee know of, bee priuy to & allowe any such playing in their house or houses,) they shall pay in like manner, 20s. for each time any such game is played in part or whole, but if they play without any privity or knowledge of theirs, then that with otherwise should haue bene paid by them shall bee paid by the said gamesters or playrs, that is to say that the persons playing shall pay 20s. a time for every time they play at any of the aforesaid games, more then his former penalty, to the
publicke Treasury; onely it is prouided that one third part of the penalties shall bee to the party or parties that shall discover and prooue the same to the Court.) Voted.

It is ordered, that the sallery formerly allowed Daniell Porter shall bee continued to him for the next ensuing year, after the end of his last sallery. Voted.

Mr. Tho: Fitch, of Norwalke, being presented to this Court as chosen by that Towne for Clarke of their trained band & Recorder of Lands, is confirmed by this Court in the aforesaid respective offices & employments. Voted.

This Court having read and considered a certificate from Mr. Laurence Cornelius, Dutchman, (& the Townsmen of Pequett,) they doe declare and shew that they allow and confirme the act of the Towne or Townsmen of Pequet in admitting the said Lawrence Cornelius an inhabitant of that Towne, to have free trade amongst o'selues; proued in all things hee observes & kepes all the wholesome lawes and orders of this Jurisdict: that either are or shall be made.

This Court doth order that those that shall hereafter bee made free, shall haue an affirmatiue certificate vnder the hands of all or the major part of the deputies in their seuerall townes, of their peaceable and honest conversatiaon, and those and only those of them whch the Gen: Court shall approue shall bee made free men. Voted.

[76] The Deputyes are desired to bring a list of the names of the Freemen in their seu'all Townes to the Gen: Court in Octo-ber next.

The Court hereby manifests their desires that the reuerrnd Eldrs of the Counsell who formerly transacted the differences of Hartford Church,* would giue a meeting to the reuerrnd Eldrs of the Bay that haue tendred themselues voluntarily to

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* "It appears, that about the years 1654 and 1655, several councils of the neighboring elders and churches were called, to compose the differences between the parties [in the church at Hartford.] They labored to satisfy them, with respect to the points in controversy. But the brethren at Hartford imagined that all the elders and churches in Connecticut and New Haven were prejudiced in favor of one party or the other, and therefore they would not hear their advice. For this reason it was judged expedient to call a council from the other colonies. Some time in the year 1656, it seems, a number of elders and churches from Massachusetts came to Hartford, and gave their opinion and advice to the church and the aggrieved brethren. But it appears, that in the apprehension of the aggrieved, the church did not comply with the result." [Trumbull's Hist. of Conn. I. 297.]"
come vp hither to consider and consult wch way may bee most agreeable to the rule, to put an end to the difference.

2. The Court desires that Hartford Church would write to the former Counsell to come together to Hartford to see if they can compose the differences amongst themseleves in this Interim: if not the former request to bee attended.

3. That there may be letters gratulatory returned to the reu-erend Eldrs in the Bay, for their respect, & to continue their former resolutions to come vp to helpe in these cases.

4. The Court desires that Mr. Stone & the Church should, together wth their letters of request to the former Counsell, declare also vnto one or more of them, in writing, the particulars wherein they are not sattisfied wth the determination of the Counsell. Mr. Dan: Clarke is desired to draw the letters to the Eldrs in the Bay, and to the former Counsell.

At the same time, Mr. Gouernor, Capt. Cullicke & Mr. Steele. (hauing no hand in the p'mises,) did seuerall times expresse themselves openly in the Court, to this purpose; that though they did exceeding greatly desire any way that might bee discovered to bee the way of God should bee attended for the healing of those sad differences in the Church of Christ at Hartford, yet being not able, (though oft desired,) to obtaine any thing from the Court that might make it appeare that that wch they have done was (all things considered) the next way of peace according to God, they wthheld their votes; but did much & often expressly desire that the former Counsell might bee first showed the grounds & reasons, why the Church at Hartford could not submit to the advice giuen, as the dissenting brethren had done; wherein the Counsell missed any rule of Christ in their aduice for their conviction; and if the Counsell did not returne a sattisfying answer, then they should bee willing further meanes should bee attended; yet none of these things could bee obtained.

[In the margin :] The Courte is adjourned to the 2d Thursday in Aprill.

Whereas, there is great complaint of the damage that doth acrew vnto this Comonwealth by the vnruleyness of Swyne, It is ordered by this Court & the authority thereof, that after the publication of this order, no Swyne shall goe wthout rings, at any
time in the yeare, that are out of mens owne yards, or within foure miles of any meeting house; And those that shall pound such swyne shall have sixpence a piece, besides 2d. a piece due to the pound keeper & just damages. The Court doth also re- ferr it to the seuerall Townes, to appoint some that shall attend the execution of this order. This order to take place vnpon any swine of aboue a quarter of a yeare old; only it is declared that this order concerns all the Townes in this Jurisdiction, except Windzor, on whom this order takes place if their Swyne shall bee found to goe wthin three miles of the great Riuier.

Those that were made free men at this Court, are as followeth:—Mr. John Haynes, Stephen Hopkins, Tho: Butler, John Pratt, Daniell Pratt.

It is ordered by this court, that while the ministry is main- tained at Paucatuck, the charge thereof & of the ministry at Pequett shall be borne as the major part of the inhabitants shall agree and order, that is whether Pawcatuck shall by & of themselves maintaine their minister & Pequett their minister, or whether they shall both maintaine both their Ministers in a joynyt way.

Sam: Smith of Pequett is confirmed Leuitent to the trained band in that Towne.

George Tong is confirmed ordinary keeper in the Towne of Pequett.

This Court orders that a certificate shall be sent to Cuscaci- nimo,* by the Sect, to let him understand that this Court allows him to keep the Mohogens or others of Vncasses men that are

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* Elsewhere, Cassassinamon, or Robin Cassinomom; a Pequot Indian, and one of the number of tributaries assigned to the government of Uncas, after the conquest. He entered the service of Mr. Winthrop, shortly after the coming of the latter to Pequot. In 1647, Mr. Winthrop presented to the Commissioners of the U. Colonies the complaint of Robin and other Pequots, of the injustice and tyranny of Uncas, with their petition to be taken under the immediate government of the English, and have some place appointed "where they might live peaceably." Their request was not at this time granted; but in 1654, Robin, in consideration of his service promised to the English in the proposed expedition against Ninigret and the Niantics, was freed from his subjection to Uncas or "any Indian Sachem further than the Commissioners should direct, and taken under the protection of the English and freed from tribute." The following year (Sept. 1655,) he was appointed by the Commissioners, Chief or Governor of the Pequot tributaries at Nameag (or Nameoke,) and Nawyuncque (i. e. on both sides of Mystic River,) in which post he was continued for many years. [Rec. of U. Col.; Hazzard's Coll. ii. 87, 92, 326, 334.]
with him, till hee receiues further order from the Gen: Court, or the Com\mission.rs, to whom they haue writ for advice, except Vnca\s desires them & they desire themselues to goe to Vnca\s.

This Court doth order, that by admitted inhabitants, specified in the 7th Fundamentall, are meant only householders that are one & twenty yeares of age, or haue bore office, or haue 30l. estate.

It is also ordered, that not lesse than two Magistrates shall giue the oath of fidellity, at a publicke meeting warned by due & orderly notice giuen for the said publicke meeting.

This Court orders, that no Indians shall make any hostile attempt vpon any Indian or Indians in any Town or house in this Jurisdiction, neither shall they march through any Towne wth their armes, or in a hostile manner.

This Court orders that next Wednesday come fortnight, being the 25th of this instant, shall bee observed & kept a day of publicke humiliation, by all the Plantations in this Jurisdiction, to seeke the presence, guidance & direction of the Lord in reference to the Synnod, & the other waighty concernm\ts & difficulties of this Jurisdiction; & the Deputyes in each Towne are desired to acquaint their respectiue Eld\rs wth the same.

[78] An Adjourn\mt\ of the Gen\n Court, Aprill 9th, 1657.

Mr. Webster, Gou\nor.
Mr. Wells, Deputy.j

Magistrates: Major Mason, Mr. Clarke, Mr. Cullick, Mr. Willis, Mr. Tallcoat.

Deputyes: Mr. Allin, Mr. Phelps, Mr. Gaylerd, Mr. Trott, Mr. Clarke, Mr. Lord, Will: Wadsworth, Mr. Robbins, Leiftnt Hollistr, Joseph Mygatt, John Deiming, Nath: Ely, Henry Grey, John Clarke, Robert Chapman, Sam: Hales, Geo: Graues.

John Packer testifieth vpon oath, that at a Towne meeting at Pequett, the major part of those who were present did vote that the inhabitants of Mistick & Paucatuck should bee a Towne of themselues; and that hee opposed the putting it to vote, and that hee voted against it himselfe.

26*
Nic: Sension is made a freeman.

There being a most horrid murder committed by some Indians at Farmington, and though Mesapano seemes to bee the principall acter, yet the accessaries are not yet clearely discovered, and none brought to a legall triall. It is ordered, that Tekomas, Agedowsick & Wonanntownagun alias Great James, should bee kept as pledges in the prizon till the murtherers & accessaries are brought forth to due triall & judgm'; only the Court orders that when Tekomas his 2d sonne shall be deliuered vp to the justice of this Court.

Instructions to those who are to goo to Norwootuck & Pcumtuck; that they shall acquaint the Sachem and chiefe there with the horrible bloody act that is lately done at Farmington, and tell them that wee expect that they and all or any other Indians whatsoeuer shall forthwith send Mashupanan or any other that are accessory to that bloody act, either with these or messengers or so soone as hee or any other accessory thereto bee p'cured by them, & tell them that wee shall looke at them or any other that detaine Mashupanan or any that are accessory in this act, as our enimyes.

The persons the Court appoynts with all speed to attend this seruice are Jonathan Gilbert & John Gilbert from Hartford, & the Deputies in Windzor are desired to prouide an able man to joyne with them herein.

It is ordered, that it shall not bee lawfull for aboue two Indians at a time, & they without any armes, to come into any Towne or house in this Jurisdict: till the Court shall take further order.

This Court also desires that the inhabitants of Farmington would use their best indeauors to search out, app'rhend & bring before the Gouerno', either Mesupano, Cherry, or any other that may justly bee suspected to bee guilty of & accessory to the aforesaid bloody fact.

[79] Nathan Gold is approued by this Court to bee put to
election at the next Gen\textsuperscript{11} Court of Election, for to bee a Magistrate in this Jurisdiction: for the yeare ensuing.

The Commission of Major John Mason, of Seabrooke, sent from several Magistrates & Deputies, as a Committee appointed by the last Gen\textsuperscript{1} Court, to attend any cause or exigent that might accrue with concerns this Commonwealth, but especially concerning the Indians, before the next Gen\textsuperscript{11} Court of Election.

May 15\textsuperscript{th}, 57. Whereas the aforesaid Committee have received credible information of several insolent injuries & insufferable outrages committed against the inhabitants of South Hampton, by some Indians upon Long Island near to the said South Hampton, but such as owne the Montacutt Sachem as their Sachem or chief, they doe thercfore hereby send you (as their Agent, in the behalf of this Colony,) with 19 men under your comand, to South Hampton upon Long Island, where you are to consider of all matters & things whatsoever that may appeare necessary to bee considered and attended, according to your ensuing instructions, & you are to certify vpon all occasions what shall bee the result & issue of your negotiations, in reference to the premises.

Instructions for Major John Mason, of Seabrooke, sent with Commission from the Committee appointed by the Gen\textsuperscript{1} Court of Connecticut, Aprill, 1657.

You are with all convenient speed to saile with your men to South Hampton, where you may meet with the Magistrates there belonging to this Colony, taking in Leiften\textsuperscript{1} Bull, with such assistants there in counsel as they & you shall agree vpon, who are to consider & attend what shall bee presented in reference to the premises, according to the ensuing instructions:

You are to get clearly interpreted to the Montacutt Sachem the declaration of the Commissioners, with Mr. Ogden will shew you, in the transcript hee hath from hence, & a copy left with them:

1. You are to inquire & search out what is the injury there done & when.

2. You are to inquire & search out by whom such injury is done, & the true valley of the damage.
3. If you finde it or any part of it to bee done by the Indians or any of them vnder the Montacutt Sachem, then you are to finde out so farre as you can, by what or how many Indians such injury is done, either as agents or accessoryes.

4. You are to require of the Montacutt Sachem such daâˆ™age as you shall find done by any Indian or Indians vnder him, or otherwise the injurious agents & accessoryes, according to law & the articles of agreeemâˆ™ betwene him & vs.

5. If hee declares himselfe vnwilling to attend this, so farre as hee is able, you are speedily to informe thereof.

6. If hee declares himselfe willing to attend it, but pleads his inability to effect it, and therefore desires the assistance of the English, you are (wâ™ what men shall bee thought meet) to assist him & his men to go to the plantation of Indians vnder him, that haue committed this outrage, of whom it is expected by this Collony that hee should before you require satisfaction for the daâ™age done, which if denied or delayed, then that hee demands of them the agents and accessoryes, (wâ™ you or hee shall find out,) to the aforesaid injury, that they are by them speedily deliuered vp to yoâ€™selse & the Magistrates in that Towne; if attained, you are to leaue them wâ™ those that are injured, for their satisfaction, according to the act of the Comâ™issionâ€™s. If peremptorily denied, you are speedily to informe the next Gen: Court, Gouernoâ€™ or Magistrates of the same, except the strength wâ™ you & there can compell them. If delayed, then if you see they will come to any termes that will be for the honor of the English and the sattisfaction of the injured persons, they may agree wâ™ them as they can, any thing herein to the contrary notwâ™standing.

7. You are to take charge of the aforesaid men sent you wâ™ their prouision & ammunition, as also all other that you shall see meet to raise there to the furtherance of this worke, who are injoyned to bee vnder yoâ€™ command at all times & in all things, both for assisting or freinds there in their just defence, by watch- ing, warding, or otherwise, as you & those in counsell wâ™ you shall judge the case doth require.

8. Wee doe not judge it convenient that you should in yoâ€™ owne person make after any Indians in the woods, where you can find or come at them.
Lastly, if you cannot attend this service, then Leiften Tho: Bull is to attend it, & is invested wth all the power heerely committed to you.

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**AT A GENERALL COURT OF ELECTION, 21th OF MAY, 1657.**

*Magistrates elect:*

John Winthrop Esqr, Gouernr.
Tho: Wells Esqr, Deputy.
John Webster Esqr, Magist: Mr. Tailcott, Mag:
Major Jno Mason, Magist: Mr. Nathan Gold, Mag:
Mr. Cullick, Magist & Secret. Mr. Gosmore, Mag:
Mr. Clarke, Magist: Mr. Ogden, Magist:
Mr. Willis, Mag:

*Deputies:* Mr. Steele, Mr. Phelps, Mr. Gailard, Mr. Trott, Mr. Robbins, Mr. Brewster, John Deiming, Math:
Camfield, James Morgan, John Wells, Rich: Butler.

Were made free before the Court, those whose names are underwritten:

Tho: Hubbard, Rich: Seager, Josias Arnold, John Cole,
Will: Filly, Nath: Seely, John Butler,
John Denslow, Sam: Cheesbrook, Sam: Moody,
Sam: Bissell, Will Hought, Robert Warner,
Jonath: Gillet, Junr, Tho: Adgate, Will: Cheeny,
James Egltone, Francis Grizwald, Willi: Warde,
Thomas Huntington, John Norton, John Gilbert,
Ambroze Fowler, William Goodwin, Michael Omphries,
John Graues, Robert Lay, James Treat,
[81] Sam: Rockwell, Joseph Bird, John Deiming Junior,
Sam: Gibbes, Rich: Wakely, Nath: Graues,
Edw: Andrews, Andrew Sanford, Mathias Treat,
Begatt Egltone, Josias Elseworth, John Palmer,
Sam: Church, Nath: Winchell, Jonath: Smith,
Tho: Burnham, Fra: Hall, Sam: Belding,
John Baily, Symon Lobdell, Henry Palmer,
John Root, Geo: Woolcot, Tho: Dickerson,
Tho: Fitch, John Harrison, Mr. Sam: Wells,
John North, Enoch Buck,
Willi: Ventris, John Belding, Robert Foot,
Nath: Woodroof, Joseph Smith, Joseph Dickerson.
James Bird, Sam: Wright,

This Court doth approve of the place for a farme for Mr. Haines, at Paucatuck, wch Edward Stebbin & John White haue loocked out for him, about a myle & halfe beyond Pauca- tuck Riuier, as is expressed in an order, March, ’53–’54, & for quantity according to Mr. Haines his grant at a Court, June, ’52.

This Court doth appoint John Bissell to keepe the Ferry for one yeare,—at his old house.

Thomas Curtis is freed from training, watching & warding.
Jasper Gunn is freed from training, watching & warding, during his practise of phissicke.

This Court orders, that this clause shall bee added to the former order concerning Leather, That no Leather shall bee sold or offered to bee sold before it bee sealed in the Towne where it is tanned, & in case it bee found defectiuie, the sealers have power to fine it or seize it. And in case the owners of such Leather submit not to the judgment of the sealers, they shall choose 3 or 4 able men as a Jury, who shall judge of the case, whether it shall bee forfeited or fined & how much,—wch fines or forfeitures shall bee disposed of as in the former order concerning Leather. And that no raw hides shall be transported out of this Collony, vpon the forfeiture of all such hides.

This Court doth approve of the Commission & Instructions wch the Committee sent wth Major John Mason to Long Island.

[82] More acts of this Court, May, ’57.

The testimony of G: Boon vpon oath, that hee heard it expressed by those that heard it expressed by those that spake in the behalfe of Fairfield at a Genl Court, that they did not desire the land aboue the path at the Necke.

Mr. Brewster is chosen an Assistant for the Towne of Pequett, for the yeare ensuing.

The Court desires Capt. Cullick to write a letter to Mr. Winthrop, as speedily as may bee, to acquaint him to what place the Country hath chosen him, & to desire his present assistance as much as may bee.
John Nott, John Cilburne & John Betts & John Dickerson are confirmed to bee Serjeants at Wethersfeild.

Good: Groues appointed L. sealers for Fairfeild.

Good: Fairchild

Walter Gailard is appointed Leather sealer at Windzor, instead of old Oldrige.

This Court doth confirme Mr. Gold to bee Leiften, Nehe: Olmstead & Robt Loockuet to bee Serjeants at Fairfeild.

Mr. Deputy & the Magistrates, together with Mr. Allin, Mr. Steele, Mr. Phelps, Gill: Migat, Willi: Wadsworth, and Mr. Hollister, are chosen as a Coœmitee to attend any occasions as the State of Coœnion wealth in reference to the Indians.

The Court is adjourned vnto the second Thursday in August, except the Magistrates see cause to call it sooner.

Major Mason & Mr. Talcott are chosen Commission'rs for the yeare insuing.

Mr. Steele & Good: Mygatt are appointed by this Court, to demand satisfaction of the Indians at Farmington for such damage which can bee duly proved to bee done by the late fyering a house, which was by one of that plantation, as also to acquaint them that the Courts mind is that they should nominate some one to bee a Sachem over them, and to make returne hereof at the next Sessions of this Court.

The Courte orders that the chiefe millitary officer of Middle-towne, with Geo: Graues, shall haue power to iudge of the defects in traynings, watchings & armes.

[83] Mr. Clarke & John Allin are desired to present a list of the names of them that desire to bee troopers, at the next session of this Court, which said Court is to approve of whom they see meet, there being to bee added to the former preuiledges, that if any troupers horse, being called forth by authority, bee killd in warre, the country shall pay for him; which troupe of horse, as well as the foot companies, are to bee vnder or Majors command.

Capt. Denison doth acknowledge in this Court that hee wronged Mr. Blinman & missed his rule, & that hee spake corruptly in saying that Mr. Blinman did preach for Paucatuck & Mistick being a Towne before hee sold his land at Mistick as aforesaid.
This Court doth order, that that the inhabitants of Mistick & Paucatuck shall pay to Mr. Blinman, that wch was due to him for the last yeare, scil: to March last.

Mr. Winthrop, Major Mason, Capt. Cullick, Mr. Tallcott & Mr. Allin are chosen to bee a Committee to meet at Pequett to issue matters betwene the inhabitants of Mistick & Paucatuck, & Pequett, if they can, or else to make a returne how they leave things, at the next Generall Court.

This Court doth declare that any Assistant, either at Stratford, Fairfeild or Norwake, his power doth extend to any of those three plantations. And order that Good: Camfeild, who is chosen for an Assistant for Norwake, shall giue the oath of freedome & of a Magistrate, to Ensigne Gold.

Math: Camfeild is sworne an Assistant for the yeare ensuing according to the extent of his Comission.

A Session of the Gen: Court in Hartford, 12th August, 1657.

Tho: Wells Esq', Deputy.

Magistrates: Major Jno. Mason, Capt. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailcoat.

Deputies: Mr. Steele, Mr. Phelps, Mr. Trott, Mr. Gailor, Mr. Allin, Mr. Robbins, Mr. Dan: Clarke, Mr. Brewster, Mr. Lord, Wm. Wadsworth, Joseph Migatt, John Clarke, Robert Chapman, James Morgan, Rich: Buttler.

James Morgan, aged about 50 years, testified vpon oath before this Court that hee being last winter at Jacob Waterhouse his dwelling house, in company wth Mrs. Brewster, Goody Waterhouse & Capt. Denison, Thomas Staunton also being present, hee heard the said Staunton say that the Comissionrs had cast of Vncus, & hee had it in his pockett to shew.

This Court orders & appoints that Leiften't Wm. Lewis should to morrow goe to Gilford, & if vpon inquiry there hee understand that Thomas Staunton is gone to Branford & not returned, hee is to goe to Mr. Leet & desire hee would take order that Thomas Staunton, in that Jurisdiction, at Branford or elsewhere, shall bee forthwith sent to Mr. Wells, Deputy Gouvernor, or else take security for 40l. that hee will appeare before
the Gen: Court at Hartford, on Tuesday next, & abide the judgm of the Court, in reference to such things as shall bee testifyd against him by Major John Mason.

[84] Copia.
You are to bring or cause Thomas Staunton to bee brought before the Gen: Court in Hartford, on Tuesday next, then & there to answere unto such things as shall bee alleaged against him by Major John Mason & for so doeing this shall bee your war.

By order of the Gen: Court in Hartford,
J: C: Secy.

To Leiften Wm. Lewis.

This Court duely & seriously considering what evidence hath bene presented to them by Robert Wade, of Seabrooke, in reference to his wiues vnworthy, sinfull, yea, unnaturall cariage towards him the said Robert, her husband, notwithstanding his constant & coimendable care & indeauor to gaine fellowship wth her in the bond of marriage, and that either where shee is in England, or for her to live wth him here in New England; all wch being slighted & rejected by her, disowning him & fellowship wth him in that sollemne covenent of God betwene them, & all this for neare fiftene yeares; They doe hereby declare that Robert Wade is from this time free from Joane Wade, his late wife & that former Covenent of marriage betwene them.

This Court orders, that Mr. Winthrop, being chosen Gou'nor of this Collony, shall bee againe desired to come & live in Hartford, wth his family, while hee governes, they grant him the yearly use or profits of the housing & lands in Hartford belonging to Mr. John Haynes, wch shall be yearly discharged out of the publicke Treasury.

Major Mason, Mr. Talcott, John Cullick & Mr. Willis are desired to take the first opportunity to treat wth Mr. Winthrop for that end.

The Court adjourned to Tuesday next, 9 a clocke.

The Narration of Major John Mason, presented to the Courte, about the Narragansetts beleaguering of Vncus, at Niantick, is by this Court accepted, thankfullnesse acknowledged, & order the same to bee recorded on the back-side of the said Narration.
This Court ordered the Secr't to write to the Comiission'rs in reference to Thomas Staunton, w'h letter was read & approved, & the Secr' ordered to send the same.*

This Court orders that Mr. Brewster shall have power to put 4 or 5 men into the fort, who shall continue there 2 or 3 dayes for his defence against the Naragansets, & after that bee so in readinesse that if Vnceus bee againe assaulted by the Naragansets, they w'th 10 or 20 more, provided by Mr. Brewster, shall beare full witnesse against the Narragansets carriages, till Vnceus his returne home from the Comission'rs, & that speedy notice or intelligence shall bee giuen to the Deputy Gour'nor (if any fresh assault should happen,) or to the Comission'rs. [85] Mr. Tailcoat is desired to write to the Norwuttuck & Pocomtuck Indians to informe them of the time of the meeting of the Comission'rs & that if any of them haue ought against Vnceus, his purpose & resolution is to bee there to answere them, or any others.

A true copy of the Counsells answere to seu'ral questions sent to the Massachusets from o' Generall Court, being presented to this Court, signed by the Reuerend Mr. Sam: Stone, in the name of the rest of the Counsell, They doe order that coppies should goe forth to the seu'ral Churches in this Collony as speedily, & if any exceptions bee against any thing therein, by any Church that shall haue the consideration thereof, the Court desires they would acquaint the next Gen: Court in Hartford, in Octo'v: that so suitable care may bee had for their solution & satisfaction.

This Court considering the ingagem't of Edward Lay to this Jurisdiction (by 15l. secured in Rich: Fellowes his hand,) of Robert Codnams estate, that the said Lay should appeare, seu'ral yeares since, at Hartford, to answere at the Court his abusive cariage & expressions before seu'ral of Seabrooke, w'h to this time hee hath not attendted, they order that vpon the payment of 5l. to the Treasurer by the said Codnam hee shall bee free from the aforesaid seizure of Robert Codnams estate in his hands, & the said Edward Lay shall bee free from the forfeiture of bond & contempt therein, w'h 5l. being paid by Codnam

for Edward Layes disappearance, according to ingagem't, they judge that Edward Layes estate should satisfy Codnum for the same.

This Court being duly sencible of the danger this Common wealth is in of being poisoned in their judgm't & principles by some loathsome Heretickes, whether Quakers, Ranters, Adamites or some others like them, It is ordered and decreed, that noe Towne or person therein, w'th in this Jurisdiction, shall giue any unnecessary entertainm't to any of the aforesaid knowne hereticks, vpon penalty of five pounds for each Hereticke entertained, to bee paid by that inhabitant w'ch giues such entertainm't to them or either of them, & five pounds a weeke for each Hereticke, to bee paid by each Towne that shall suffer the entertainm't of any such Hereticks, as also 5l. a person that shall at any time unnecessarily speake more or lesse w'th any of the aforesaid Hereticks, except the Magistrate, Assistants, Eld'r's or Constable in this Jurisdiction; all w'ch fines to bee paid to the publicke Treasury. Also, it is ordered, that any Magistrate, Assistant or Constable, in each plantation, vpon any suspicion of any person to bee such an Hereticke, shall, w'th the helpe of their Eld'r or Eld'r's in each plantation, examine the said suspected person or persons, & if vpon examination hee or they judge any to bee such Heretickes, the said Magistrate, Assistant or Constable shall forthw'th send them to prizon, or out of this Jurisdiction. This order to bee added to the former order in Octob'r, (56.)

[86] This Court orders that if Tho: Staunton comes in the vacancy of this Court, hee shall bee required to put in security for his appearance at the Court in Hartford in October next.

The Court is dissolved.

At a Session of the Generall Court, held at Hartford, August 18th, 1657.

The Indians belonging to Tunksis Sepus, being treated w'th about the damage done by fire, occasioned by Mesupeno, they have mutually agreed and obliged themselves to pay vnto the Generall Court in October, or to their order, yearly, for the terme of seauen yeares, the full sume of eighty faddome of wampum, well strungd & merchtble, the first paym't to bee made
ir Octobr next ensuing, at the Session of the Gen: Court, & so to bee paid yearly at the Sessions in October, vntill the terme bee expired (that is to say) seauen paym'ts. Vnto wch agree'mt the foresaid Indians haue signed, the day & yeare aboue written.

the marke of

Nequittacusson
:Homs:
the marke of

Cowasecutt.

the marke of

Taccamus.
Mamunto.

These haue signed in the name & wth consent of the rest.

A relation of the carriage of the difference that fell out betwixt Vncas & Seoquassen of the one side & Totañimo & the Potunck Indians, At the Generall Court held at Hartford, in May, in the yeare of or Lord, 1656.

That vpon the murther of a Sachem of Connecticut dwelling neare Mattapeaset, by a young man called Weaseapano, Seoquassen complained to the Magistrates of Hartford of the wrong that the Potunck Indians did to him in entertaining & maintaining of him against all justice, wch said Seoquassen tooke Vncas in to him for helpe, to bee renenged for the said Sachems death, who was iraged wth the like accident of entertaining a murtherer that runne from Vnquas to the said Potunck, who complained likewise of wrongs done him, to the Magistrates. Vnquas also had complained to the Magistrates of Connecticut for seuerall wrongs done to him by Tantoñimo, espetially his intising of many of his men & their protecting a Murtherer; & therevpon the Magistrates ordered that the Sachems of both sides should appeare at Hartford at the Generall Court: who all appearing, Seoquassen first declared of the fact done by a meane fellow vppon one that was allyed to him, a great Sachem; and so Vnquas & Foxen justified, in many words.
The Governor pressed to know what satisfaction they required, who answered & pressed hard to have 10 men put to death of his friends that was the murtherer; the other Sachems pleaded vnjust, because the Sachem that was slayne had murdered the young mans Vncle wilfully. The Court many of them spake their mindes to & fro. The Governor shewed the Indians what or law is in such cases, that onely the murther or any that were accessory to it should bee punished, & so hee & many Deputyes pressed both sides for peace, & not to fight vpon such a quarrell.

The Potunck Sachems proffered to give wampam in way of satisfaction, which wholly was rejected, whereupon the Court spent some time to perswade to peace. Then they fell to be sattisfyed wth the death of 6 men. The Court wearied wth their speeches pressed the Potunck Indians to deliuer vp the murtherer, the which Totannimo promised, but privately stole out of the Court & went wth the rest of the Sachems to Potunk forte: wherevpon both the English & Indians were offended & agreed to send a messengr to deliuer vp the murtherer, as Totannimo had promised in Court. In the meane time the Court appointed 4 Deputyes to bee a Comittee to treat wth the Sachems of both sides, to see what could bee done for peace. This Comittee privately brought Vnquas to accept of the murtherer only, for full satisfaction. But those Potunck Indians said they could not deliuer vp the said murtherer, his freinds were so many & potent wthin the Forte.

In the afternoone the Comittee & the Sachems made knowne to the Court, who then agreed that by no meanes the English would bee ingaged in either of their quarrells, but would leave them to themselues, wherevpon the Gouernor made a long speech desiring to bee at peace one wth another, & take wampam. If they would not, then hee declared that the Court would not hinder them, but left them to themselues, & whatsoever fell out afterwards vpon either of them, they brought vpon themselues. But so were engaged, that they should not fight vpon this side of the riuer of Hartford, nor to hurt any of the English houses or any thing of theirs of the other side of the riuer; wth many expressions more to the same effect, was spoken by the Gouernor & also by some Deputies.
Some expressions many times in the agitation thereof was spoken that might carry that sense of advising & counselling of Vnquas not to fight, as some apprehended then, but in conclusion the Gournor, as the mouth of the Court, declared his minde fully to the Indians of both sides, as aforesaid.

Witnesse my hand, this 20th of August, 1657.
Jonathan Brewster.

Aug: 19th, (57.).
The Court voted that this relation should bee transcribed & asserted vnder the Secres hand, that to their sattisfaction it was evidenced in Court to bee a true relation.

[88] At a Generall Court held at Hartford, October 1, 1657.

Mr. Wells, Dep:

Magistrates: Mr. Webster, Major Mason, Mr. Clarke, Mr. Talcott, Mr. Willys.

Deputies: Mr. Steele, Mr. Allin, Mr. Phelps, Mr. Lord, Mr. Brewster, abs., Mr. Trott, Mr. Gailor, Mr. Dan: Clarke, Joseph Migatt, Wm. Wadsworth, Rich: Buttler, Mr. Hollister, John Wells, John Hurd, John Clarke, Rob: Chapman, Hugh Caulkin, Michaell Try, John Wheeler, Antho: Howkins, Rob: Webster Geo: Graues, Sam: Hale, Isack Moore, Sam: Wells, Sam: Bourman.

Tho: Staunton, for contempt of the last Gen: Court, in not appearing when summoned thereunto, for wch offence the Court fines the said Thomas, ten pounds.

This Court orders, that the Treasur shall procure convenient supply of corne for the Major this winter, & the charge in procuring it to bee imposed vpon those who are behind of their rate.

The Court doth appoint the Treasur to provide horses & men to send for Mr. Winthrop, in case hee is minded to come to dwell wth vs.

This Court appoints Mr. Allin & Jo: Gilbert to goe to Pacomtuck, to declare to the Indians the mind of the Coinstitution's con-
cerning them;* and that there bee a letter sent to Mr. Pinchon to assist them in it; but if hee refuse & Mr. Holliack, then they shall desist from further proceeding.

A list of the severall persons & estates of the severall Townes wthin this Jurisdiction:—

<table>
<thead>
<tr>
<th>Town</th>
<th>Persons</th>
<th>Estates</th>
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<tbody>
<tr>
<td>Fairfeild</td>
<td>11410</td>
<td>1. 0</td>
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<tr>
<td>Stratford</td>
<td>63</td>
<td>8400. 0</td>
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<tr>
<td>Seabrooke</td>
<td>72</td>
<td>581. 7</td>
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<tr>
<td>Mr. Fenwicks farme</td>
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<td>200. 0</td>
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A note of Mr. Fenwicks cattle vpon the farme, Good: Clarke is to send vp to the Treasurer, wch are to bee rated according as the law of the Country requires.

The Cattle of Capt. Cullicks farme are to bee rated & a note of them to bee given in to the Treasurer.

The Court appoints Mr. Dan: Clarke to write a letter to the Magistrates of South Hampton, to informe them of the minde of the Commission, & another to the Indians there.

The Major is allowed five pounds for his going to Long Iland besides his expences in that service.

This Court doth allow the Treasurer, for encouragemt of him in his place, 10 pounds p" annum.

This Court doth grant a rate of a peny vpon the pound, for the defraying of the publicke charges of this Jurisdiction. This rate to bee paid three parts in wheat & pease, by equall portion, & one fourth in Indian Corne at 20s. 6d. p" Bush:

This Court doth appoint the fourteenth day of this moneth bee set apart for a sollemne day of thanksgiving (for the mercyes of God the yeare past,) in the severall plantations in this Jurisdiction.

[89] A list of the persons & rateable estate of Connecticutt, taken Septr 23, 1657:

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* It is ordered, that Vnckas bee required to prmit the Podunk Indians to returne to their dwellings & there to abide in peace & safety, without molestation from him or his, & that the said Indians bee encouraged & invited so to do, by the Government of Connecticott."

* And the Government of Connecticott is desired to signify to the Pocomick and Norwootick Sachems our charge vpon Vnckas in reference to the Podunk Indians, and our desire of their returne to their dwellings and continuance there in peace; therefore wee desire and expect they will forbear all hostillity against Vnckas till the next meeting of the Comissions. [Records of U. Colonies, Sept. 1657.]
PUBLIC RECORDS

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<thead>
<tr>
<th>Description</th>
<th>£. ss. d</th>
<th>£. ss. d</th>
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<tr>
<td>Imp's the estate of Hartford,</td>
<td>17045. 8</td>
<td>20393. 8</td>
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<td>The persons, 186, that is,</td>
<td>3348. 0</td>
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<tr>
<td>The estate of Windzor is,</td>
<td>12999. 0</td>
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<tr>
<td>The persons are 161,</td>
<td>2898. 0</td>
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<tr>
<td>The estate of Wethersfield is,</td>
<td>10758. 0</td>
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<td>The persons come to,</td>
<td>1854. 0</td>
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<td>The estate &amp; pr'sons of Farmington come to,</td>
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<td>The estate &amp; pr'sons of Midltowne comes to</td>
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Sume tot'. 56170. 8 0

pr nos, Richard Treat,
Henry Woolcott,
William Westwood,
Robt Webster.

This Court orders, that noe person within this Jurisdiction shall kepe any Quakers bookes or manuscripts containing their errors, except teaching Eldrs, vpon the penalty of 10ss. a time for euery person that shall kepe any such booke after the publication hereof, & that shall not deliuer such bookes vnto their Eldrs.

The Court adjourned to the second Thursday of March.

[90] A Session of the Genl Court in Hartford, 11th DAY OF MARCH, 1656.

John Winthrop Esqr, Gouv'n'r.
Magistrates: Mr. Webster, Major Mason, John Cullick, Mr. Clarke, Mr. Willis, Mr. Talcott.
Deputies: Mr. Steele, Mr. Allin, Mr. Phelps, Mr. Gailor, Mr. Trott, Mr. Lord, Mr. Dan: Clarke, Mr. Brewster, Joseph Mygatt, Wm. Wadswoorth, Rich: Butler, Mr. Hollist, John Hurd, John Clarke, Robert Chapman, John Wheeler, Antho: Howkins, Sam: Hale, Sam: Wells, Sam: Bourman, Robt Webster, Geo: Graue Jr.

John Hurd is sworne to the office of a Constable for the yeare ensuing, in the Towne of Stratford.

This day 3 weekes, wch is the first day of Aprill, the Court de-
sires the Magistrates to attend the consideration & distribution of such estates of deceased persons as are, or then shall bee exhibited & the Deputies are desired to giue notice thereof in their respective Townes.

The listed persons for Troopers presented to, & allowed by this Court, vnnder the command of Major John Mason, are as follow:—

In Hartford: Mr. Willis, Mr. Lord, Mr. Tho: Wells, Jacob Migatt, Jonathan Gilbert, Nicho: Olmstead, John Stedman, James Steele, Dan: Pratt, Andrew Warner, Will: Edwards, Richard Fellowes, Robert Reiu, John Allin.


In Wethersfeld: John Lattimore, John Belding, Richard Treat, Mr. John Chester, Antho: Wright, John Palmer.

The aforesaid Troopers presented to this Court their choice of officers, wch the Court did confirme: Richard Lord, Capt.; Daniel Clarke, Lieuten; John Allin, Cornett; Nicho: Olmstead, Corporall; Richard Treat, Corporall; Sam: Marshall, Corporall; Mr. Tho: Wells Junior, Quartr Mr.

Richard Haughton, of Pequett, petitioning this Court for their fauo to consent (that hee the said Richard may haue liberty to agree wth Vncus for a certaine neck of land called Massapeag, betwene Pequett & Mohegin,) They hauing considered the low estate of this man, his charge of children, wth other things as further motiues to them, doe hereby declare, that they thus farre consent to his petition or motion, that in

[91] case hee fully sattisfie Vncus for the aforesaid Massapeage & there bee a full & cleare agreemt betwene them for the same, then this Court shall not manage the law in this Comonwealth against him for making any such contract wth Indian or Indians, pruised the said Haughton or his assignes neuer make any further or other use of it, but only to plant or sowe therepon in the summer, and kepe cattle therevpon in the winter: and that no swyne shall bee kept vpon the premises at any time, neither shall bee any otherwise improued to the trespass or
prjudice of Vaeus in any such kind, or trouble of this Coomon wealth.

This Court grants liberty to the persons already allowed by this Court to cohabite at Bankside, (a place betwene Fairseild Towne & Norwalke,) to take in as a cohabitant wth them in that place, Robert Beacham, who lately lined at Norwalke.

The Deputies nominated to this Court, to bee p*pounded at the next Gen: Court of Election for choice to bee Magistrates in this Jurisdiction, Mr. Phelps, of Windsor, and Mr. Mathew Allin; Mr. Treat Senior, of Wethersfeild; Mr. John Wells of Stratford, and Mr Allexand*r Knowles, of Fairseild.

Phillip Galpin, of Fairseild, is freed from trayning, but not from watching nor warding, till the Court sees cause to reuoke this their order.

The consideration of the petition from seu*all inhabitants in Fairseild, is referred to the next Court of Magistrates there, & they to make returne thereof to the next Gen: Court after the same.

The plantation at Pequet is named by this Court, New London, wth a preable to bee inserted about the same, (wch is inserted in the closure of ye Acts of this Session.)

The Court frees Thomas Coleman from watching, warding & trayning, if hee makes it appeare that hee is about 60 yeares old.

Mr. Russell, of Wethersfeild is also freed.

This Courte doth grant to & agree wth John Bissell Junior, of Windzor, that the Ferry there, ouer the great Riuier, shall bee & belong to him for the space of ten yeares next ensuing, vpon the limitation & termes hereafter expressed, to wch hee doth in Court agree & ingage to attend:—

1. That there shall bee alwayes maintained in readinesse vpon all occasions, an able & sufficient boate & man for the safe passage of horse & men.

2. The said John Bissell shall haue 8d. a head for any beast, & 2d. a head for any person that commeth wth them, & 3d. for any single person.

[92] 3. That each Trooper listed and allowed in the Court, & the horse hee rides, is only freed from the ferridge going to Springfeild Towne, or as farre as Springfeild Towne, or further.
4. That no person of Windzor shall have liberty for to help over any person or beast of any other Towne, but they shall then pay the Ferryman as much as if they were caried over by him.

5 Upon consideration with the inhabitants of Windzor, they are to goe over the Ferry for halfe the forementioned price, only that single persons shall pay 3d. per head for their passage as before.

There was a list of the persons & estates of the west side of Pequett River presented, which amounted to 3360l. 7s. 8d. & the Court doth expect that a true List of the persons & estates of the inhabitants of the east side of the River shall be taken & presented to the next Court, that so their list may be perfected.

Sam: Welles is confirmed Ensigne for the soldiers at Wethersfield.

William Blumfield is freed from training.

This Court having read & duely considered a letter from the Gen: Court in the Massachusetts about the land on the east side of Pequet river, doe desire the Gou'nor & John Cullick to draw vp a letter in an answer thereunto, & send the same signed by the Secr in the name of this Court.*

It is agreed by this Court that Wednesday, the last of this month is appointed for a day of humiliation.

This Court orders that henceforth no persons in this Jurisdiction shall in any way imbody themselues into Ch: estate, without consent of the Generall Court, & approbation of the neighbor Chs:

This Court orders that there shall be no ministry or Ch: administration entertained or attended by the inhabitants of any plantation in this Collony, distinct & separate from, & in opposition to that which is openly & publickly observed & dispensed by the settled & approved Minister of the place, except it be by approbation of the Generall Court & neighbor Chs: p'vided always that this order shall not hinder any private meetings of godly persons to attend any duties that Christianity or religion call for, as fasts or conference, nor take place vpon such as are

* See Appendix, No. iv.
hindred by any just impediments on the Sabbath day, from the publicke assemblies, by weather or water & the like.

[93] This Court appoints that Will: Waller should bee required forthwith to make due satisfaction to those who are appointed by the Townesmen of Seabrook to leuy the rate for Mr. Fitches maintenance, or otherwise to make his appearance at the Gen: Court in May next to giue an account of his neglect.

It is voted by the Court, that Windzor petition shall bee deferred vntill the next Session of this Court, & then to bee taken into consideration; as also the seurall Deputies are desired to acquaint or Eldrs respectively that the Court desires them to attend the next Session of the Court to advise & consider what way may bee most requisite to issue the differences that are amongst vs.

This Court orders, in reference to the sad differences yt are broken out in the seurall Chs: in this Collony, & in spetiall betwixt the Ch: of Christ at Hartford and the withdrawers, & to p'secute further troubles & such sad consequences that may issue from the p'issues to the whole Common wealth, It is desired & required by this Court, that there bee from henceforth an utter cessation of all further p'secution, either on the Chs: part at Hartford towards the withdrawers from them, and on the other part, that those that haue withdrawn from the Ch: at Hartford shall make a cessation in p'secuting their former p'sitions to the Ch: at Wethersfeild or any other Ch: in reference to their joyning there in Ch: relation, vntill the matters in controuersy betwixt the Ch: of Hartford & the brethren that haue withdrawn bee brought to an issue in that way that the Court shall determine.

It is ordered, that the Court shall meet together on Wednesday seauennight, being the twenty fourth of this instant, at Hartford, where the neighbor Eldrs are desired to attend the Court, that so their advise & helpe may bee improued to settle upon some speedy course for the issuing the p'sent troubles that the Churches, & in spetiall the Ch: of Hartford lyes vnder, in respect of the seperation by them that haue withdrawne from that society.
* Whereas, it hath bene a comendable practice of ye inhabitants of all the Collonies of these parts, that as this Countrie hath its denomination from our deare native Countrey of England, and thence is called New England, see the planters, in their first settling of most new Plantations have given names to those Plantations of some Citties and Townes in England, thereby intending to keep vp and leaue to posterity the memoriall of suerall places of note there, as Boston, Hartford, Windsor, York, Ipswitch, Brantree, Exeter,—This Court, considering that there hath yet noe place in any of the Collonies bene named in memory of ye Citty of London, there being a new plantation within this Jurisdiction of Connecticut setled vpon ye faire Riuier of Monhegin, in ye Pequot Countrey, it being an excellent harbour and a fit and convenient place for future trade, it being alsoe the only place w^h ye English of these parts haue possessed by conquest, and yt by a very just war vpon yt great and warlike people, ye Pequots, that therefore they might therby leaue to posterity the memory of yt renowned citty of London, from whence we had our transportation, haue thought fit, in honour to that famous Citty, to cal ye said Plantation, New London.

[94] A Session of the Gen: Court, in Hartford, the 24th of March, 1657.

John Winthrop Esqr, Govno'.
Tho: Wells Esqr, Deputy.

Magistrates: Mr. Webster, Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Talcott.

Deputies: Mr. Steele, Mr. Allin, Mr. Phelps, Mr. Lord, Mr. Dan: Clarke, Joseph Migatt, Wm. Wadsworth, Richard Butler, Mr. Hollister, Antho: Howkins, Isack Moore, Sam: Wells, Sam: Bourman, Mr. Trott.

This Court desires Mr. Lord & John Cullick to take in the Treasurers account in the behalfe of this Comon wealth.

This Court appoints & orders that the Constable or Constables in each Towne where there is no Magistrate or Assistant shall, at all times when the Treasurer shall call or require them, deliuer in their account to the Treasurer, vnder his or their owne hand or hands, & the hands of two of the Townes men in their
respective Townes; and where any Magistrate or Assistant dwelleth, vnder their owne hand & the hand of one of the Magistrates or Assistants that liueth in the same Towne wth them.

Sam: Smith, Senior, mouing this Court that hee might bee freed from training as a coimon souldier in that Towne, they doe vpon seuerall grounds grant his request, espetially because hee hath bene an antient Serjeant to the trained band in that Towne.

Nath: Ward is freed from trayning, watching & warding.

It is desired by this Court, that the Church at Hartford & Mr. Stone should meet together wth those that haue withdrawn, to see if it bee possible by a private conference together to issue vpon some mutuall conclusions that may put an end vnto their vnhappy discention. The Gou'r nor & Deputy Gou'r nor are desired to accompany them in their conference, if it may bee with conueniency attended by the Gou' nor & Deputy. And in case the foresaid p'ties at difference cannot agree vpon a way to put an issue to their troubles, that then there bee lett'rs sent to the Bay Eld's & to any among vs or in the other Jurisdiction, for advice what the Court should doe in the pr'mises.

The Gou' nor, Mr. Willis, Mr. Talcott, & Mr. Stone, & Mr. Lord are hereby desired, that in case there bee no agreemt amongst the Church & withdrawers, to send lett'rs in the name of the Court, as before.

William Kelsey is freed from watching, warding & trayning.*

[95] AT A GEN'ill COURT OF ELECTION, MAY 20, 1658.

Magistrates elected:

Thomas Wels Esq'r, Gou' nor.
John Winthrop Esq'r, Deputy.

Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,
Mr. Webster,          Mr. Mathew Allyn,

Commissioners chosen, for this Colony:—Mr. Winthrop Esq', Mr. Talcot; Reserue, Maior John Mason.


[96] This Court orders that Esq' Winthrop, Maior Mason, Mr. Allyn, Mr. Brewster, shal, vpon some seasonable opportunity, attend to keep a Court at Pequit, to settle the affayrs of y place; Mr. Winthrop to appoynt ye time.

Will: Welman, of New London, is discharged from his Re- cognisanc, about a marriage in Virginia.

The Magestrates graunted Will' Williams, of Hartford, to

* The names of Deputies are written, thus far, in the margin of Page [95.] Those which follow, are on page [96.] where the Recorder has repeated those already given, down to the name of Anthony Howkins.
dispose of his servant youth, Math: Young, to another suitable Mr, and the sd Mathew doth fully consent thereunto and hath promised to give a full discharge vnto his Master Williams from ye engagemt wherein he was bound to teach the sayd Math: the trade of a Cooper.

This Court orders that al seafaring men yt make it yeir occupation to employ themselves in Navigation, they shal for future be freed from trayneings.

This Court voated a confirmation of the Combinatn with Easthampton, and that the Articles of Agreement should be signed by the Secretary in the name of the Court and sent over vnto them; as also a letter, to signify the mind of the Court.*

This Court orders that ye power of any particular Magestrate, on the maine and likewise on the Island belonging to this Colony, shall extend itselfe to al and every place and person in this Jurisdiction, as need requires: And that those of Southampton and East Hampton shal ioyne together in the exercise of judicature amongst them, and to summon Juries out of either place: and that they have liberty to repay to any Court held at New London for help in any Controversy

This Court approeining the pious care of the Towne of Fairfield, in procureing help for Mr. Joanes by his owne consent therevnto, as far as appeares by a papr presented by their Deputies to ye Court, doe order, that according to their desires the foresaid paper be kept amongst the Court papers, and desire the Towne not any way therevpon to deprive yeir Reu:nd ancient Pastor, Mr. Joanes, in sicknes or health, of his comfortable maintenance.

This Court orders yt out of the sum imposed vpon the Indians of Southampton, to pay for the loss yt was there sustained by fire, there shalbe the sum of 30l. pr Anñ. for the four first yeares, f and fourty pounds pr Anñ. for the two last yeares abated. The total abatement amounts to 200l. 0s. 0d.

Its ordered, that Mr. Cosmore, Mr. Ogden, Capt. Tappin and Goodman Clarke, shal make distribution of that paymt that the Indians make, to them that haue suffr'd loss by fire; only Mr. Fordom is excempted from any part of this pay for the losse of

* See a letter to Easthampton, written some months previous to this session of the General Court, in Appendix, No. V.
his owne house and goods therein conteyned: provided, that before distribution be made, the charges that the Countrey hath bin at in yr exhibited to ye Island shalbe first defrayed.

John Griffin, now returneing from Pocumtacot, was made free, by consent of the Court.

Robert Allyn and John Gager are released from their fine for not attending ordinary Town training.

The Court is adiourned til the 3d Wednesday in August.

Mr. Samuel Stone, Teacher at Hartford, presenting vnto the Gen: Court, Mrch 25, '58, a petition wth certayne p'positions, it was vppon his request ordered to be recorded:—

My humble request is that the Quæstions here presented may be sillogistically reasoned before this hono’d Court. I hope that some of ye withdrawn Brethren, or some other whom they shal prvide, wil reason with me, face to face:

Quæs. 1. The former Council at Hartford June, 56, is utterly canceld and of no force.

2. There is no violation of the last agree’t (made when the Reuerend Elders of Massachusets were here,) either by the Ch: of Christ at Hartford or their Teacher.

3. The withdrawn Brethren have ofr’d great violence to ye formentioned agreement.

4. The withdrawn Brethren are members of the Ch: of Christ at Hartford.

5. Their withdrawing from the Ch: is a sin exceeding scandalous & dreadful and of its owne nature destructiue to this and other Churches.

6. The controouersy between the Ch: of Christ at Hartford and the withdrawn p’sons is not in the hands of the Churches to be determined by them.

Sam: Stone.

[98] At a Session of the Gen: Court at Hartford, Augs 18, 1658.

Thom: Wels Esq', Gou:

Esq’ Winthrop, Depu:

Magestrates: Mr. John Webster, Maior Mason, Mr. Willys, Mr. Tailcot, Mr. Phelps, Mr. Treat, Mr. Allyn, Dan: Clark, Secret:

* An error of the Recorder. The word was probably expedition.

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In reference to a complainyt made by Georg Graues, Georg Stocken, Nath: Willet, Nath: Berdin, contr: Mr. Webster, Capt. Cullick, Mr. Goodwin, Andrew Bacon, in ye name of the rest of ye withdrawers at Hartford, consisting of several particular, presented the last session to ye consideration of this Court, This Court sees cause to defer the consideration of the complainyt vnto the Court in October, and have ordered that then it shalbe attended; in ye meane time, to procure what light and help they can in the case.

This Court appoynted Esq’ Winthrop, Major Mason, Mr. Talcot, Mr. Steel, as a Committee to treat with Capt. Cullick about the purchase of the Riuer, and to pound that in case Capt. Cullick will allow to ye Countrey 500l. and demand nothing from Seabrook nor Middletown, and returne such security to ye Countrey as he can or as in his power, that then there shalbe acquittances granted, each to other.

The Committee is to make report to morrow, wt the result of ye Treaty is.

19 Day. The Committee returned answer to ye Court, that Capt. Cullick is willing to quit acco with the Countrey, and if ye arrears yet due to him amount not to 300l. he wil make it vp 300l. Mr. Talcot sayth 250l.

This Court orders, that notice shalbe giuen to ye Indians liueing at Farmington, that in regard of their hostile pursuits, contrary to former ord’ of Court, and considering their entertainment of strang Indians, contrary to their agreement with ye English when they sate downe at Farmington, whence ensues danger to ye English by Bullets shot into the Towne in their skirmishes, That they shal speedily provide another place for their habitation and desert that place wherein they are now [99] garrisoned. || And what Indians refuse to attend this order shalbe returned to ye Courte in October next. Further, it is required by the Court that Farmington Indians shal forth-
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with send away al such strangers as haue not bin knowne inhabi-
tants in that place, according to forementioned agreemt.

Mr. Steel, L: Lewis, Ensigne Steel, Thom: Judd, are desired
to comunicate the mind of the Court to ye Indians.

Daniel Clark was sworne, according to ye forme of the
Secretaries Oath approued by this Court and ordered to
be recorded.

A Petition from several of the inhabitants of Wethersfield* was
presented to this Court and vpon presenting all of the same the
Court returned this answer:—

In regard of a complaynt, in the Petition, of a scandalous
oath taken by Mr. Russel, whereby the inhabitants seem
afryd to adventure themselves vnder his ministery, the Court
hath considered the nature of the Oath and ye witnesses, and
tho there are diuers apprensions of it, yet to ye purpose of the
allegation to which Mr. Russel testified, the oath was ambiguous:
but that it should be strayned to such a height as in the Peti-
tion is declared, this Court judgeth it not meet, and in that re-
spect the Petitioners blameable, and that he is not hereby ren-
dred so scandalous as not fit to administer in his office. Yet
notwithstanding, they judg that Mr. Russel should speak more
playnly for ye future, to ye capacity of the hearers, espetially in
way of testimony; and yt the Petitioners should carefully avoid
all vnecessary strayneing of words or expressions (yt are in

* This Petition (in "Ecclesiastical" Papers, Vol. i. No. 1) is signed by John Hollister, Thomas
Wright Sen., John Denninge Sen., John Edwards Sen., and Richd Smith Sen., and five females,
all members of Mr. Russell's church, together with thirty nine others, inhabitants of Windsor.
After referring to an order of the Court assed in March 1657-8 (see page 311, ante) that no
ministry or church should be entertained or attended by the inhabitants of any plantation, 'dis-
tinct and separate from and in opposition to that which is openly and publicly observed and
dispensed by the settled and approved Minister of the place,' the petitioners declare that they
cannot regard Mr. Russell as their settled and approved Minister,—first, because, in the prece-
ding spring, he had sent them a writing to provide for themselves,—whereby they consider them-
selves freed from their former obligations to him: these obligations they profess themselves
unwilling to renew, since they "are afryd to venture [their] souls vnder his ministery." They
further represent that he had brought great scandal on the church, by "a grievous oath, ac-
knowledged by himselfe to bee ambiguous, rash and sinfull,—and what more may be made evi-
dent." They ask the Gen. Court, that they may not be held in bondage, but may "use their
liberty" in procuring another minister "faithfull in the administrations of the Gospell and inof-
fencus in his conversation."

For a further account of the dissensions in the Church at Wethersfield, having a similar ori-
gin, and intimately connected, with the troubles of the Hartford church, see Trumbull's Hist. of
Conn. i. chap. xiii.
yeir nature dubious) to such a perticuler sense as may occasion trouble.

To ye busines of their liberty, with the Petitioners think Mr. Russels graunt and their acceptance hath stated them vnder, the Court judgeth, that they had reason to desire help and advice in this case. And it is conceaued that vnles there be some due meanes attended for ye healing of their differenc, that ye fire wilbe more kindled by their address hither, the paper that was sent in to ye Towne by Mr. Russel being of an ambiguous nature, subiect to various interpretations, and therefore should be explyayned and retracted by Mr. Russel. And the Court adviseth each party, that they walk louingly together, without disturbeing carriage each to other.

In reference to ye differenc twixt the Church at Hartf^d and the withdrawers, it was ordered, that the ensuing p^ticulers should be p^sented to each party, as ye mind and desire of ye Court:—

[100] 1. It is conceaued that they should obserue and attend that rule of Christ, Acts, 15, To debate and dispute their differenc amongst themselues, in the first place.

2. That the Quaestions in contouersy should be playnly stated and gathered out of their papers, before they debate as that text holds forth.

3. In case this doth not take nor be embraced, that then each party should chuse three Elders, able and as indifferen as times wil afford, before whom (the Quaest. beinge beforehand playnly stated,) the case in difference shall be publiquely disputed, who shal lend what light and help they can, to ye issuing the controuersy according to God, vnto wch both parties shall peacea-bly subject themselves.

4. And in case either the Church or withdrawers refuse to chuse, then the Court to chuse instead of that part yt disents, leaung liberty to ye other part to make choyce for themselues such able and indifferen men as they can agree vpon to be instumental in issuing these sad differences, by hearing the dispute as before and passing determination thereon. And if either part be dissatisfied wth the determinations of the persons yt are soe chosen, that then there may be liberty for the dissatisfied
party to object, that soe the determination may be vindicated and confirmed by scripture and reason.

These being pounded the withdrawers were willing to chuse, as in 3d Propositi: The Church at Hartford refused. Soe, in issue, the Court on the one part chose Mr. Cobbit, Mr. Michil, Mr. Danforth, and for a Reserue, Mr. Browne; and Mr. Street for a reserue to ym yt ye withdrawers chose, who were Mr. Dauenport, Mr. Norton, Mr. Fitch.

The seueral Elders forementioned, chosen to assist in the differences at Hartford, are requested to come vp to Hartford by the 17th of September, to assist in that service.

Its ordered, that Lrs of request shalbe sent from the Court and both parties, to ye several Elders and yr Churches, for to effect the same.

Mr. Allyn, Mr. Phelpes, Mr. Henry Clark and the Secretary, are appoynted to write and indite the sayd Lrs, in behalfe of the Court, and to send them.

Mr. John Allyn, Edward Stebbing, Nath: Ward, John Bernard, are appoynted to take in the account of the charge respecting al ye Elders attending the last Council, and the man [101] yt was maimed, and to distribute it by way vp on both parties, viz: the church at Hartf: and ye withdrawers.

In regard that the Court apphends yt the order concerning the stateing and draweing forth of the Quæstions in controversy twixt the Church at Hartford and the withdrawers, hath not bene fully attended, it is therfore ordered, that twixt this and the 8t of September next, each party shal attend the foresayd order, in draweing forth and playnly stateing al such Quæstions as they desire to haue debated before the Council. And in case they attend not to deliuer the sayd Quæstions or Positions each to other, before that day appoynted, whatever is neglected to be presented as aforesayd shal not be attended by the Council; and it is also required that each party doe playnly declare what it is that they wil mainteine in their Quæstions, either negatiuely or affirmatiuely, as matter of offence. And in case there be no more Quæstions deliuered in by that time appoynted, then ye quæstions already presented shal stand as that wch the Council is to attend. And both parties are to send in
a copy of their Questions or positions to ye Secretary of ye Court.

According to ye desire of Jasper Varleet, manifested to Mr. Gouernr and Mr. Allyn, in reference to Isbrand Goodheart, It is ordered by this Court, That Isbrand Goodheart, now in durance, shalbe returned vnto Jasper Varleet, to be at his dispose, to improve him for his use, vntil the remainder of that debt for wch he is now in durance be satisfied,—Provided the sayd Varleet make not sale of the sayd Isbrand to any foreigene Inhabitants or Pagans. And the sayd Jasper is to returne both Isbrand and an account of the debt vnto the next Court.

This Court is adiourned vntil Munday next, 23 Augst.

Augst 23. This Court, haueing considered the Order about landing Rum and Barbados liquors, doe now impose the forfeiture specified in the sayd order, only vpon draweing out and selling the sayd liquors.

This Court orders that the several Townes where any part of the estates either of Edw: Hopkins Esqr deceased, or George Fenwick Esqr deceased, be knowne to remayne, shal speedily take an Inventory of the sayd estate and p'sent it, vndr the hands of those yt order the prudentials of the Towne, to ye Court in Octobr next.

Its ordered, that the several Constables in the Plantations vpon the Riuers, that haue had to doe in gathering in and delivering the paymt for ye purchase of the Riuers, shal bring in their receipts respecting the sayd paymt, vnto ye Court in October next, if it be not done already.

In reference vnto a General Muster, This Court leaues it vnto the Maior to appoynt the time for calling the companies together this year, as he judgeth most suitable, || for time and place. And the three particular training dayes, that are by order and custome to be attended for this latter part of the year, in the Plantations yt doe assemble at the General meeting, are remitted, and are to issue in the General Muster wch is to be attended for two dayes space. And its also required, that noe souldier that attends the service aforesayd shal deminish any of that portion of powder that ye Order of the Countrey imposeth on him for his store.
This Court Orders, vpon the request of Mr. Allyn, that the
case respecting [him] and Mrs. Alcot shalbe attended in the
Court in October, and that suumons shalbe granted by the Secre-
tary, for yt purpose.

On Wednesday, the 8*^ of September, is appoynted a solemne
humihation, in al the Plantations in this Collony, to implore the
fauour of God towards his people, in regard of the intemperate
season, thin harvest, sore visitation by sicknes in several Plan-
tations, and the sad prolonged differences yt yet remaine vnre-
conciled in Chs: and Plantations; and that God would succeed
such meanes as are appoynted to be attended for the healing of
the foresayd differences.

Mr. Mathew Allyn is appoynted by the Court, to stand as a
Comittee w^th Mr. Henry Clark, of Windsor, to act in the dis-
posing of lands at Mussawco, according to former order of Court.

At a Session of the Genl: Court at Hartf: Octob" 7, 1658.

Thomas Wells Esq^, Gou^.
Magesrates: Mr. Webster, Maior Mason, Mr. Willis,
Mr. Tailcot, Mr. Phelps, Mr. Treat, Mr. Allyn.
Secretary; Daniel Clark.
Deputies: Mr. Steel, Capt. Lord, Deaco Gaylard, Will:
Wadsworth, Joseph Migat, Rich: Butler, John Bissel
Sen^, Edw: Griswold, Lieut Hollister, Mr. Sam: Wells,
Jo: Demant, Samll Boreman, Mr. Brewster, Goodm:
Morgan, Mr. Ward, Mr. Hill, Thom: Fairchild, Joseph
Judson, Nath: Richards, Walt: Hoyt, Goodm: Judd,
Robt: Webster, Georg Graues, Jo: Clark, Robt Chapman.

It is ordered by this Court, yt al the receipts respecting the
several rates payd for the purchase of ye Riuer, presented vnto
the Court, shalbe recorded by the Secretary into ye Countrey's
booke of Records.

Vpon the motion of Mr. Ward, respecting the estates of
prsons deceased, at Fairfeild, This Court doth appoynt Mr.
Ward, Mr. Hill, with the Townsmen of Fairefeild, to assist
Mr. John Wells and Assistant Campfeild in proueing Wills and
takeing in Inventories, and distibuteing estates of prsons yt
dyed intestate, and to appoynt administrators; and in case any are vnsatisfied with their determinations herin, they haue liberty to make their address to ye next Session of this Court. This ord’re respects Stratford, Fairfeild and Norwalke.

The list of the Persons and Estates within this Jurisdiction, presented to this Court:—

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<th>Place</th>
<th>Persons</th>
<th>Estate</th>
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<td>187</td>
<td>20547</td>
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<td>[103] Windsor</td>
<td>160</td>
<td>16209</td>
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<td>Wethersfield</td>
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<td>Farmington</td>
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<td>New London</td>
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This Court graunts a Rate of a penny per pound to be levied upon the estate of this Collony.

This Court hauing considered the former ord’re about Quakers and such like Heretiques, doe now see cause to leaue it vnto ye discretion of the Magestrates or Assistants, within this Jurisdiction, where any such persons shall be found fomenting their wicked Tenets and shalbe legally convicted to be disturbing to ye publique peace, to punish the sayd Heretiques by fine or banishment or corporeal punish’t as they judge meete. And the same to be inflicted vpon any person or persons that shalbe instrumental to bring any such persons, viz: Heretiques, by sea or land, into any Plantation in this Collony, Provided the fine for a particular default exceed not the sum of ten pounds.

It is ordered by this Court, that in case there fall out any sudden exigent, in any Plantation in this Collony, by assault of Indians or any other Enemy, to ye disturbance and hazzard of the Publique weale, that then it shalbe in the power of the present Milletary officers belonging to ye place soe disturbed, to require and cal forth the souldiers that are belonging to their comand in ye place, to marshal them and order and dispose them as need and presented occasions shall require to defend the place assaulted and to quit the enemy; and in case need require, to assist a neighbour Plantation in any extremity as
aforesayd, that then the military officers shal advise wth such Magestrate or Magestrates or Assistants as may conveniently be obtenied, what way to act for releif of their neighbouring freinds. And this course to be attended vpon all such occasions vntil the Court shal take further order.

This Court is adiourned vntil the next Wednesday aft the p'ticular Court in March.

The Magestrates appoynted the first Wednesday in Nouemb'r a publique Thanksgiueing, for England's late victories and p'servation, and for the mercy of God to vs, in o' continued peace and the abatement of the sore sicknes wherewith many Plantations were visited in this and other Collonies.

[104] The several Receipts respecting the paymt's for ye purchase of Seabrook Fort etc.

1647 I doe acknowledge hereby to haue receaued of the Windso. Constables of Windsor, for ye year 1647, vpon the composition wth Mr. Fenwick, the sum of thirty seauen pounds five shilling and seauen penc, I say recd. for ye vse aforesayd, 37l. 5s. 7d.

6th Feb: 1647. 42. 5. 1. Ed: Hopkins. Rec'd more, of Aaron Cook,
Jno. Bissel,
11½ Bush's wheat,
4 Bush: pease,
Jno. Tink'rs Farm,
37. 5. 7.

42. 5. 1.

3d March, 1655.

1655 Received of Bartholomew Bernard and Will' Par-Hartford. trigge, Constables for ye Towne of Hartford, in ye yeare (55) the sume of Sixty pounds five shil- lings, for ye vse of George Fenwick Esq', vpon ye Agreemt about ye Fort at Seabrook, I say rec'd the day and yeare above-
said, in part of what is payable to him by the Townes upon the Riuier for ye yeare past, 60l. 05s. 00d.

John Cullick.

1654 Rec'd of Sam'l Smith and Jn'o Demming, Constables in Wethersfield, in ye year 1654, the sum of Twenty one pound eight shillings six pence, w'ch was payd in April (54.) And Rec'd of y'm in Corne in April (55) the sum of Twenty eight pounds one shilling and sixpence, both w'ch payments are made in reference to their p'portion in Wethersfield for ye composition for the Fort, and for the aforesaid yeare of their Constableship; both w'ch paymts aforesaid were not made neither for time nor kind according to the Countreyes agreem't w'th Geo: Fenwick Esqr. Witness my hand this seauenth Feb: 1655.

John Cullick.

1654 Rec'd of John Standley, of Farmington, last spring twelue month, Thirteen pounds, seauenteen shillings, and last su'nier, one pound eight shillings, w'ch he payd vpon the acco. of the Fort Rate for Farmington, in the year of his Constableship there, w'ch was 1654. Witness my hand, this 30th Nouembr, 1655.

John Cullick.

1656 Rec'd by me, John Cullick of Hartford, of Jona than Gillet and Abraham Randal, Constables in Windsor, in ye year 1656, the sum of Twenty six pounds, fifteen shillings and sixpence, part of it being paid to John Bernard for my vse in ye year of their Constableship, and the rest the day of the date of these prnts, w'ch aforesayd sum is in part of payment of their Townes p'portion, in the afore-[105] said year of their Constableship, for ye Composition w'th George Fenwick Esqr, in reference to ye Fort at Seabrook, I say Rec'd this 25th day of June, 1658, the su of 26l. 15s. 06d.

John Cullick.

1656-57 Rec'd of Richard Goodman and John Bayly, Constables in Hartford, the sum of Sixty pounds five shillings, being for that Townes p'portion in the yeare of their Constableship, of the composition w'th George Fenwick Esqr, about the Forte, I say Rec'd as aboue this 16th of March, 1656-57, Witness my hand.

John Cullick.
OF CONNECTICUT.

Hartford, 28th Feb. 1654. Rec'd of Will: Lewis and Gregory Wilterton the sum of Sixty pounds five shillings, wch is for Hartfords p'tion (for the yeare of their Constableship,) of the Composition made between this Jurisdiction and George Fenwick Esq', in reference to Seabrook Fort, I say Rec'd of them, 60d. 5s. 0.

John Cullick.

1652. Whereas the Constable of Farmington, in the year Farm: 1652, did pay vnto me vppon the acc't of the Composition for ye Fort at Seabrook betwixt Georg Fenwick Esq' and ye Colony of Connecticut, the sum of Fourteen pounds sixteen shillings and eight pence, and John Brunson, of Farmington, doth now promis to pay the remainder (next March,) w'h is eight shillings and fourpence; the said John Brunson alsoe affirming that I gaue him no receipt for the same, I doe hereby declare that I owne the receipt of so much vpon the Acc't aforesaid, provided no former receipt come in to my prejudice for the same, and John Brunson aforesayd saue me harmles therefrom. Witness my hand, this 27th day of September, 1658.

John Cullick.

1657. Rec'd of John Root, of Farmington, 14th April, 1657, according to the warrant granted for the gathering of the Rate respecting the purchase of the Fort, The sum of Fifteen pounds five shillings.

John Cullick.

Rec'd of John Coal, Constable for this year in Farmington, the sum of Fifteen pounds five shillings, wch is for that Townes p'tion in the year of his Constableship, of the composition for the forte, I say receaued this 30th of Novemb', 15l. 05s. 00d.

John Cullick.

[106]

Connecticut. For severall good considerations moueing herevnto, It is now ordered and enacted by the General Court of Connecticut, this instant October, the seaventh, sixteen hundred and sixty.

1. That Capt. John Cullick, in behalf of his now wife and her children, shal from henceforth haue ful and free libertie to possess and improve the estate of George Fenwick Esq', lying in
this Collony, according to ye true intent and meaninge of ye last Will and Testamut of George Fenwick Esqr, as alsoe this Court graunts vnto the said Capt. John Cullick full power of administring to ye foresaid estate in behalf himself, his wife and hir children, as legattees to ye foresaid estate.

2. That Capt. John Cullick and his heires, from henceforth, are fully discharged and released from his engagement made in Court, respecting eight hundred pounds estate.

3. The Generall Court doe for themselues and their successors hereby fully remit, release and quit claime all their right and interest to, and further and future demands respecting a legacy of five hundred pounds, specified in ye last will of George Fenwick Esqr.

4. The Generall Court doth hereby, for themselues and their successors, fully and foreuer discharge and secure the said Capt. John Cullick, his now wife, and her children and successors, from all demands and further and future troubles and molestations by any, from, by and vnder vs, both respecting the Legacy forementioned, and respecting moneys expended by ye Colony or paticuler Townes therein, in reference to ye purchase of ye Riuier, and acquittances giuen for ye said moneys.

5. And further, this Court doth hereby declare, that Capt. Cullick, his wife and their children and successors, shal from henceforth and for future, be wholly freed from all trouble by sutes of law by any from, by and vnder vs, in reference to ye agreement respecting ye purchase of ye Riuier.

The formentioned graunts are confirmed by the Genrll Court, vnto Capt. John Cullick, his now wife and her children and successors, vpon consideration of five hundred pounds, to be paid by him vnto this Court or their order, and acquittances giuen for moneys paid and other discharges, more largely specified in specialties giuen by the said Capt. Cullick vnto this Court.

The true intent and meaning of ye fift paticuler grant of ye Court is, that Capt. John Cullick & his wife and heires are freed from all trouble and molestation soe far and noe further then ye estate bequeathed to them had or hath any reference to ye agreement made between Georg Fenwick Esqr and this Genrll Court.
In confirmation of ye premises & by order of ye Gen: Court, I haue caused the seale of ye Coll: to be herevnto affixed as above appeareth on ye margent. Jo: Winthrop, Gou'r.

This writing is a true Copy of an Origlnl d'd p'r ye Gen'l Court, to Capt. Jn'o. Cullick, transcribed p'r Dan'l Clark, Sec'y.

[107] A discharg from Capt. John Cullick and his wife, to ye Gen'l Court of Connecticut.*

These p'nts testifie to all to whom they may be of concernment, that we, John and Elizabeth Cullick, of Boston, in New England, yppon good consideration moueing vs hereunto, doe, for our selues and heires and ye legatees to ye estate of Georg Fenwick Esqr, lying or situate in New England, hereby fully and freely and for ever acquit and discharg the Colony of Connecticut, with ye Generall Court and all and every Plantation therein, from all sum or sums of money already paid or any way payable vnto Georg Fenwick Esqr, or his assignes by virtue of an Agreem'r and purchase made of ye River; And doe hereby fully discharge and acquit and secure the said Court and all those Plantations that were concerned in ye said purchase, from all future demands, troubles or molestations by any from, by or vnd'r vs or any of vs, in reference to any moneys that haue bene alredy paid or yt may be deemed to be due by virtue of the said Agreem'r. In witness to ye premises we, John and Elizabeth Cullick haue hereunto fixed or hands and seales, this instant October the seuenth, 1660.

Signed, sealed and delivrd in presence of vs,

John Cullick.

Daniell Clark, Elizabeth Cullick.

Thomas Bull.

Recorded out of ye originall, and is a true extract, examined p'r me

Daniell Clark, Sec'y.

* See Appendix, No. VI.
At a Session of the Gen: Court, at Hartford, March 9, 58-59.

Thom's Wells Esq', Gou'.
Jo: Winthrop Esq', Deputy.

Magestrates: Mr. Webster, Maior Mason, Mr. Willis, Mr. Talcot, Mr. Phelps, Mr. Allyn, Mr. Treat, Mr. John Wells.

Deputies: Dan: Clark, Secret: Mr. Steel, Mr. Gaylard, Mr. Brewster, Cap't: Lord, John Bissel, Will: Wadsworth, Joseph Migat, Mr. Sam' Wells, Goodm: Morgan, Goodm: Demant, Rich'd Butler, Edw'd Griswold, Rob' Webster.

This Court hath remitted a third part of the fine imposed on Nicholas Palmer, by the Court of Magestrates, for glueing Cider to Indians.

Vpon consideration about a request of Lt Hollister, presented to this Court, respecting the charges of the Ch. of Wethersfield agaynst him, vpon wch he was excommunicated, the Court finding that former indevaours have not p?vayled to obtaine them, doe hereby declare, that this Court judgeth it agreeable to y=e General practice of the Chs amongst vs, to deliuer vnto y=e delinquent the particulars of his offence in writeing (if he desire it,) before they proceed to excom: or elce they, by the Elders, seasonably after the sentence, doe giue in the charges for y=e delinquents benefit and conviction;

The wch this Court doth judge ought to haue bene attended by the Ch: of Wethersfield, and the particulars wherein Lt Hollister hath offended (for whch he was censured,) sent to him from the Church, or elce that the Ch: doe order or enable the Elder to deliuer the said charges to y=e Lt Hollister or to some trusty messengr improved by him to fetch them at the Elders house. But in case y=e motion or advice of the Court p?vayle not to procure the charges forementioned, then the Court orders Mr. Sam' Wells and Sam'l Boreman seasonably to repaire vnto Mr. Russel, in the behalf of Lt Hollister, and in the name of the Courte desire, and if need be, require of him and the Ch: of Wethersfield, the particular charges or offences for wch Mr. Hollister was censured, and hauinge receaved the sayd charges
from Mr. Russel and the Ch; forthwith to deliver them to Mr. Hollister for his help and conviction.

And whereas Mr. Treat, Mr. Hollister, Jo: Demant, are desirous and willing to attend some regular way for the composing their differences, and to yt end desire some Ch:s: or persons may be thought on, to heare and determine the same; It is desired by the Court, that Wethersfeild Ch:, wth ye officer, would consider the matter and seasonably, wthout delay, conclude if it can be, vpon some way that may effect the issueing their sad differences.

[109] This Court sees cause to repeale that order or orders wherein the selling of Sider was prohibited; soe far as the ordr respects Cider, so far it is repealed; the rests stands in force.

Its ordered by this Court, that there shalbe provided for every Mill in this Collony, a Toll dish, of a just Quart, as alsoe a Pottle dish of 2 Quarts, and a pinte dish, al sealed, and an instrument to strike wth, all fit for the purpose.

Its ordered, that for the future it shalbe left wth the Magestrates in this Jurisdiction, in cases respecting the selling of Liquors to ye Indians, to weigh and considr such tests as are presented, wth circumstances accompanying the same, and to judge and determine the cause, as reason and justice in their judgment and app'hension doe require.

Its ordered by this Court, that for the future none shalbe presented to be made freemen in this Jurisdiction, or haue the priuillidge of freedome conferd vpon them, vntil they haue fulfilled the age of twenty one years and haue 30l. of proper personal estate, or haue borne office in the Comô wealth; such persons qualified as before, and being men of an honest and peaceable conversation, shalbe presented in an ord'rly way at the General Court in October, yearly, to prevent tumult and trouble at the Court of Election.

It is ordered by this Court, that for al such orders as are of publique concernment, and sent forth into the whole Collony to be published, that the Secretary shalbe payd for his paynes herein out of the publique treasury, and the several Townes to repay the same to the Treasurer. And likewise for al such orders as are by him transcribed into the Countrey booke, there
shall be allowed twelue pence for every order, out of the publique treasury.

It is ordered by this Court, that whatsoever wine or liquors are brought in or landed in any part or porte in this Jurisdiction (except such as may be landed for transportation,) shall pay for every Butt of wine, 20s. to ye publique treasury, and soe proportionably for lesser casks. As alsoe, for every Anchor of Liquors (except before excepted,) there shall be paid to ye publique treasury, five shillings, soe proportionably for all greater or lesser casks or quantities. All wines or liquors shall be entred at such place and by them yt are appointed hereunto by the Court. This order to be duly observed, upon penalty of forfeiting such wine or liquors as are discovered and proved to be omitted or neglected to be entred. And within one month after the publication of this order, it is to stand in force.

The person(s) appointed for entry and recording such Goods as are subject to Custome, by the forementioned order, are—

For Hartford, Jonathan Gilbert,

Windsor, Walter Filer,
Wethersfield, Sam Boreman,
Fairfeild, Mr. Will: Hill,
Stratford, Richd Butler,
N: London, John Smith,
SeaBrook, John Westall,
MiddleTowne, John Hall,
Norwalk, Mr. Camfield.

These persons appointed for this service are allowed for ye^t paynes herin, for every Butt of Wine entred, 2s.

And for every Anchor of Liquors, twelve pence p' Anchor; and soe proportionably for other casks.

It is ordered by this Court, that noe person in this Collony shall draw and sell Wine or Liquors to the English, by retayle, wth. out licence, vpon penalty of five shillings for every Quart. And yt none yt are licenced ordinary keepers shall sell liquors for above foure shillings by the Quart, and soe proportionably, after that rate, for other quantities. And that such as Stil liquors, and are licenced to sell by retayle, shall not sell for above two shillings by the Quart, and soe proportionably to yt price, for other quantities.

It is ordered by this Court, that whatsoever licences have bene formerly granted to any priuate persons to retayle liquors, shall stand in force noe longer then til ye General Court in May next, and that whatsoever licences of this nature are granted for
the future, they shall proceed immediately from ye Genl Court; And ye there shall be 2s. 6d. payd to the Secretary by him ye proceeds the licence.*

Its ordered by this Court, that if any person be found drunk, and convicted soe to be, in any private house, he shall pay twenty shillings for euery transgression of this nature, vnto the publicque treasury, and the owner of the house where the person is found and proved to be made drunk, shall pay 10s.

Its ordered and required by the authority of this Court, that the Constables in each Towne shall make diligent search vppon all occasions when there is suspicion of miscarriages by disordered meetings of persons in private houses to tiple together; and haueing discovered they are to make present thereof to publicque authority, and such as are convicted to be guilty of the breach of this order shall pay five shillings, one half to ye publicque treasury, the other halfe to ye person discoverer.

Its ordered by this Court, that there shall not be any corne or malt stild into Liquors, in any Plantation in this Colony.

Middle Towne souldiers are abated one of ye ordinary trainings, that soe they may help him that carries on the Mill there, vp with his heauy worke.

[111] Willm: Wadsworth, Lt: Hollister and George Graues are appointed by this Court, to discover what lands are adiacent to ye Riuer, about Thirty Miles Island, on both sides, for the space of six miles vp and downeward the Riuer, as alsoe eastward and westward from the Riuer.

The Treasurer is ordered to send downe Warr to ye Constable and Townsmen of Seabrook, requireing them to make a valuation of all the land and ratable estate at the Farne at 6 Miles Island, and return a list thereof to ye treasurer.

This Court, taking into consideration the continued troubles and distance twixt the Ch: at Hartford and the withdrawen party, after further indeauours for a concurrence and vnanimity to cal in some help from abroad, and findeing their labours herin invalid, haue now ordered and appoynted a council to be called by ye Court (leaueing each party to ye liberty whether they wil send or noe,) to be helpful in issueing the Questions in controversy.

* [In the margin:] "This order concernes not Ordinary keepers."
Its ordered that those Chs: (whose Elders were requested to come hither) should be desired by 
\textit{Lrs} from ye\textsuperscript{e} Secretary, in the name of the Court, to send vs one from each Ch: of their ablest instruments, to be p\textsuperscript{sent} at Hartford, by the third of June next, to assist in heareing and issueing these differences.

Its alsoe ordered and expected by the Court, that the Quæst\textsuperscript{s} in controversy shalbe publiquely disputed in the p\textsuperscript{sense} of the Council, according to former order. And yt each party, both ye Church at Hartford and ye withdrawers, shal ioyntly concur in bearing the charges of the former Council, and in p\textsuperscript{paring} and provideing for this yt is now to be called.

Edward Stebbing, Jno: Allyn, John Bernard, Nath: Ward, George Graues, or any three of them, are to levy the rate for the charge of the last Council, according to former order, and to make provision for ye enterhaynemt of this Councill.

\textbf{[112]} \textit{At the Gen\textsuperscript{11} Court of Election. Hartford, May 19, 59.}

\textit{Magistrates chosen:}

John Winthrop Esqr, Gou\textsuperscript{r}.
Thom: Wells Esqr, Deputy.
Mr. Webster, Major Mason, Mr. Hen: Clark, Mr. Willis, Mr. Talcot, & Treas: Mr. Phelps, Mr. Allyn, Mr. Tratt, Mr. Jo: Wells, Mr. Gould, Mr. Ogden, Capt. Tappin, Thomas Baker, Rob\textsuperscript{t} Bond, Dan\textsuperscript{11}: Clark, Secret\textsuperscript{y}.

\textit{Deputies:} Deacon Gaylard, Capt. Lord, Secretary Clark, Mr. Campfield, Will' Wadsworth, Joseph Migatt, Rich: Butler, Edw: Griswold, Josias Hull, John: Standley, John Hart, Hugh Caulkin, Rob\textsuperscript{t} Webster, James Avery, Sam\textsuperscript{ll} Stocken, Cornelius Hull, John Wheeler, Thomas Fairchild, Joseph Judson, John Clark, Rob\textsuperscript{t} Chapman, Lt Hollister, John Demant, Sam\textsuperscript{ll} Wells, Sam\textsuperscript{ll} Boreman.

The freemen voted to leaue the choice of ye Comissioners with ye Gen\textsuperscript{11} Court.

Comissioners chosen for ye ensuing year; John Winthrop Esqr, Gou\textsuperscript{r}; Thomas Wells Esqr, Deputy. Reserue, Maior
Mason, who is to act in behalfe of this Collony in ye busines respecting Mistick & Paucat: at ye next meeting of ye Comrs: The Secret'y to assist, as occasion shal require.

Mathew Marvin of Norwalk is freed from watching and trayninge.

It is ordered by this Court, that there shalbe Letters sent from ye Secretary of this Court vnto the Genll Court in the Massathuset, to informe them yt it is of desire and resolution to bring the case respecting Mistick and Paukatuck, vnto a reveiw, or second consideration, at ye meetinge of ye Comrs, and therefore desire them of ye Massath: to provide to attend ye transaction of ye matter forementioned.

[113] This Court haveing considered the busines respecting the Indians at Paquanack, and the difference twixt Stratford and Fairfield about the sayd Inds: doe see cause to order, that according vnto ye desire of the Indians they may quietly possess and enjoy from hencforth and for future, that parcel of land called Gold Hill: And that there shalbe forthwith so much land layd out within the liberties of Fairfield as the Comittee appoynted by the Court shal judge fit, and in as convenient a place as may best answer the desire and benefit of the Indians forementioned, for ye future. And the sayd Comittee is to see soe much land layd out within ye bounds of Fairfield, for ye vse and accomodation of Stratford, as yt Golden hill forementioned is for quantity and quallity, and as may be most convenient for ye neighbours of Stratford. And in case Stratford men are vnwilling to accept of land, that then ye Comittee shal appoynt how much and in what kind the inhabitants of Fairfield shal pay vnto Stratford, in way of satisfaction. And it is ordered and concluded, yt this parcel of land called Gold Hill, surrendered by Stratford vnto Paquanack Indians, according to ye premisses, shalbe ful satisfaction from them vnto the Indians forenamed, and yt neither they nor their successors shal make any further claims or demaunds of land from Stratford, but shal from henceforth and for future be accounted as Fairfield Indians, or belonging to Fairfield, to be prvided for by them for future as is forementioned in the order. And its ordered, yt in case these Indians shal wholly at any time relinquish and desert Gold Hill, that then it shal remaine to Stratford Plantation,
they repaying to Fairfield the one half of y^t which they receaved in consideration of the sayd land.

The Comittee appoynted by the Court to see this order put in execution, are, of Norwalk, Mr. Campfield, Mr. Fitch, Richard Olmstead, Nathl Elye, who are to bound out the lands at Gold Hill, about 80 Acres, beginning at ye foot of ye hill where ye Wigwams stood, and soe to run vpwards on the hill and within Fairfield bounds, as is above mentioned. And the sayd Comittee is to make returne to ye Court in October, what they doe in reference to this order.

Mr. Campfield presenting from the Towne of Norwalk, Rich^d Olmstead for ye Lieutenant and Walter Hoyt for their Sergeant, they are both confirmed by this Court.

Mr. Talcot, Capt. Lord and Joseph Migat, are appointed to take and present an Inventory of ye estate of Samll Fitch, at ye next June Court, and to be assistant in ye distribution and management of ye sayd estate.

[114] Hartford, May 20, (59) This Court haueing considered the petition presented by the inhabitants of Seabrook, doe declare y^t they approve and consent to what is desired by ye petitioners, respecting Mohegin, provided y^t within ye space of three yeares they doe effect a Plantation in ye place ppounded.

The Court ordered the Secretary to send an Attachm^t to be servd on the estate of Arthur Bostock.

Its ordered y^t ye Assistants in this Jurisdiction shall haue power to send forth destreints for levyng rates to grant replevins, to proceed according to law in punishing Drunknes, Lying, Theft, within their respective precincts, as any particular Magistrate may doe.

Its desired by this Court, That ye Gou^no, Mr. Willis, Mr. Allyn, Mr. Trat, Mr. Brewester, doe assist each other in keeping Court at N: London, on ye first day of June, to transact such occasions as are necessary and shalle presented vnto them.

Thomas Basset of Fairfield, is freed from watching, warding and traininge.

Vppon consideration of what hath bin propounded by Mr. Baker, respecting East & South Hampton, It is judged by this Court to be very advantageous to ye safety and comfort of ye Planta^: aforesayd, that vppon any necessary occasion there
should be liberty allowed vnto ye Magistrates, or ye maior part of them, to call a Court in either of those Plantations: according as they judge most meet and to impannel Juries or summon witnesses as need requires, to attend the Court soe called out of either of ye Plantations.

2. It is judged that noe Magestrate ought to be called to account for any error in transacting matt'rs of Judicatur, but only by the Gen: Court at Connecticut.

3. That according to ye Articles of Confederation, it is not in ye hands or power of any Magistrate to summon any to Connecticut Court, after triall at Long Island, but by way of appeale, and yt in all ordinary cases it is very meet and expedient yt all testimonies should be taken by 2 Magestrates, before Plt & Deft, upon oath, and sent ouer hither, if occasion soe require, and not trouble men to come to giue prsonall testimony here.

4. Respecting matter or charge for Magistrates coming for information in cases to this Court, It is judged yt where it redounds to ye particular benefit of ye Towne concerned in it, the charge should be borne by the Towne to wch he belongs; if any difference arise about ye charges, the Magistrates in ye other Plantation to decide it.

This Court is adiourned to ye 3d Wednesday in June.

Jo: Winthrop Esqr, Gou'r.
Tho: Wells Esqr, Dep:
Magistrates: Mr. Willis, Mr. Talcott, Mr. Allyn, Mr. Phelps, Mr. Goold.

The Gouernors Worsip manifesting his desires to this Court of a tract of Land at the head of Pocatanack Coue, to ye furtherance of a Plantation at Quinibauge, The Court haueing heard and considered the sayd request, haue answered it to ye
number of 1500 Acres upon the Fresh River together with ye Royalty and propriety of the River, in case it may not be p'rjudicial to any Plantation, nor take in above 150 Acres of Meadow.

This Court doth hereby manifest their acceptance of the inhabitants of Quinibaug and this Gouernmt, if they desire the same.

Deacon Caulkin, James Morgan, James Avery, are appointed to lay out ye Gouernours land.

Whereas there hath bin liberty granted by virtue of a repeale of former orders prohibiting selling Cider to English and Indians, This Court to pr'uent the excess of drinking Cider, and drunknes thereby too frequently obserued in ye Indians, and yt by Cider as is judged, doe hereby order, that whoeuer sels Cider to Indian or Indians, shall for future sel none by bottles or in Casks, greater or lesser, but only such quantities as they yt sel shall see drunk before their eyes, in yt presence, yt drunknes and the evil effects thereof [may be] avoided and pr'uented.

Its ordered, that the former order respecting pr'viding Ordinary keepers in each Plantation, shall now stand in force of general concernment to ye whole Collo:

Mr. Willis is requested to goe downe to Sea Brook, to assist ye Maior in examininge the suspitions about witchery, and to act therin as may be requisite.

This Court doth judge it to be ye duty of the inhabitants of Wethersfield to pr'uide for ye Towne of Wethersfield, in reference to ye ministry.

This Court obseruing the neglect of their former or'd in reference to ye Inventories of the estates of or hono'd freinds deceased, Edward Hopkins and George Fenwick Esq's, It is therfore now ordered and required by this Court, yt whateuer person or persons in this Collo: haue in yt present possession or improvement any estate yt either is or hath bin reputed or accounted the estate of either of ye aforesaid Gent: sine their decease, that they secure and preserue the said estate in their owne hands, or ye value thereof, (casualties exepted,) to be comptible to this Court when required thereunto, vntil ye wills and inventories of ye sd Gentl: be exhibited into ye Court, and right
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owners to ye estate appeare, and administration be graunted according to law.

This Court hath granted a license to ye Marshall to sell wine by retaile, provided he suffer not ye wine that he sels to be drunk in his house.

[116] Its ordered, that ye general heads of the charges against the withdrawers shalbe sent to them, and that they appear at the Court in October, to answer to the sayd charges.

Wednesday, the 29 of this Instant, is appointed to be kept a solemne Humiliation, partly for England and partly for ye ownes selues, in regard of the unselvedness of their and other peace, partly for the season, yt God would pruent euills yt may be feared, and respecting ye Council, that God would bless their labours to effect a good issue, if they come vp.

This Court judgeth it necessary that several of ye Ch. of X. in the Massatuset should be sent vnto, and desired to afford the help of their Reu^nd Elders and worthy messengers that were of the former Council at Hartford, vnto whom are added, by the nomination of the withdrawers, the teaching Elders of Dorchester and WaterTowne. The Chs to be sent to, whose help is requested, are Boston, Camb:, Roxb:, Dorchester, Ipsw:, Dedham, Water T:, CharlesTown, Sudbury; seauen wherof the withdrawers consented to; the Court and Ch: assenting to and desiringe all or as many as the Lord shall incline or enable to attend the worke; vnto whose decisiue power, the withdrawen partie is required, the Ch: at Hartford freely engaging to submit according to the order of ye Gospel.

Its the rather desired that those Reuerend Eldrs and Messengers of ye former Council, with ye other two conioyned, should be requested to be helpful now againe to heare and determine these irreconciled differenc at Hartford twixt the Ch: and withdrawn members, bec: of the experimt yt hath bin made of their abilities and labouriousnes, and the good issue yt was effected therby, workeing a pacification amongst them yt were at soe vast a distance and being the more apt and ready in ye controversy to discerne where ye root and occasion of ye breach is.

The Council forementioned is requested to be at Hartford the 19 of Aug.*, the time of their hearing the matters in differenc
publicly debated, according to former ord\textsuperscript{r}, to be with al convenient speed after their coming vp.

The former ord\textsuperscript{rs} respecting charges in and about [the] former Council, and p\textsuperscript{r}videing for this Council, to stand in force.

The Deputy Gouerno\textsuperscript{r} is desired to inquire into ye busines about ye Monheags coming and abiding with Seano, and to act by way of advice as his Wors\textsuperscript{p} shal judge meet.

The petition of James Rogers was read and considered and ye things petitioned graunted, viz: 150 Acres next vnto ye bounds of N. London, p\textsuperscript{r}vided it doe not damnify the Indians nor ye Planta: of N. London, or any farme now layd out; Goodm\textsuperscript{n}: Morgan and Avery to lay it out to him. He hath liberty graunted to possess and improve what land Vncas hath giuen him.

Thomas Burnam is required to appear at ye Court in Octob\textsuperscript{r}, to answer for his former cariage complayned of to ye Court, and Lt Bull is required to p\textsuperscript{r}secute his former compl\textsuperscript{nt} at ye Court aforesd.

[117] At a Session of the Gen\textsuperscript{H} Court at Hartford, Octob\textsuperscript{r} 6, 59.

John Winthrop Esqr Gour.  
Thoms Wells Esqr Dep.

Magestrates: Mr. Willis, Mr. Phelps, Mr. Allyn, Mr. Treate, Mr. Gould.

Deputies: Dan\textsuperscript{II} Clark, Sec: Deaco Gailard, Mr. Rich: Lord, Will\textsuperscript{m} Wadsworth, Mr. Robbins, Joseph Migat, Rich\textsuperscript{rd} Butler, Mr. Sam\textsuperscript{II} Wells, John Deminge, Sam\textsuperscript{II} Boreman, Edw\textsuperscript{rd} Grisvold, Mr. Hill, Josias Hull, Thom\textsuperscript{s} Fairchild, Joseph Judson, Jehu Burr, John Gregory, Walt\textsuperscript{r} Hoit, Sam\textsuperscript{II} Stockin, Nathan\textsuperscript{II} White, John Clark, Rob\textsuperscript{t} Chapman, Thom\textsuperscript{s} Judd, John Hart.

This Court haueing considered the Petition of Arthur Bostick, and what hath bin p\textsuperscript{r}sent in behalfe of his wife, according to ye desire and p\textsuperscript{r}position of the said Arthur, haue appointed Mr. Blackman, Goodman Beardsley, Mr. Fairchild and Joseph Judson, as a Co\textsuperscript{mittee to consid\textsuperscript{r}r} the state and condition of the said Bostock and his wife, and to ord\textsuperscript{r}r what they think
suitable therin; and in case Bostick be unsatisfied with their act, then he is required to appear at ye next Session of this Court, to render the reason of his dissatisfaction with the act of the foresd Comittee. And the Comittee to make returne at ye next Session, what their determination is about the promises. But in case Bostock rest satisfied with what is done by the Comittee, this Court doth free the Attachm't yt was formerly laid on ye estate of the said Bostock.

Cromwel Bay being propounded to this Court to be admitted and receaued vnder this Gouvernment,* The Court considering the same, haue and doe declare their willingnes to accept the said Plantation of Setauk vnder this Jurisdiction, soe far as they may not any way intrench vpon the Articles of Confederation with the other three Collonies, and therefore desire the inhabitants of Setauk to attend the next sitting of the Comrs at Newhauen, if they think meet, to act for and in their own behalf in ye promises.

The last wills of Edward Hopkins and George Fenwick Esqrs being exhibited into this Court, it is thought meet by the Court yt ye former restraint layd on ye estates should be taken

*The following petition had been presented to the Gen. Court, by the inhabitants of the plantation at Cromwell's Bay:

"Cromwell Bay, alis Setauke, August ye 6. 1659.

It hauing pleased God to dispose the harts of vs the inhabitance of the place aforesaid, to subject our plantation, persons and estates under the protection and government of the Colloney of Coneticoke, for the full accomplishment of the promises, wee the said inhabitance doe request the favour of our trusty and beloved ensignes Allexander Brian and Samuell Sherman to solicit our union with the sayd Colloney that wee may be accepted a member of the sayd body politick; the terms specified in all hamblenesse, three years rent free, in respect of our low estate and charge in poynt of purchase, secondly, in regard of our remotenes from the head Court, and the uncertaine passage out the Sound, that like privilege might be granted vs living on Long Island equall with South and East Hampton; the aforesaid terms being granted vnto vs, wee the sayd inhabitance authorize the sayd Allexander and Samuell to ratifie and conclud the sayd union as if wee the said inhabitants were personally present. Subscribed with a unanimous consent, day and date above written." Signed by, John Vanderhill, Richard Wodhill, Roger Cheston, John Jenner, William Fance, Thomas Harlow, James Coke, Johon Diar, Edward Rous, Thomas[ ] Thomas Tabbes, George Wood, Henry Rogers, Roert Acreley. "These in the name of the rest." [Towns & Lands, Vol. i. Doc. No. 9.]

†The Will of Mr. Hopkins, (whose death occurred a day or two before that of Mr. Fenwick,) was executed Mar. 17th, 1636-7. An abstract of it is given in a note to Savage's Winth. Jour. I 228. Mr. Fenwick's Will was proved, April 27th, 1657. A copy of it is preserved among the files in the Secretary's Office (of this State,) and an abstract will be found in the Appendix, No. VII.
of, and ye debts due to ye said estates be required and gathered in, to prevent damage in ye estates.

This Court taking into consideration the long and tedious differences and troubles ye haue bin and are still continuing twixt Mr. Russel and several members of Wethersfield Ch; and particularly twixt Mr. Russel and the Lt,* doe judge it very necessary that some course be attended for ye redress of the same, and haueing long waited to haue ye parties at difference com to some ioynt agreement amongst themselves upon a way [118] and means of hearing and healeing the said differences, and not concluded of, This Courte doth therefore desire the 2 Chs of Christ at Hartford and Windsor to send 2 or 3 Messengers a piece, to examine and search into ye nature of the differences, and haueing heard what may be said by both parts, to give such counsel and advice as God shall direct them vnto by the light of Scripture and reason, and in case it be not embraced, that then ye determination of ye Messengers may be presented vnto ye Court ye t' see it may be duly considered. And the whole Church belonging to Mr. Russells charge lately of Wethersfield, is to be acquainted herewith, yt they may prepare y'mselves for this hearing. It is further desired that ye Messengers may be present at Wethersfield ye first Tuesday in Nobr and that provision be made for their entertainmt by those ye are now residing at Wethersfield.

A list of the Estate of the several Plantations was presented and is as followeth:

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<tr>
<th>Estate</th>
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<tr>
<td>Imp, The Estate</td>
<td>21128.</td>
</tr>
<tr>
<td>of Hartford</td>
<td></td>
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<tr>
<td>of Windsor</td>
<td>15345.</td>
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<tr>
<td>of Wethersfield</td>
<td>12103.</td>
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<tr>
<td>Farmington</td>
<td>05548.</td>
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<tr>
<td>Sea Brook</td>
<td>05215.</td>
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<tr>
<td>Middle Town</td>
<td>02543.</td>
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<tr>
<td>Fairfield, p'sons</td>
<td>80. 10442.</td>
</tr>
<tr>
<td>Stratford, p'sons</td>
<td>65. 08434.</td>
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</table>

Mr. Willis and Mr. Allyn are desired to goe down and to assist in keeping Court at Fairfield, on Thursday, the 20th of this instant. Mr. Campfield is desired to assist them, especially in the busines respecting Mr. Gould and Galpin.

*Lieut. Holister. See page 330, ante.
This Court is adjourned to ye 2d Wednesday in No\textsuperscript{br} next.
The estate of Norwalk is 3829 £.

[119] Hartford. Session of the Gen\textsuperscript{ll} Court, No\textsuperscript{br} 9, 59.

This Court doth graunt a Rate of a penny \(\frac{1}{2}\) penny pr £. to to be levied upon ye estate of ye Collony.

In consideration of Gods goodnes to this Collony, in ye fruitful and seasonable harvest, the general restoration of health to ye Plantations, and the success of ye indeauours of ye Reuer-end Eld\textsuperscript{rs} of ye last Councill, for ye composeing the sad differences at Hartford,—for the foregoinge respects, this Court doth see cause to appoint this day three weeks, being the last of this month, as a publique thanksgiuing throwout this Collony.

Jonathan Gilbert is appoynted to require the paymt\ of that wch Farmington Indians are engaged to pay to this Court, in Octo\textsuperscript{br} yearly, the first payment being due 2 yeares now past.

Mr. Willis, Mr. Talcot, Mr. Stone and Edward Stebbing are desired by the Court to goe downe to Middle Towne, to inquire ye nature of ye troublesom differenc fallen out there, and to indeauour a composition thereof, but if they cannot issue it, the Comitte is desired to make returne to ye next Session, what they shall doe in ye premisses.

David the Jew, for his misdemeanour in going into houses when the heads of ye families w\textsuperscript{r} absent, and tradeing provision from children, and for such like misdemeanors, is fined 20s.

This Court adiournes to ye last Thursday in February next.

[120] At a Session of the Gen\textsuperscript{ll} Court, Feb\textsuperscript{r} 23, 59.
Jo: Winthrop Esq\textsuperscript{r}, Go:

Majestrate:* Mr. Willis, Mr. Phelps, Mr. Allyn, Mr. Treat.

Deputies: Mr. Gaylard, Capt. Lord, Dan\textsuperscript{ll} Clark, Sec\textsuperscript{r}, Willm Wadsworth, Mr. Robbins, Mr. Sam: Wells, Jo-

* The name of Deputy Governor Welles, disappears from the list of Magistrates. He died, at Wethersfield, Jan. 14th, 1659-60.

Michael Griswold is freed by this Court from traineinge but he is to maintein watch and ward.

John Allyn and Jacob Migat, in behalfe of the Artillery, pursuening a former graunt of this Court of 300 Acres of land, for encouragem^t to y^e Artillery successiuely, doe desire that this Court would be pleased to grant to them 30 miles Island, wth those two parcels of meadow on y^e East side of the River, the one next above, the other next below the Island, in case the place thereabouts be not found to be suitable for a Plantation, or be not p^'engaged to any perticuler person, by this Court.

This Court considering the low estate of Willm Clarke his family, doe order respecting the fine imposed on him for tradeing Liquors contrary to law, that he shall pay to y^e publique Treasurie 405. p^ yeare, for foure yeares, the first payment to be made this spring, at y^e demand of the Treasurer.

Daniell Harris is approoued for an Ordinary keeper, in Middle Towne.

To pruent future trouble respecting Guards appointed by a former Order, to attend the publique meetings in the several Plantations, This Court now orders, yt it shalbe in y^e power of the milletary officers belonging to each Towne yearely to cal out and appoint soe many of the Traine Band as the order of Court requires for each Plantation, to attend that service, provided yt noe person is to be compelled to attend that service two yeares together. And the Sergeants who are to take care of the said guards, are ordered and required to exercise due care that their respective companies come with their armes wel fixed, and provided with powder and bullets suitable for yt service.

[121] This Court doth order, that all the Podunk Indians shal peaceably enjoy al their lands at Podunk with their several proprieties as formerly, free from any molestation by any in this Collony, according to y^e Com^rs orders in 58 & 59, hereby fully ratifyinge and confirmeing their acts therein.

Mr. Willis, Mr. Tailcot, Mr. Allyn, Capt. Lord, William Wadsworth, John Allyn, Ensign Wilton, John Bissel, are appointed a Comittee to lay out and devide Podunk lands for-
merely possessed by those Indians, and likewise to treat with ye Indians, that what land there may be that is not or may not be fit for their planting, they may be willing to part with it to those English that have contracted with Tantonimo. And what appears to ye Comittee to be granted and allowed by the Indians to be Tant’s: particular propriety, the Court is willing to allow of and confirm to ye English according to their bargain, vidz: to Thom’s Burnam and his partners. And what winter graine is sowed on the land, there shall be liberty and allowance from ye Indians to reap the same by those that have sowed it. The Comittee above haue full power given them by this Court to make a full issue about the p’misses according to ye order abouementioned. And if the Indians be willing to part with some planting land, the Comittee may lay it to Tanto: part, for those English abouementioned. And to make returned to ye English what they doe in and about the p’misses.

Whereas there hath bin complaint made and presented by ye inhabitants of Hartford, Windsor & Wethersfield in reference to ye bargain made with Mr. Fenwick, This Court doth order that a Comittee be chosen to treat with Capt. Cullick, as agent to G. Fenwick Esqr, about the difference that hath bin and yet is in reference to ye Agree’nt made with him. Vnto wch Comittee this Court doth grant full power to bring matters in controversie vnto a full issue by composition or otherwise, as they shall see meet.

[122] The Comittee chosen to treat with and pursue to effect the order of the Court with Capt Cullick, are The Worl’l Gouvernor Winthrop, Mr. Willis, Mr. Allyn, the Secretary and W. Wadsworth.

Whereas there hath bin a repealing of ye former restraint laid vpon ye estates of Edw: Hopkins and George Fenwick Esqrs, that debts due to ye estate might be taken in, Vpon further consideration, this Court orders, that ye estates aforesaid be securd within this Collony vntil the sd estates be inventoried and ye Inventories presented and administration granted by this Court.

This Court adiournes to ye 2d Wednesday in Aprill.
[123] A Session of Gen: Court, Apr\textsuperscript{11} 11, 60.

Jo: Winthrop, Esq\textsuperscript{1}, Go:\n
\textit{Magestrats}: Mr. Hen: Clark, Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.\n
\textit{Deputies}: Mr. Gailard, C: Rich: Lord, Dan: Clark, Sec:\textsuperscript{2}; Will\textsuperscript{m} Wadsworth, Mr. Robbins, Mr. S. Wells, Joseph Migat, Rich\textsuperscript{d} Butler, John Deminge, Edw: Griswold, Thom: Judd, Jo: Hart, Sam\textsuperscript{II} Boreman, Sam\textsuperscript{II} Stockin.

A Le from ye Dutch Gouerno\textsuperscript{r} to or Wor\textsuperscript{II} Gouerno\textsuperscript{r} was read, as also or Wor\textsuperscript{II} Go: returne thervnto, \textit{wch was approued} by this Court.

This Court considering the necessity of altering that particu-\textit{ler in ye 3d Law, respecting the choice of a Gouerno\textsuperscript{r}}, vidz: That noe person be chosen Gour\textsuperscript{r} aboue once in two yeares, haue thought meet to propound it to ye consideration of ye freemen of this Collony, and doe order the Secretary to insert the same in the Warr\textsuperscript{ts} for ye choice of Deputies, and request the return of ye remote Planta\textsuperscript{e}: (yt vse to send Proxies, at ye Election, by their Deputies. And it is desired that their proxies may be ordered according to what may be concluded on about ye ord\textsuperscript{r} forementioned.

This Court appoints Wm. Wadsworth and Jo: Deminge Sen\textsuperscript{r}, to assist Mr. Jo: Cotton in administration to ye\textsuperscript{e} Estate and as overseers of the last will of Thom\textsuperscript{s} Wells Esq\textsuperscript{r}.

This Court hauieing heard the returne of the Co\textit{nnittee for Podunk lands; That since they came to a conclusion respecting Thomas Burnam his contract with Tantonimo, It appeares that part of the lands laid out to the said Burnam and his co-partners doth belong to Foxens successors, by a gift from Foxen to his allies: This Court doth therefore order, That those Podunk Indians shal enioy and possess their lands according to former order. And that those English men that contracted with Tantonimo shal enioy and possess according to their bargaine only that \textit{wch is ye particulier proprietie of Tantonimo, that the Indians doe yield or that Tanto: can proue to be his propriety.}

Mr. John Allyn and Jonath: Gilbert are to bound out ye\textsuperscript{e} said Tanton: part to Thos\textsuperscript{a} Burnam and his partn\textsuperscript{rs} and this shal stand vntil further proof appeare about Tantonimo his right.
This Court haveing heard and considered the Petition from N. London doe at present soe far accept of the request of the petitioners as to allow of Mr. Tinker for an Assistant in that Plantation: and Mr. Bruen, James Rogers, Lt. Smith and John Smith, as Comrs, vntil the Election Court in May next; who with ye assistance of Maior Mason shall have power to keep Court according to ye contents of ye Petition, in matters of an inferior nature, and particularly about that business respecting Waterhouse; and the full answer of ye Petition is deferd vntil ye Court of Election.

Willm Duglas is chosen Packer for N. London, for a full yeare, and to be allowed for his paines herein according to what is allowed in ye Massachusets collyony, and whatsoever he packs or repacks shal pass vndr his seale.

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A Court of Election held at Hartford, May 17, 60.

Magestrates Elect.

Jo: Winthrop Esqr, Go:
Maior Jo: Mason, Dep:
Mr. Henry Clark, Mr. Willis, Mr. Phelps, Mr. Allyn, Mr. Treat, Mr. Gould.
Long Island. Cap't. Tho: Topping, Mr. Ogden, Tho: Baker, Rob't Bond.
Dan'l Clark, Sec'y. John Talcot, Treas.

It was voted by the freemen that ye perticular in ye 4th Law, respecting the choice of the Gouernor, should be alter'd, and that for future there shalbe liberty of a free choice yearely, either of ye same person or another, as may be thought meet, without prejudice to ye law or breach thereof.
This Court doth free Michael Try, Richard Vore, Goodman Fossaker and Goodman Stocking, from traineing, watching and wardeing.

This Court doth confirme and establish the conclusion of ye Comittee in reference to ye Paquanack Indians and the Plantations of Stratford and Fairefield.

The choice of ye Comrs for this Collo: for the yeare ensuing, is left by the freemen to this Court to issue and effect.

The Worcl Gouernour and Dep: Gouerno are chosen Comis for this yeare ensuing, and Mr. Math: Allyn is chosen for a reserue.

Mr. Mathew Allyn is chosen Moderator, to supply the place of ye Gouerno and Dep: in case of their occasional absenc from ye Gen: Court.

The Towne of Huntington, on Long Island, presenting their desires to be accepted vnd this Gouerm, vpon the same tearmes yt Southampton stands wth vs, and likewise to be freed from publique charges for ye space of three yeares, this Court in order to ye forementioned request, makes this returne; That they accept of ye proposition of ye Towne of Huntington soe far as may be consistent with ye Articles of Confederation with ye Vnited Collonies, and thersfore doe advise the Planta: forementioned to address vnto ye Comrs at yeir meeting at N. Hauen, to vndrstand the mind of the Comrs in this matter. And further, this Court expects to be free from publique expense about that Plantatn for ye space of three yeares after the Confederation, [126] and that themselues shal beare all the charges || that may be contracted by any occasion wherein this Collo: doth, according to Articles agreed on, afford them assistance.

Wm. Palmer Serr, is freed by this Court from watch: ward: and traineing.

Vppon ye motion of Mr. Josiah Stanborough, This Court doth declare that it is their desire that ye Magestrates of Southampton and Mr. Barret would be pleased to take ye children of ye wife of Mr. Stanborough and the estate belonging to them, and to dispose of both soe as may be conduceable to ye preservation of ye estate for ye legatees.

This Court hauing considered the petition of Goodman Jackson, doe accept of his request and are willinge to allowe this
libertie, that provided there be 15l. fine paid to ye publique treasury by the transgressour, then the form sentence adjudging corporall punishment vpon ye delinquent shall be revoked, but if this fine be not embraced and accepted of, then the corporall punishment is speedily to be inflicted, according to ye appointmt of ye Magestrates.

It is ordered by this Court, that neither Indian nor negar service shall be required to traine, watch or ward, in this Collo:

In consideration of much inconvenience that appeares to accru to many in this Collo: by virtue of former orders that in point of execution haue not attayned their end in satisfying creditors in a suitable way, according to ye nature of contracts or bargaines, men conveying away the kind of pay that many times is preingaged, It is threfore ordered, that it shall be lawfull for such creditors as haue debts oweing to them in corne or any other spetial pay (vpon ye refusal of pay in kind, when it is due and demaunded,) to take out an attachmt and lay it (if it can be found out) vpon such estate as is engaged by the debtor, or other estate yt may be found such as ye creditor liketh, provided it be not prohibited by law, and secure the said estate attached, to a triall at ye next Court appointed for yt end. And whatsover estate thus attached vpon a trial and judgmnt of ye Court comes to be apprized, the said Court yt issue the case shall || appoint those yt shall prize the estate, the valuation whereof shall be regulated according e to ye worth and nature of ye pay contracted for.

The price of Sheep, in ye list of Rates, shall for future be valued at 15s. pr sheep, vntil the Court further advise on it.

This Court orders that ye Grand Jury hereafter mentioned shall inquire and consider of ye misdeameaneors and breaches of the orders of this Collo: in ye several Townes, and make presentment thereof at ye prticuler Court in Octobr next, and likewise at ye prticuler Court in May, (61.) The Grand Jury is as followeth; For Hartford, Willm Wadsworth, Richard Butler; Windsor, Mr. Henry Woolcot, Josias Hull; Wethersfield, John Deming, Samll Boreman; Farm; Anthony Howkins; Middle T; John Hall; Sea Brook, Robt Chapman; N. London, John Smith; Stratford, Goodm: Groues; Fairfield, Jehu Burr; Norwalk, Richard Olmsted.
It is ordered, that al defects in Armes or neglects in traineing, watch, etc. shalbe determined by any one Magestrate or Assistant, where such are inhabiting; and by two of them yt order the prudentials of ye Towne where is neither Magestrate nor Assistant; and that those who determine the case shall haue power to issue forth order to ye Clarke of ye band to levy the fine imposed. This order to take place notw^thstanding former orders.

This Court frees the Assistants and ye Deputies chosen to attend ye severall General Courts, while they stand Deputies, from traineing, watching and wardeing.

Its ordered, that ye Grand Jury men shal repair speedily to some Magestrate or Assistant to be sworne to ye seasonable and effectual execution and attendanc on their worke.

Its ordered by this Court, that noe Towne in this Collo: shal suffer any Indians to dwel wthin a quarter of a mile of it, nor shal any strange Indians be entertained in any Towne, vpon penalty of 40s. a month, to be paid to ye publique treasurie by each Plantat as which shalbe found transgressours herein. This order to take place and be of force, in ye begin: of July next.

[128] This Court doth order, that noe man or woman within this Coll: who hath a wife or husband in forraigne parts, shal liue here aboue two years, vpon penalty of 40s. p^t month vpon every such offendor; and any that haue bene aboue 3 years already, not to remaine within this Coll: aboue one yeare longer, vpon the same penalty, except they haue liberty from ye Gen: Court.

This Court obserueing an omission or neglect of a former order respecting the Inventorying the estates of Edw: Hopkins and Geo: Fenwick Esq^s doe now further order, that the select men of every towne (where any estate that either is, or hath bin, since the decease of these Gent:, reputed or accot^d part of that estate yt is disposed by them or either of them,) shal make diligent inquiry in their respetitve Plantations to find out the said estates according to a true value and to inventorie the said estate and to make p^sentment thereof at ye p^ticular Court in Sept^r next. And all and every person in each Plantat an, as before, is hereby required to give in a just acco^t to their select men, of all the estate that either is, or hath bin in their possession
or improvem't since ye decease of ye aforesaid Gent:. And who-

er is knowne to conceale any of the said estates, or not to giue

in a true acco't as before required, or if any select men doe neg-

lect to attend this order, he or they shal pay vnto ye publ:

Treasurie, 5l. for every such default.

This Court orders, that if any Indians shal bring in Guns into

any of the Townes in this Coll: It shalbe lawful for any one of

ye English to seize on their guns, and to keep them vntil there

be 10s. a piece brought to redeem each gun, w'h shalbe devided,

one half to ye Treasurie, the other half to ye seazer.

Mr. Willis and Goodman Migat and Anthony Howkins are

desired and appointed to take in the consideration of ye loss of

Lt Lewis and Francis Browne, and according as they iudge

requisite to make destribution to both parties of that w'h ye

Indians haue engaged to pay yearly to make vp their loss by

fire, vntil ye whole sum be paid in by ye Indians.

There is liberty graunted that Fairfield, Stratford and Nor-

[129] walke shal gather out of their said Townes || a small

Troop of Horse, with two meet officers added to exercise them

of their owne choseing, and the Troopers to be such as are ap-

proved by Mr. Gould and Mr. Fairchild and Mr. Campfield and

the officers to be app^ued by the Generall Court. And for pro-

portion they are to take seaven out of Stratford, 7 out of Fair-

field and 4 out of Norwalke.

This Court orders yt' none shalbe receaued as Inhabitant into

any Towne in the Collony but such as are knowne to be of an

honest conversation, and accepted by a maior part of the

Towne.

It is also' ordered, that noe Inhabitant shall haue power to

make sale of his accomodat'n of house and lands vntil he haue

first propounded the sale thereof to ye Towne where it is situ-

ate, and they refuse to accept of ye sale tendred.

This Court confirmes Robt Chapman for an Assistant at Sea

Brooke.

This Court, for many good considerations, doe see cause to

allow o' Worfl Gouernor 80l. for this yeare ensuing.

This Court doth confirmes and establish ye Act of the Comit-
tee at Stratford about Arthur Bostocks estate.

This Court haueing intelligence yt' Jasper Clemens being in
a probable way to enter into the estate of marriage, and confessing that he had a wife in England, and noth: doth appeare to evidene that she is dead, It is therfore ordered, that the said Jasper and Ellin Browne shalbe forthwith seperated, vntil such evidence be procured that may clearly demonstrate that the couen't of marriage be dissolved twixt ye said Clemens and his former wife. And the Townsmen of MiddleTowne are required to put this order forthwith in execution.

This Court doth desire and appoint Mr. Gould, Mr. Campfield and Mr. Hill and Mr. Knowles, to issue the busines at Stratford, and alsoe respect: Goodman Rescues horse, yt he sold.

In reference to the appeale of Mr. Varleet, this Court doth [130] order that Mr. Wells shal returne || to Mr. Varleet the one halfe of what he hath receaued, by virtue of execution, from Mr. Varleet. Its ordered that Mr. Varleet shal pay 40s. to ye Treasurie towards this Courts charges on the Triall. Execution d'd the 29 June, '60.

In answer to ye Petition from N. London, this Court hauing considered the perticulers in it, doe order for ye p'sent, that there should be an Assistant and 3 Comrs in that Towne, who shal haue ful power to issue small causes, and ye punishing smal crimes and offences according to law, provided the cases of debts and fines doe not amount the sum of 2l. And the Assistants peculiar power is noe waies hereby infringed.

It is further granted that ye Dep: Gouerno'r & Math: Griswold shal lend vnto N. London two great Guns, from SeaBrooke, w'th shot such as yy judge may be convenient to be let goe from thence. And if they judge that N. London be capable to secure themselves and the Guns by being thus furnished, they are impowred to lend the Guns vntil the Court see cause to recall them.

Mr. John Tinker is chosen Assistant for N. London, and for Comrs, Mr. Bruen, James Rogers, John Smith, for ye yeare ensuing.

Stebbins, the Constable of N. London, hath liberty of re-veiwing his action yt G: Tong commenct agst him, at ye next Court held at N. London, and ye Wors' Deputy is desired to
assist in keeping a Court for yt end at N. Lond: and for other occasions as may present themselves.

This Court doth appoint Mr. Gould, Mr. Hill, Mr. Knowles, to hear and determine ye difference twixt Norwalk Inhabitits and ye Indians there.

This Court doth order, that noe person in Hartford, except Jer: Adams, shal sell wine vndr a quart cask, nor liquors vndr an Ankor.

Robt Lay is desired to take care of any of the estate of Mr. Fenwicks yt is subject to loss or damage, and to improve it, and be ready to render account of the same, when call'd thervnto.

This Court haueing heard some orders presented by Sea Brook Deputies respect: their Townes, doe approve of them in reference to yt Towne, and doe grant liberty of a summons to fetch vp several to ye Court yt haue transgressed those ord'res.

[131] This Court, in consideration of the several affronts of the Indians, and hostile attempts and abuses offred to or English subjects, doe order, that the Secretary, in ye name of the Court, shall write to ye Comrs of the severall Coll: to craue their advice, whether it may not concur with their good likeing that we send forth not only to inquire after those Indians, but haueing intelligence who they are, to improve some prudent meanes and effectual, speedily to fetch in such Indians to receaue condign punishm't, and to intreat a returne to or Worshipfull Gou-ernor, to ye p'remisses.*

Mr. Bray Rosseter for and in consideration of his paines, in comeing to and attending Mr. Talcot in his sicknes, is allowed five pounds, to be paid out of ye pub: Treasury.


Jo: Winthrop Esq'*, Go:

Magestrates: Mr. Willis, Mr. Clark, Mr. Allyn, Mr. Phelps, Mr. Treat. Sec'y, Dan': Clark.

Dep: Capt Rich: Lord, Mr. Gailard, Capt. Tailcot, Mr. Henry Woolcot, Wm. Wadsworth, Joseph Migat, Edw:

* See Appendix, No. VIII.

31*

This Court understanding the great abuse of y' liberty y' hath bin allowed of selling Cider to ye Indians, by virtue of former order, Doe now order the repealing of y' order any way tollerating that trade, and doe further decree, that what person soever in this Collony shal hereafter sel, barter or give any Cider to Indian or Indians, he or she shal forfeit vnto ye Pub: Treasury, twenty shillings p' pinte, and p'portionably for other quantities, a third part whereof shalbe to him y' discovers y' offence.

Severall members of this Collony presenting their desires vnto this Court of setting a Plantation at 30 Miles Island, in consideration thereof, this Court doe order a Committee to view the place, and to dispose of it as may be most suitable for to atteine the end and purpose abouesaid.

The names of ye Committee: For Hartford, Mr. Willis, William Wadsworth; Windsor, Mr. Allyn, Edw: Griswold; Wethersfield, Mr. Treat Senr, Samll Boreman; Farmington, John Hart.

What right appeares that ye Indians haue there, it is left to ye Committee to ordr ye purchase thereof.

Eltweed Pomrey hath engaged in Court to rest satisfied with what consideration ye Court shall allow him, in reference to his mare y' was kild.

[132] This Court, haueing heard and considered the case depending twixt Willm Parker and Wm Waller, about Wallers deteining a mare and her increase, doe declare this as their sentence, that each party shal bear their own charges about this case; and this to be a finall issue of that matter. And doe further order the Secretary to send downe summons to Reynold Marvin Senr, to appear at the Perticuler Court in March next, to answer both for loosing the mare into ye woods, and likewise for disposeing of any of those horses w'ch ye Court had ordered to be marked for ye Countrey, and likewise to prohibit him for medling any more with those horses.
This Court haueing vndrstood that there is an estate lying in N. London, the owner or agent whereof is lately drowned, doe order the Secretary to send downe order to Mr. John Tinker and James Rogers to inventory the said goods, and to secure ye estate, and in case any of it be of a pishinge nature, they are desired to improve it to ye best advantage, vntil the Principals order appear for further dispose of the said goods, and to be accountable for ye same when called therevnto by authority.

In answer to Norwalk Petition, This Court orders, that ye inhabitants there shall attend ye Law provided as a rule of Rating for ye future.

It is ordered, that the Magestrates, at al times, and ye Deputies, when ye are upon pub: employment, themselves and their horses, shal be ferry-free, in all places within this Colony.

This Court orders, that it shal not be lawful for any in this Collony to take away by force or otherwise, without ye owners consent, vndr p'tence of debt, ye corne or other estate from any Indian, vnles it be by virtue of order from lawful authority.

Whereas Quince Smith complaines of Vncas, that he refuseth to pay a fine imposed on him by ye Comrs Court at N. London, This Court orders, that ye said fine be required and recovered of Vncas, according to law in such cases. And Mr. Tinker is desired to haue address to ye Worll Deputy Gour, that by order from him some course may be taken by him in the busines. Wauwequa being in Court, promised to attend Mr. Tinkers pleasure in ye p'misses.

This Court haueing considered the petition of Mr. Tho: Wells, respecting Varleet, in answer thervnto, and in explica-

[133] tion of a former act, past about ye case, || doe order, That Mr. Varleet shalbe repaid by Mr. Thom's Wells only the ouerplus that by execution was taken from Varleet, aboue wom-pom at six p'en' penny, wch amounts to 4l. 06s. 08d; and Mr. Var-leet is freed from paying the 40s. to ye Treasurer, wch was im-

posed on him by former act of ye Court.

The Narrogansets are allowed two months longer then ye time agreed on, according to their desires, to bring in ye Wom-pom that ye are assess'd by ye Comrs to pay to this Jurisdiction. This order repeal't, the 31 Octo. '60.

This Court haueing formerly accepted and manifested their
acceptance of the accoint of Jonathan Gilbert, respecting the 
sequestration and execution served on Goodhearts estate, doe 
not see cause to alter ye said act. This to be a final issue of 
that matter.

The Magestrates are desired to heare and determine the case 
of Thom& Greenhils Will, and to settle a way for payment of 
debts.

Mr. Treat, Mr. Tho. Wells and Saml Wels and John Ches-
ter are appointed to administer vnto ye estate of Mr. Robins, and 
to take care to performe it for ye Relicts.

Its ordered by ye Court respecting Mr. Stow of MiddleTown, 
there appeareing such unsutablenes in their spirits, that Middle-
Town shall haue free liberty to provide for themselves another 
able, orthodox and pious minister, as soon as they can, who is 
to be approoued by Mr. Warham, Mr. Stone, Mr. Whiting, 
taking in ye help of ye Worl Gournr and Mr. Willis, who 
being done, Mr. Stow is to lay downe his preaching there. The 
said Towne giving Mr. Stow Testimonials such as the Gent: forenamed judge fit. In ye mean time the Towne to allow Mr. Stow his vsual stipend, he continueing the exercise of his ministrey, as formerly.

It is ordered that if any in this Collony shall giue, sell or ex-
chang any horse, mare or colt, thereby to convey them out 
of this Jurisdiction, vntles he first enter the marks both naturall 
and artificiall, as also the colour and age of ye beast, with ye 
Recorder of ye Towne where ye beast was taken vp out of ye 
Comons or kept, he shall forfeit Twenty pounds to ye Pub: 
Treasury, and ye Recorder is allowed to take sixpence for 
every such record or entrey.

The Magestrates haueing considered the case of John Bissel, 
about trading liquors to ye Indians, doe aduidge him to pay 
(for breaking the Law of this Como wealth) 40l; the which he is 
to pay in two yeares time, in currant countrey pay to ye Pub: 
Treasury.

Stephen Taylor is allowed 20s. for his trouble and expence 
of time about John Bissels case, to be paid him out of ye 
Treasury.

It is ordered, yt Wednesday, the 24th of this instant, be kept
OF CONNECTICUT.

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a Publique Thanksgiving to God, for his mercy, in our Peace, Plenty, Health and Liberties we enjoy.

[134] It is ordered, that ye Ferrey at Niantecut shal from henceforth belong to ye Farme of Hon'd Gouernor Jn's Winthrop Esqr, and, as he shal order, to his Assignes, his Tenants attending the said Ferrey at all times as is necessary, for a reasonable and just recompence. Magestrates and ye Deputies of ye Court, ferrey-free, according to order.

It is ordered, yt the Comittee formerly chosen to treat with Capt Cullick, now hauing ripened their treaty to an issue, are empowered by this Court to prefect writings, and what is requisite to be confirmed and signed by ye Court, the Worshipful Gouernor is authorized to act in ye name of the Court, and to fixe ye seale of ye Collony thereof and to deliver the writings to Capt Cullick, and to receaue in behalf of ye Court those writings yt Capt John Cullick is to deliver vnto this Court.*

The restraint formerly laid on ye estate of George Fenwick Esqr is now taken of, and free possession and power of administration granted vnto Capt Jn's Cullick to ye said estate, in behalf of ye Legatees.

The List of ye Estates presented to this Court are,—

<table>
<thead>
<tr>
<th>Estate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Windsor Estate and persons</td>
<td>16274.00</td>
</tr>
<tr>
<td>Hartford</td>
<td>19512.10</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>12399.00</td>
</tr>
<tr>
<td>Middle Town</td>
<td>02398.00</td>
</tr>
<tr>
<td>SeaBrook</td>
<td>05724.00</td>
</tr>
<tr>
<td>Farmington</td>
<td>06109.00</td>
</tr>
<tr>
<td>Stratford</td>
<td>08110.00</td>
</tr>
<tr>
<td>Norwalk</td>
<td>03587.00</td>
</tr>
</tbody>
</table>

The Plantats of Stratford, Fairfield and Norwalk, hauing failed in transmitting ye List of ye Estates of their Townes according to order, This Court orders the Treasurer to pursue the said order, and to summon ye persons delinquent to ye Quarter Court in March next, to answer for their transgression herin.

Mr. Willis and Capt Lord are appointed to audit ye Treasurers acco't for ye year past.

The Treasurer and William Wadsworth are appointed to take in Jeremiah Addams his acco't.

This Court grants a Rate of a penny pr £. to be levied vpon ye estate of ye Collony for ye yeare past.

* These 'writings' for a final adjustment of accounts between the Colony and Capt. Cullick, are recorded on pages 327-329, ante.
This Court allowes libertie to ye Treasurer to send forth warrants to ye seaside Plantats: to gather their Rates, in such season as may prevent that inconvenience yt usually falls out in failing of their payment.

To prevent future inconvenience and unnecessary trouble yt may ensue by vnwritten grants, bargaines, sales or morgages, It is ordered by this Court, that from henceforth all grants, bargains, sales or morgages of houes and lands, shalbe in writing and subscribed by the granter with his owne hand or mark, [135] vnto wch mark his name shalbe annexed, and also subscribed by two witnesses at least, wth their owne hands or markes, vnto wch marks their names shal be annexed, & that noe grant, sale, bargain or mortgage shalbe of value but such as written and subscribed, as abovesaid. It is also ordered, that the said writing shalbe recorded, according to former order. And whereas, by former order there is libertie granted for one Magestrate to commit to prison wthout baile, That clause is hereby repealed. And caution giuen in to ye Recorder shal secure the intrest of ye Grantee, vntil a legall triall hath passed to a finall issue; vpon wch issue according to law, the judgm of the Court being delivered vnto ye Recorder, vnnder the Secretaries hand, shalbe his Warr to record such grant, bargain, sale &c. tho ye Granter refuse to acknowledge the same.

It is also ordered, that a lawful record of any grant, bargain, sale or morgage, either in ye Countrey Book, or in ye Towne Records where ye House and Land lieth, shalbe of equal value wth a written deed of any grant: Provided the record (if noe other written deed be made as abovesaid,) be testified and subscribed by one witnes at least beside ye Recorder.


Jo: Winthrop Esq, Go:
Jo: Mason Esq, Dep:
Magestrates: Mr. Clark, Mr. Willis, Mr. Allyn, Mr. Treat. Sec: Dan Clarke.
Dep: C. Rich: Lord, C. Jo: Talcot, Mr. Gailard, Mr. Hen: Woolcot, Wm. Wadsworth, Jos: Migat, Edw: Griswold,

Mrs. Wm. Thomson, Jo: Cotton and James Rogers were made free at this Court.

This Court orders, that ye Heires of Mr. Wells, of Wethersfield, shal set that part of ye houseing that Mrs. Wells is to enjoy for her life time, in present repaire; and Mrs. Wells is to keep it and to returne it in like repaire.

It is ordered by this Court, that Lt Hollister, Mr. Chester, wth their fellow Townesmen, shal within one weeks time after the receipt of this ord, perfect the gathering the Rate for Tho: Lord, by destreint or otherwise together wth ye Court charges respecting the action of Tho: Lord contra Lt Hollister, and for two executions, wth is thirteen shillings six pence. And in case of neglect of this order, the Secretary is to send out execution vpon ye parties cast in law at ye particular Court.

The Jurisdiction Power ouer that Land y't Vncus and Wawequa haue made ouer to Major Mason is by him surrendered to this Colony. Neuertheles for ye laying out of those lands to Farmes or Plantations the Court doth leaue it in ye hands of Major Mason. It is also ordered and provided wth ye consent of Maior Mason, That Vncus & Wawequa and their Indians [136] and successors || shalbe supplied wth sufficient planting ground at all times as ye Court sees cause out of y't Land. And ye Maior doth reserve for himself a competency of Land sufficient to make a Farme.*

In answer to Mr. Tinkers Petition, it is desired that Maior Mason, Goodman Morgan and Vncus or Wawequa, or some Indian appoined by them, wil veiw the tract of land y't Mr. Tinker desires, or some other meet for him, not pruditial to others, and to make report thereof to ye Court.

In reference to Mr. Rosseters desire respecting Land vpon Stratford Riuier, at Paugusset, the Court approues of his purchase, accepts it vnd'r this Gouernm't, and allowes liberty to purchase one hundred acres more.

It is ordered, y't Mr. Tinker, James Rogers and Mathew

* The informal nature of this surrender to the Colony of the right which Major Mason (as their agent,) had acquired in the Mohegan lands, gave rise to the celebrated "Mason case," which (for nearly seventy years,) occasioned much trouble and expense to the Colony.
Griswold shall examine Stebbins accot of N. London, and return their apprehensions about it to ye next Session.

Jeremiah Adams did resign all the power of disposeing ye estate (left by Thomas Greenhill to Goodwife Adams) into his wives hands to be wholly at her dispose.

It is ordered that in case any Trooper die or remove, whereby his place remains vacant, it is left to ye Comission officers of ye Troop to accept of such as may be suitable to fill vp the number that ye Court allowes; and such as the officers admit, to stand firme, vnles ye Court, either Gen: or P'ticuler, put a stop to those Troop's.

John Tinker hath licence to retayle liquors distilled by him, until Octobr, 1662, and to indeavour to suppress others that shall sell by retaile in ye Towne.

In ye appeale of Robert Reeues in ye case twixt him as p't contr John White, this Court finds for ye Defendant.

In ye case twixt him as p't contr Wm. Clark, this Court find for ye Defendant, and if there be any land besides the homelot that is expressly bought, such land doth apperteine to John Skinners estate.

[137] It is ordered by this Court it shalbe in the power of the Treasurer, at al times, as cause requires, to issue forth his warrant vnto the Constables in ye respective Plantations where any Comissioner or select men shal faile in p'fecting and transmitting the list of Estates according to order, to destreine and leuy the forfeiture required in ye said order provided in this case.

This Court doth impose the fine of 20s. upon the Town of Norwalk, for yr neglect in transmitting their list according to order at October Court last.

Receaued by me John Shepherd, of my loving Vnkel Gregory Winterton, Thirty four pounds, wch he receaued of my Bro: Thomas Greenhill for lands I sold him, for wch I made my Vnkel a letter of Attourney, I say receaued by me, Augst 4: 1654. John Shepherd.

Transcribed out of ye originall.

In answer to Simon Lobdels Petition;
1. This Court admits not a further hearing of ye case.
OF CONNECTICUT.

2. Its ordered that ye spetial verdict drawen vp by the P'ticular Court, respecting Simons case agst Jared and Hannah Spencer, shal stand firme to issue that busines.

3. In reference to ye just expences mentioned in ye verdict, Its ordered that Jared Spencer shal pay vnnto Simon Lobdell, Fiue pounds, besides the Ten pounds mentioned in ye verdict. All wch sum of fifteen pounds shalbe paid in wheat and pease or other estate equivalent: Fiue pounds to be paid by the 10th of Aprill, the other Ten pounds according as is specified in ye spetial verdict. And this is to be a final issue.

Jeremiah Adams acknowledging himself indebted vnnto ye estate of Mr. Hopkins the sum of Twenty pounds wherin Mrs. Vrsilla Gibdons stands bound wth him for ye payment thereof this Court doth free the said Vrsula from her bond, and doth sequester the said estate in Jer: his hand, til further order proceed for ye paym of thereof.

This Court haueing heard and considered the differenc twixt ye Towne of Middle Town and Mr. Stow, and their allegations [138] and answers, || doe judg and determine, that ye people of Middle Town are free from Mr. Stow as their engaged minister. 2ly. That the people of Middle Town shal giue to Mr. Stow L's Testimonial, according as was drawen vp, and presentd by the Worshipfull Gouernor in ye Court. And Mr. Stow is not infringed of his liberty to preach in Middle Town to such as will attend him, vntil there be a setled ministrey there.

In reference to former intentions and motions wch could not be brought to a ful conclusion for ye manner and meanes to accomplish the same, til this meeting of ye Generall Court, It is concluded and declared by this Court, That (as it was formerly agreed by those Magestrates and Deputies that then could be assembled together,) it is our duty and very necessary to make a speedy address to his Sacred Maiesty, our Soveraigne Lord Charles the Second, King of England, Scotland, France and Ireland, to acknowledge our loyalty & allegiance to his highnes. hereby declareing and professing ourselves, all the Inhabitants of this Colony, to be his Highnes loyall and faythfull subjects. And doe further conclude it necessary that we should humbly petition his Maiesty for grace and fauour, and for ye continuance and confirmation of such privilidges and liberties
as are necessary for the comfortable and peaceable settlement of this Colony.

It is ordered, that the Five hundred pounds that Capt. John Cullick is to pay to ye Countrey, shalbe kept and improved in pursuance of our Address to his Highnes our Soveraigne Lord Charles etc.

Mr. Willis, Mr. Allyn, & William Wadsworth are appointed as a Committee to meet with Capt' Cullick when he comes vp, to receive in such bills as he is to assigne to the Countreys vse.

This Court haueing heard the case respecting Jeremie and John Adams and Edward Stebbing, respecting the sale of ye Homelot of Thomas Greenhill, at Hartford, doe sentence and conclude, that ye said sale of yt lot by Edward Stebbing to Mr. [139] Goodwin is a legal sale: the sale being || acknowledg'd by Edward Stebbin in open Court.

In answer to ye close of ye Petition respecting Hoccanum lands, it is ordered, that all ye proprietors of ye wast land shal appoint a time to lay out ye lots according to ye several grants, as they haue agreed in Court to doe.

This Court doth grant and order that there shalbe paid vnto Eltweed Pomry the sum of Ten pounds, out of ye Wompom yt is come from Narroganset, at six p'' penny, as recompense for his loss in his Mare.

This Court orders, that in case Sarah North hear not of her husband by that ye seauenth year be expired, (he haueing bene absent six, already,) that then she shalbe free from her conjugal bonds.

Its ordered by this Court, that ye people of Middle Town shal pay vnto Mr. Stow, for his labour in ye ministrey the year past, 40l. wch is to be paid vnto him by the 10th of April next.

Its ordered, that ye Wompom yt the Comissioners ordered to be paid to Mr. Brewster shalbe deliv'd vnto him out of that wch came from Narroganset.

It is ordered that ye Secretary shal send down order to Robt Chapman to giue power and order to ye new Constable at Sea Brook to levy the sum of 9l. 6s. 1d. vpon William Bushnell, and likewise yt ye Secretary shal send order to require the said Bushnell to levy the said 9l. 6s. 1d. vpon ye estates of such at Norridge as are defectiue in their Rates and to perfect his Acco't for ye last yeare.
The Constables in the ye respective Plantations are hereby required forthwith to perfect their accounts respecting the several levies for ye Countrey Rates y^t are yet imperfect; and in case of defect herein after the 10^th of April next, the Treasurer is ordered to send forth warrants to ye present Constables to desriere the remainders of ye Levy from the Constable defectuie, also 40s. fine for neglect in attending the Countrey order is to be required of and destreined by the Treasurers Warrant from ye said Constables.

[140] Whereas, it is well knowne to ye Inhabitants and Churches in these parts that there was a Church orderly gathered at Wethersfield, by ye full approbation and allowance of ye Court and Magestrates then in power, and by the consent and app^bation of neighbour Churches, and whereas there are diverse of ye members of ye said Church removed from thence without any notice given to, or allowance and app^bation from this Court or ye Magestrates of this Jurisdiction or the Churches within this Jurisdiction or the neighbouring Churches, soe as the number of ye members of that Church is lessened thereby, and upon that occasion some, through misapp^hension of the true state of that Church, there still resident and remaining, have taken occasion vniustly to question the station and being of ye said Church of X^t: as some of that Church doe complain, and yet none have charged any offence or irregularity vpon the said Ch: or their proceed in their Ch: estate; & whereas the said Ch: did manifest vnto the former Sess^a of this Court, w^ch heard and examined their case openly, the reality and truth of their continuance in the same membership, Ch: estate & station as formerly; This Court doth therefore hereby declare that ye said Ch: is ye true and vndoubted Ch: of Wethersfield, and soe to be account^d and esteemed, for any thing doth yet appeare; yet this Court doth also declare that if any just charg be brought in agaynst them, or any thing be made to appeare that may justly disapproue or call in question their Ch: estate before the 14^th of May next ensuing, and shall orderly declare and regularly prosecute their charge agaynst them, then ye Court will attend the hearing of such charge agaynst them and accordingly judge of their estate as shal then appeare.

The Magestrates and Assistants in ye respective Plantations
in this Colony are desired forthwith to call ye Grand Jury men in their Townes, and to give them an Oath for ye due dischag of their worke.

[141] The Comrs of N. London is fined 40s. for not transmitting their List of estate, according to order.

It is ordered by this Court, that noe person w'tsoeuer in this Colony, shal directly or indirectly buy or rent any of ye Lands at Podunk that are laid out and possessed by the Indians there. And respecting Thomas Burnam, it is allowed and granted vtnto him, that in case the Indians there shal depart from that place and leave it, that then the said Thomas, w'th ye free consent of ye Indians there, shal imprue the Indians lands in ye time of their absence, w'ch consent of ye Indians shalbe declared before the Magestrates. Thomas Burnam doth engage to this Court, that whensoever ye Indians desire to returne to and imprue their lands themselves, he the said Thomas wil freely, readily and without any trouble, surrendr ye possession vtnto ye Indians agayne. This liberty to continue til his lease be expired.

It is ordered, that Capt Lord and the Treasurer shal leuel accounts, and the Treasurer is to pay what is due to Capt Lord, w'th dammadges allowed vnto him.

Capt. Cook is required to desist in any further labour on the lower Farme at Mussaco, vntil the matter be issued at Gen'l Court, in May next.

Wednesday three weeks is appointed a solemne humiliation to seek the favour of God in ye occasions of ye insueing yeare, and yt God would direct vs in those waies yt may conduce to our settlement in peace and privilidges, and yt peace and truth may be settled in England.

[142] Court of Election held at Hartford, May 16, 1661.

Magestrates elected:

Jo: Winthrop Esq', Go:
Jo: Mason Esq', Dep:
Mr. Henry Clark, Mr. Gould,
Mr. Willis, Mr. Topping,
Mr. Allyn, Mr. Rainer,
Mr. Phelps, Mr. Baker,
Mr. Treat, Mr. Bond.

Treasurer, John Talcott.

See'y Dan\textsuperscript{11} Clark, et Dep:

Dep: C. Rich: Lord, Mr. Henry Woolcot, Mr. Gaylard, Wm. Wadsworth, Joseph Migat, John Moore, Sam\textsuperscript{11} Welles, Sam\textsuperscript{11} Boreman, John Deming Sen\textsuperscript{t}, John Kilburne, John Clark Sen\textsuperscript{x}, Math: Campfield, Jehu Burr, John Banks, Rich: Olmstead, Rob\textsuperscript{t} Warner, Nath: White, James Rogers, Rob\textsuperscript{t} Royce, Antho: Howkins, Thomas Judd, Phillip Groues, Mr. Haul.

The Freemen voted that ye Gen\textsuperscript{11} Court should choose Comrs and invest them \textit{w}th full power for this year ensuing:

And likewise that ye Court should choose Assistants, as need requires in ye several Plantations.

Mr. Tinker, Mr. Campfield and Rob\textsuperscript{t} Chapman are chosen and sworn Assistants.

The Assistant and Comrs at New London are desired to take a strickt care to suppress disorders in that place.

The Gou\textsuperscript{nor} and Dep: Gou\textsuperscript{r} are chosen Comissioners for this yeare ensuing, and Mr. Allyn and Mr. Willis for a re-serue.

Mr. Allyn is chosen Moderator in absence of ye Gou\textsuperscript{r} and Dep: Gou\textsuperscript{r}; both for Gen\textsuperscript{11} and Pr\textsuperscript{t}iculer Courts.

This Court remits 4l. of ye fine of 8l. formerly laid on Wm. Clark.

This Court hath accepted and doe confirme the conclusion of ye Comittee respecting the accounts of Georg Tong & John Stebbin.

This Court remits Ten pound of ye fine imposed on John Bissell for tradeing Liquors.

This Court hath added 20s. to that \textit{w}ch the Pr\textsuperscript{t}iculer Court allowed to Stephen Taylor out of John Bissell's fine.

This Court vnd\textsuperscript{r}standing the Comrs consent thervnto, doe accept of ye Plantation of Setauk vnd\textsuperscript{t} this Gouver\textsuperscript{t},* vpon ye same Articles of Confederation as are granted to South-

\* "Libertie is granted to the Jurisdiction of Connecticut, to take Huntington and Setaukett, two English Plantations on Long Island, under their Gouverment." [Rec. of U. Colonies, Sept. 1660.]

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ampton; and for two yeares doe free y't Plantat: from publ: charges, nor must they expect the Countrey to be at charg about them during that time. Mr. Richard Wodhull and Mr. Thom's Peirce are chosen by the Court to officiate in ye place of Magestrates in that Plantat: for ye yeare ensuing. Mr. Wodhul sworne.

Mr. Pel and Alexand'r Knowles chosen Assistants for Fairfield, and in case either of them refuse, Mr. Wm. Hil is chosen to supply that defect.

[143] This Court doth ord'r, that ye bounds of N. London shalbe measured by the persons that the Court appoints, that soe they may be regulated according to ye grant of the Court.

Mathew Griswold, Thomas Tracy and James Morgan are appointed to try the bounds of N. London, and to make report what is ye extent of ye bounds from the Sea northward in- to ye Countrey, on ye east side the Riuer, according to ye ordinary way of laying out of bounds in this Colony. N. London people haue liberty to procure the ablest person they can to assist in this matter.

This Court hath chosen Wm. Wadsworth, Mr. Campfield and John Moor as a Comittee to ripen ye case respecting the horses in controuersy twixt Reynold Marvin and Math: Griswold, for ye determination of ye Court.

The former ord'r respecting Mr. Jn'o Tinker is stil to be attented by him in veiweing a convenient place at or neere Mon- begin, to take vp some Land.

Respecting Mr. Bruens letter for advice, the Courts mind is to take the matt'r into furth'r consideration before they giue di- rection in ye case propounded by him.

In answer to Fairfield Petition, this Court declare their vn- willingnes to admit a further hearing of ye case twixt Fairfield & Stratford.

This Court grants Goodwife Lettin liberty to inhabit in Fair- field, in case that Towne admit her.

Execut'a sent to Fairfield for Twenty pounds, according to ye conclusion of Norwalk Comittee.

This Court remitts 40s. of ye fine imposed vpon Nicholas Palmer & his wife.

This Court approues of ye returne of ye Comittee respecting
Math: Griswold and Renold Marvin, and confirm their determination about the Horses.

This Court grants that the one half of ye horses in controversy shalbe devided twixt Math: Griswold and Reynold Marvin equally, and ye other half the Court ord to be to ye Country. And its ordered that ye said company of horses shalbe [144] lookd vp by Marvin, and that Robert Chapman, || John Clark Sen, Math: Griswold and Reynold Marvin shal sell the Horses to make paym and distribution according to this Order. Goodm: Marvin is to see ye Horses brought in, that soo this ord may be effected. And ye value of what haue bin sold is to come into this distribution. And this is to issue that controversy.

John Banks, Richard Olmstead, and Joseph Judson are appointed to run the line from South to ye Northward, twixt Fairfield and Stratford, to ye extent of their bounds, and also ye cross line.

This Court hath remitted five pounds of ye fine imposed on Whelpley, for his lasciviousness.

This Court repeales ye ord for paying the Indians for such Wolues as they kill or steale.

Respecting Capt Aaron Cooks grant at Mussaco, This Court doth iudg the grant stil in force, and doe order that he shal begin next ye Falls and take meadow, good and bad, without exception, except vplands, wch are not intended in ye grant.

In reference to ye Address drawn vp by or Gournor, This Court doth order that ye said Draft as it is now drawen vp and formed and presented to ye Court, shalbe sent and presented to his Highnes or Soveraigne Lord and King Charles ye 2d etc., in case the Comittee chose to prvse and compleat ye said Address see not cause to make any alteration therein, to whom it is fully left to compile or methodize the Instrument as they judge most convenient, provided ye substance be stil attended and retaine.

The Comittee chosen to compleat ye Address and draw vp the Petition to his Matie or any other LRs to any noble psonages in England, and al other matters respecting or address, Petition or Patent, are as follow: John Winthrop Esq, or Gour,
Also, ye Dep: Gour, Mr. Willis, Mr. Allin, Mr. Warham, Mr. Stone, Mr. Hooker, Mr. Whiting and ye Secretary.

It is agreed between Capt Topping, Mr. Halsey, Mr. Stanbourough and John Coop, in behalf of all of Southampton [145] vsatisfied about their bounds, || and Mr. Baker and Mr. Mulford, in behalf of ye Towne of East Hampton, That ye bounds between the two Plantations shal for euer be and remaine at the stake set down by Capt: How, an hundred pole eastward from a little pond, the said stake being two miles or near thereabouts from ye east side of a great pond commonly called Sackaponock; and soe to run from ye South Sea to the stake, and soe ouer the Island by a strait line to ye easterne end of Hogneck, according to ye true intent and purpose of what is expressed in the grant and deed subscribed and allowed by Mr. James Forret, Agent for ye Right Hooble Earle of Sterling. It is further to be vnd'stood that what agree& is here made doth noe way intrench vpon any of ye rights, privilidges or immunities conferd vpon Southampton by their Patent purchased of the aforesaid James Forret. It is further concluded that ye lands on the west side the stake forementioned shalbe and remaine to Southampton for euer, and ye land on ye east side ye stake, being the greater part of ye Plaine, to be and belong to ye Plantation of East Hampton foreuer. And this to stand as a final conclusion respecting the bounds twixt those two Plantations.

It is ordered, that ye Towne of East Hampton shal pay vnto ye Capt Topping and his copartners, towards their charges in transacting this case at this Court, the sum of 20 Nobles.

This Court is adiourned til ye last Wednesday in Aug* next.

Postscript.

This Court doth desire and authorize or Wor* Gouerno (who speedily intends a voyage to England,) to agitate and transact the affairs of this Colony in reference to or Address & Petition to his Ma'tie, or respecting or Pattent, according as he shall receive further instructions from the Comittee appointed to compleat those matt'rs, takeing in the advice and counsell and consent of such Gentlemen and freinds as may be excited and procured to be actiuie w'th him in and about the premisses.
Hartford. Session Gen\textsuperscript{11} June 7: 61.

Jo: Winthrop Esqr, Go:

Magestrates: Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.

Sec\textsuperscript{r}; Dan\textsuperscript{11} Clark.

Dep: C. Rich: Lord, C. Jn\textsuperscript{e} Talcot, Henry Woolcot, Wm. Gaylard, Wm. Wadsworth, Joseph Migat, Jo: Deming, Sam\textsuperscript{11} Wells, Sam\textsuperscript{11} Boreman, Tho: Judd, Antho: Howkins, Rob\textsuperscript{t}: Warner, Nath\textsuperscript{11} White, James Rogers.

This Court haueing considered the Address and Petition compleated by the Comittee, to be sent and p\'sented to his Matie, o\'r Soveraigne Lord Charles the 2d, and also the Instructions drawn vp for o\'r Wor\textsuperscript{l} Gouern\textsuperscript{r}, Agent for this Colony in ye p\'misses, doe approue of that w\ch ye Comittee hath done. And doe further add to ye\' Instructions, that they doe leaue ye\' matt\'s respecting any L\'s that may be found necessary to be directed to any other Nobles or Gent: who may be stirred vp to be helpful in promoteing the Address, Petition or Pattent, besides them that are nominated in the Instructions, to o\'r Wor\textsuperscript{l} Gouern\textsuperscript{r}; and as he shall see cause, to draw vp, and in ye\' name of the Colony to subscribe, seale and deliuer such L\'s, and to draw vp and p\'sent any further Petition in behalf of this Colony, to his Matie, as may be found necessary.

It is ordered by this Court, that o\'r Wor\textsuperscript{l} Gouern\textsuperscript{r} shalbe allowed out of the Treasurie, for this ensuing yeare, the sum of Eighty pounds. And in reference to his intended voyaige to England, if his purpose and resolution doe stil continue to goe, in regard this Court hath made choice of his wors\p to be an Agent to further our welfare, in p\'senting o\'r Address & Petition to ye\' Kings Majestie, and to improove his abilities to procure vs a Pattent, This Court doth hereby order and enact, that whatsoever charges or expenses the attendance on those affaires of this Colony shall require in England, shalbe defraied out of that 500\l that is by ord\r of Court appointed and set apart for ye\' service.

This Court doth desire and appoint Capt. Lord, Mr. Henry Woolcot, John Allyn, Will\m Wadsworth, or a maior part of them, w\th ye\' advice of Mr. Math: Allyn, to order and dispose of ye\' pay that is to come to ye\' Col: from Capt. John Cullick, soe
as ye it may answer such Bills as may be charged on this Col: by or Worl Governor or his order, in pursuance of our Pattent, in England.

[147] The Treasurer is appointed to signe ye Lr of Credit, whereby the Governo\r may be authorized to charge Bills on ye Colony to ye value of 500l. according to former act of ye Court. The Treasurer is to giue order to ye Comittee for ye delivery of pay when Bills are charged.

The Secretary is ordered to subscribe in ye name of ye Court, the Address, Petition and Letters to ye Nobles and to ye Corporation, and deliuer to ye Gouernour coppies of ye same; and in case it be judged expedient the Gouernour is desired to subscribe ye Address and Petition.*

Eltweed Pomrey hath receaued the 10l. in Wompom, from ye Gouernor, that the Court formerly granted him.

Session, June 8: 61.

This Court taking into consideration ye estate yt is in John Coles improuement, yt formerly belonged to Edward Hopkins Esqr, Doe order, that ye Treasurer shal require and take into his custody and improvement the rent of that house and land at Hartford, from John Cole, and to be accountable for it when ye Court calls him thervnto. And likewise for Willm Hills farme, ye same order is to be attended.

The Treasurer and Willm Wadsworth are desired to acquaint John Cole that ye Court expects that he continue in ye improvement of ye Farme according to his Lease; and its left with them to informe him that ye Court desires and are ready to encourage him in this busines for ye future.


Majr Jo: Mason Esqr, D: Go:
Magestrates: Mr. Allyn, Mr. Phelps, Mr. Treat.
Secret'y; Danl Clark.

* The Instructions to Gov. Winthrop, Letter to the Earl of Manchester, (as is supposed,) and a copy of the Address, will be found in the Appendix, No. X. The Petition, and a Letter to Lord Say & Sele, have been already printed in Trumbull's History of Connecticut, Vol. i., Appendix, Nos. vii. & viii.

This Court doth order that it shalbe comended to ye consideration of ye Comrs that an order may be established, That noe Indians wth ever shal attempt any hostile act, or wage or carry on any warr within ye limits of ye several Colonies or Plantations, but shal first make ye justice of their cause appear to ye Authority of ye Colony wherein the Indians liue, and haue liberty from ye Authority of ye Colonie to proceed on in their warr:

And in case the Indians doe violate ye Comrs former order, in hostile attempts as before, or in marching throw ye Townes wth armes, what fine or punishment is to be inflicted on offenders, and how we may act in opposeing Indians or pursuing delinquents.

This Court doth appoint Maior Mason, Mr. Allyn, Wm. Wadsworth, C. Jo: Talcot, Joseph Migat, as a Comittee, to whom it is left to settle Podunk Indians in that place, upon righteous and honerable termes; as also to indeauour to settle Farmington Indians, and to purge out strangers from them. And to enioyne both Podunk and Farmington Indians to cease their warr and not to entertein strangrs, and also to require ye Captiues.

HARTFORD. SESSION GENII. AUGt 28: 61.

Mr. Allyn, Moderator.

Magestrates: Mr. Phelps, Mr. Treat.

Dep: C. Jo: Talcot, Dan Clark, et Sec., Mr. Gaylard, Wm. Wadsworth, John Moore, Joseph Migat, Sam Wells, John Deming, Sam Boreman, Anthony Howkins, Thomas Judd.

In reference to ye case depending twixt Caspar Varleet, by way of appeale, contr Edward Palmes, This Court doth determine, That Caspar Varleet shal forthwith make satisfaction to Mr. Palmes for what is vnpaid of ye Bill in Cattle, wth 8l. 6s. 6d. for damadge, with charges. And in case Caspar Varleet
doe not satisfie according to this order, This Court grants execution to be delivered vpon ye estate of Varleets that lies vnd\textsuperscript{r} Attachm\textsuperscript{t}, and L\textsuperscript{t} Thomas Bull, Mr. Jos: Wellard and James Steel are appointed to apprise the estate that Mr. Palmes doth receaue from Mr. Varleet; and if any of these three fayle, Thomas is to supply his roome.

This Court hath granted to Jonathan Gilbert a farme, to ye numb\textsuperscript{r} of 300 Acres of vpland and 50 Acres of meadow, provided it be not preiuditiall where he finds it to any Plantat\textsuperscript{n} yt now is, or hereafter may be setled.

The Court hath granted vnsto Mr. Math: Allyn, 400 Acr\textsuperscript{s} of vpland and 100 Acr\textsuperscript{s} of meadow, where he can find it wthin Conect: liberties, vpon ye same termes as to Jonath\textae Gilbert.

[150] Hartford: At a Gen\textsuperscript{11} Session: Octo\textsuperscript{b}r 3: 61.

Maior Mason, D: Go:

Magestrates: Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.

Sec\textsuperscript{r}, Dan\textsuperscript{11} Clark, et Dep:

Deput: C. John Talcot, L\textsuperscript{t} Hollister, L\textsuperscript{t} Jo: Allyn, Mr. Gaylard, L\textsuperscript{t} Walter Filer, Joseph Migat, John Moor, John Deming, Sam\textsuperscript{11} Wells, Sam\textsuperscript{11} Boreman, Antho: Howkins, Tho: Judd, Rob\textsuperscript{t} Chapman, John Clarke, James Morgan, James Avery, Walter Hoit, Joseph Judson, Nath\textsuperscript{11} White, Robert Warner, Phillip Groues, Mr. Hill, Thomas Staples.

This Court orders, that it may be comended to ye consideration of ye Freemen the great cost and burthen yt lies vpon this Collony by the great number of Deputies that attend ye Gen\textsuperscript{11} Courts; and if it seeme good to ye Freemen it is desired yt ye number may be lessened one halfe in each Towne in this Colony. And likewise, in case any occasion necessitate the calling together ye Gen\textsuperscript{11} Court at such season that may be praeiudiciall for the remoter Townes to send their Deputies, that then it may remaine and be in ye power and liberty of these neighbouring Townes on ye Riuuer, by their Deputies or a major part of them, wth soe many Magestrates as ye law requires, to keep Court,
OF CONNECTICUT.

y⁷ with full power and authority as if the Deputies of yᵉ severall Plantations were pstaking altogether.

This Court doth hereby manifest their complianc and consent that yᵉ Comi^sion Court shalbe held but once in three yeares, in yᵉ ordinary course: and yᵉ Secretary is ordered to certifie this order to yᵉ Comms at yʳ next meeting.

There is a Levy of a penny pr £ ordered to be raised vpon yᵉ estate of yᵉ whole Colony.

Next Wednesday come fortnight is appointed to be kept a solemne Thanksgieing throwout the Colony, for Gods merceys in yᵉ remaininge fruits of yᵉ earth, and for oʳ peace, and that God is pleased to free vs from yᵗ mortality yᵗ yᵉ Plantats haue bin afflicted with.

Those that are nominated to be put to election for Magistrates, at the Gen¹l Court in May next, are C. John Talcot, Secr Dan¹l Clark, Lᵗ Jo: Allyn, Mr. Henry Woolcot.

This Court haueing heard and considered the busines respecting Mr. Varleets Still and Worm, wᵗ yᵉ head, yᵗ was destreined for Mr. Palmes his debt, doe see cause to order, that yᵉ said [151] Still etc. be sequestred in yᵉ Marshalls hand or custody, for yᵉ space of three weeks, during wᶜ h time it shalbe lawfull and at yᵉ liberty of Mr. Varleet to redeem the Still, by paying the debt to Mr. Palmes or yᵉ Marshall, wᵗ all such charges as haue bene occasioned by executions laid on the Still. And if Caspar Varleet doe not redeem it, or any man elce, in that time, pay more for it then what is due to Mr. Palmes, then yᵉ Still etc. is to be delivered to Mr. Palmes, and he to defray the said charges.

The list of Estate and psons pstaking to this Court:—

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This Court doth ordʳ and appoint Mr. Gould, Mr. Sherman, Mr. Knowles, Mr. Campfield or any three of them, provided Mr. Gould be one, to examine and issue yᵉ busines respecting Joseph Jeames and Marcy Holbridge and to inflict such punishm⁴ as they judege meet according to law.
This Court doth conforme and establish ye act of ye Comittee at N. London,* respecting ye east line and lands disposed and to be disposed of; one particular whereof is ye such land as lies abutting vpon ye line already disposed to men, shalbe and belong to them, though it lye without ye line.

This Court hauing heard and considered ye contumelio carriage of Mr. Varleet against ye Magestrates, and affront to ye Countries officer in execution of his office, doe fine him 10l. to be paid by him to ye Treasurer.

The WorII D: Gouernr, C. Jo: Talcot and Lt John Allyn are appointed and requested to goe to N. London to ioyne wth ye [152] Assistant and Comrs there || in keeping Court Pert: and ye Dep: Gou:r: is to appoint ye time.

It is ordered that the Assistants in this Colony, wthin their respective limits shal haue ye power of one Magestrate vntil ye GenII Court in May next.

This Court orders ye Secretary to write a Letter to Norridge, to send vp a Comittee in May next, invested wth full [power] to issue ye affair respecting settling that Plantation vndr this Gouverment.

The Will and Testam† of Edward Hopkins Esq†, being presented to this Court, legally attested, is accepted as authentick:

This Court doth likewise order and impower Edward Stebbing and Lt Thomas Bull to take ye manadgm of ye estate of Mr. Hopkins, deceased, into their hands and the gathering in ye debts due to ye estate and to be accountable to ye Court for ye same when called therevnto.

Vpon a proposition presented from Mr. Goodwin, in reference to ye legacy belonging to this Colony, by the last Will of Mr. Hopkins,† and whereas there was, by a writing, a tendr of

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* [In the margin: ] "17 May, '55."
† Mr. Hopkins, by his will executed Mar. 17th, 1657-8, ("after several legacies therein bequeathed out of his estate in New England" gave and bequeathed the residue of his estate there, to his father Theophilus Eaton Esq., Master John Davenport, Mr. John Cullick and Mr. William Goodwin, in full assurance of their trust and faithfulness in disposing of it according to the true intent and purpose of him the said Edward Hopkins, which was, to give some encouragement in those foraigne Plantacons for the breeding up of hopeful youths in a way of learning, both at the Grammar Scholes and Collidge, for the publique service of the Country in future tymer." [Power of Attorney from Henry Dalley, Mr. Hopkins' executor, to the trustees; in "Colleges & Schools," Vol. i. No. 1.] In addition to this bequest, (estimated at about £1000,)
350l. to this Colony, out of that estate; This Court doth declare that they doe not reject the tender. And further, this Court doth appoint Major Mason, Mr. Mathew Allyn, Mr. Willis and Capt. John Talcot, as a Comittee to treat with ye Trustees of Mr. Hopkins estate about ye foresaid legacy, and what ye major part of those ye meet doe conclude, shall stand as an issue of that busines. And ye Secretary is to write a lett to ye Trustees to appoint time and place of meeting.

C. John Talcot hath liberty granted to him to retaile liquors provided he attend ye ordrs of ye Countrey therin.

Robt Chapman and Mathew Griswold are appointed to lay out Mr. Allyn's Farm according to ye conditions of ye Grant.

Wm. Prat is established Lieutenat to ye Band at SeaBrook; Wm. Waller, Ensigne; Wm. Bushnel & Reynold Marvin, Sergeants.

[153] Robert Chapman and John Clark Senr are appointed to require Reynold Marvin and Math: Griswold to bring in ye horses soe ordered for the Countrey, and to require ye pay for what are sold, and this to be effected by ye first of Decemb' next, and to inquire after ye number of them, and to make returne to ye Court in Decemb' what is done herein.

It is ordered, that ye Indians y' liue neer ye Townes on ye Riuer have free liberty to carry their guns, throw ye English Townes, provided they are not aboue 10 men in company. This liberty is granted to Tunxis Indians. Former restreints are repealed.

Willm Wadsworth and Richd Butler are to judge of that Beef y' Varleat doth pay to redeeme ye Still, whether Merchandable or noe, and Joseph Smith to gadge ye cask.

Mr. H. gave from his estate in England, the sum of £500, in further prosecution of "the aforesaid publick ends," "for the upholding and promoting the kingdom of the Lord Jesus Christ in those parts of the earth." This latter sum was considered to belong to Harvard College, and was paid to that institution, under a decree in chancery, in 1710.

The proceeds of the estate in N. England were appropriated by the trustees to the support of Grammar schools in Hartford, New Haven and Hadley.

A letter from Mr. Goodwin, (in the name of the trustees,) to the General Court, in reply to one received from the Secretary requesting the appointment of a time and place of meeting, will be found in the Appendix, No. VIII. [See Savage's Winth. Journal, I. 228, Note; Trumbull's H. of Conn. I. 232.]
This Court having read and considered the Petition of Bridget Baxter, in reference to her husband's deserting her and her desire to be divorced from him, doe ordr Mr. Gould, Mr. Sherman and Mr. Wm. Hill to examine the letter that ye said Baxter sent to his wife in England, and to compare the said writing wth other of his writeings; and in case they find a true & full concurrence in the said hand writing, that to their judgm'ts it appeare to be his writing, then to declare vnto ye said Bridget that this Court hath and hereby doth free her from her coniugall bond to her husband Baxter.

It is ordered, that forty five shillings in ye Marshals hands, of Varleets, shalbe a full discharge of ye remainder of his Ten pounds fine to ye Countrey, weh ye Marshal is to discharge to ye Countrey and Mr. Palmes to him.

This Court duely and wth serious deliberation, hauing weighed and considered the nature of the offence of Mr. John Blackleich in his contemptuous expressions against several persons in authority in this Colony, doe declare, that though the hainousnes of ye transgression deserves a fine of an hundred pounds, yet also considering some weaknes that too evidently appeares that he is incidt vnto, this Court doth impose the fine of Thirty pounds to be paid by the said Mr. Blackleich to ye publique Treasury.

This Court haue established the line of Farmington to extend to ye mouth of ye Brook at Nod Meadow, at ye northerne end towards Mussaco, and there to be ye devident bounds twixt [155] that plantation and their neighb[ours] at Mussaco, and there to run east and west, to devide twixt both parties.

This Court hath granted vnto Anthony Howkins and Thomas Judd 400 Acres of land betwixt them, whereof 80 Acr's of Meadow, if it may be found where it may not prejudice any Plantation yt now is, or hereafter may be setled.

There is also granted vnto C. John Talcot and Lt Jo: Allyn, 600 Acr's of vpland and 100 Acr's of meadow, to be equally devided between them.

There is also granted vnto ye Secty Daniel Clark and John Moor, the number of 400 Acr's of land, vpon ye forementioned
OF CONNECTICUT.

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termes, whereof 80 Acres of Meadow, wch is to be devided between them, and if it cannot be found together they haue liberty to seek it out severally.

There is granted vnto Mr. Willys, 200 Acres of land, whereof 50 Acrs to be Meadow land, vpon ye forementioned termes.

[In the Margin ;] C: Lord hath granted from the Court, 350 Acres of vpland & 50 Acres of meadowe, if it: This I find in the Records of this Court, March 13, 61-62, though it be not recorded in their acts in this Booke. As I atest this 11th of Septr. '67. John Allyn, Secretary.

Mr. Phelps, Mr. Gaylard, Jo: Bissell Senr, Saml Steell, Lt Hollister, John Wadsworth, doe propound to ye Court for lands.

This Court grants vnto Jeremiah Adams, 300 Acrs of vpland and 40 Acrs of meadow, in the place where he kept cattle last winter, going to Monhegin; and in case there be a plantation there settled, he is to haue a double portion according to his estate out of this land now granted; the rest he is to surrender to ye Towne.

This Court sees cause to repeale the former order respecting allowance for wolues, and ye each Towne shal pay for ye wolues that are killed in their limits the sum of Fifteen shillings pr Wolfe.

This Court orders, that ye salery for Daniel Porter shalbe paid yearly, out of ye Treasury.

[156] This Court orders, that for future, the leathr sealers in this Colony shal have allowed vnto them for each Dicker of Leather they seale, 18d. and for half a Dicker, 12d. and 4d. a hide, for single hides.

This Court declares, that they accept the Towne of Huntington, on Long Island, vndr this Gouernmt. And Mr. Willys, and Capt: Lord are appointed to returne an answer to their Letter.

This Court, vppon further consideration of the frame of ye matter respecting Mr. John Blackleich, and observin that there is too much appearance of preiudice in ye testimonies that haue bene presented, and how indirect the course was werby any thing was discouered, i. e. by lying in wait, cannot but see iust cause to acquit Mr. Jo: Blackleich of that fine

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imposed, there appearing reason to suspect that both Loveridge and Burnam are guilty of ye crime they testifie against Mr. Blackleich.

It is granted and ordered by this Court, vpon the motion and desire of Jeremiah Adams, that ye house that the said Jer: doth now possess and imroue for an Ordnary, or house of co[m]on enterteinment, shalbe and remaine for the same end and vse and occupation for the future, both to ye said Jeremie and his successors, provided as hereafter is expressed:

1. That ye said Jeremie, his heires and successors, carry on this worke, by such person or persons inhabiteing in ye said house as shalbe to ye good likeing and approbation of ye Gen'l Court from time to time.

2. That ye said house be fitted and made capable to giue sufficient enterteinment as need and occasion shal require, both to neighbours and strang'rs.

[157] 3. That there be at all times necessary & comfortable accommodation and provision made for enterteinment of Travellers with horse and otherwise, and that both respecting wine and liquors and other provision for food and comfortable refreshing both for man and beast.

4. It is ordered, that if Jer: Adams shall not attend his agreement in attending the provision made in ye foregoing Articles, he shal not forfeit his licence, but shalbe liable to be censured by the Court as they shal judg most suteable.

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At a Court of Election held at Hartford, May 15, 1662.

Magestrates Elected:
Jo: Winthrop Esq', Gouern'.
Jo: Mason Esqr, Dep:
Mr. Math: Allyn, Moderat'. C. Jo: Talcot, et Treas:
Mr. Willys,
Mr. Phelps,
Mr. Treat,
Mr. Gould,
Deputies: Wm. Wadsworth, Joseph Migat, Mr. Thomas Wells, Mr. Fitch, C. Benja:n: Nuberiy, Will'm Gaylard, John Moore, Edw: Griswold, Sam'l Boreman, John Not,

The Freemen haue referred the choice of the Commissioners vnto yᵉ Genl Court. Or Worl Gouernor and Mr. Willys are chosen Comrs for this yeare ensuing, and Capt John Talcot and Danl Clark are chosen for reserues.

It is ordered by this Court, that whosoeuer for the future shal complaine of and prosecute to effect in a legal way, any pound-breach or rescue, and proue the same, he or they shalbe paid one quarter part of the fine that by the Lawes of this Colony are imposed vpon delinquents that are judged by the Court yᵉ heares yᵉ case to be transgressors of any of the said Orders.

This Court doth set at liberty the transportation of Corne.

This Court hath granted the Petition from Huntington, and doe confirme Jonas Wood and Thomas Benedick according to their desire, who are impowered to act in point of Gouerment according to yᵉ liberties granted to that Towne by this Court; And the Secretary is to giue them a Copy of yᵉ Articles with Southampton, vpon wᵉh terms they are accepted.


Bridget Baxter is by the authority of this Court, vpon good consideration and solid reasons and evidenc, freed from her conjugal bond to her husband Thomas Baxter; and whereas the estate that her husband Baxter left with her is sold to pay debts, all excepting a bed and her wearing apparell, This Court doth prohibit all and every of the creditors to yᵉ said estate for seizing, extending or any way troubling yᵉ remainder, vntil yᵉ Court see cause to yᵉ contrary.

This Court doth release the Comr of New London from his fine respecting yᵉ list of estates.

This Court vnstanding that several vessels are brought in to yᵉ Ports and Harbours apperteineing to this Colony and vn∕ a pᵗᵉnc of attending the Proclamation sent forth from his Matie
or Sovereigne or the Parliam't of England, respecting the transportinge of Tobacco to forreigne nations, and in stead of paying the customes imposed, doe in a clandestine way defeat the law and steale ye custome, and some have denied to pay any custome, It is therfore ordered by this Court, that whatenver Tobacco is landed in this Colony, there shalbe paid by the Master of the said Vessell, or Merchant importer of ye said Tobacco, vnto the Custome Master of ye said place where the vessell is brought in, for ev'ry Hogshead, 25sh. or 2d. pr lb. wch sum according to ye Law of England shalbe presently discharged, or otherwise, sufficient security shalbe giuen for ye payment thereof wthin 9 months, otherwise there shalbe noe certificate granted from Authority, respecting the landing of ye said goods.

The Towne of Huntington, on ye Island, is freed from publique charges, for ye space of two yeares from this p'sent time. Mr. Jonas Wood is appointed Custome Master wthin and for ye Towne of Huntington.

It is ordered that all the Townes vpon the maine, that are or shalbe vniTed to this Gouerment after the publication hereof, shalbe fully comprehended in ye Order respecting the way and manner of rateinge and raising Countrey Levies.

[160] This Court considering the Petition of Job Drake, respecting the Colt now in the Countreyes possession, formerly handled in ye p'ticular Court, the said Job p'tending further evidence to clear his title to ye Colt, Doe therfore appoint and desire Mr. Thomas Wells, Mr. Wadsworth, Mr. Jos: Fitch and Edward Griswold, to heare and consider what Job Drake hath to declare about the colt, and accordingly to determine the matt' twixt ye said Job Drake and ye Countrey.

The petition of Mr. Joseph Heines being read and considered, respecting a grant of 1000 Acr's of Land to his Honord father in ye Pequot Countrey, This Court orders that ye said grant shalbe fulfilled before any later or further grants be attended or laid out in that part of the Countrey.

This Court graunteth to Mr. Joseph Heines 300 Acr's of Land for a Farme, where it may be found not prejudicing a Plantation in being, or that may be, whereof 50 Acr's to be mead: land if it can be found.
The Assistants in ye severall Plantations are by this Court established in their respective places, for ye yeare ensuing.

This Court orders, that the Bible that was sent to Goodwife Williams be by Sergt. John Not delivered to Goodwife Harrison, who engageth to this Court to giue vnnto ye children of ye said Williams, a bushel of Wheat a peice, as they shall come out of their time. And John Not doth engage to giue each of ye children 2 shillings a piece as they come out of their time, to buy them Bibles; and John Not hath hereby power granted him as is ordered, to dispose of ye rest of ye books, to ye children of ye said Williams.

This Court considering the state of the Troop listed by the Countreyes approbation, and ye inconvenience of their meeting in one body, from ye severall Townes, and vnecessary expence of time to noe profit, Doe therefore order, that ye listed Troopers shall be haue liberty to attend their exercise within ye Plantations where they are resident, with their owne foot company; vpon wyth consideration their allowance of six shillings eight pence pr Trooper is taken of, only the officers for their incorruption are allowed their salery. It is also ordered, that the Troopers in ye respective Townes shall attend and observe the command of such officers of ye Cavalrey as are cohabiting with them in ye Town where they exercise, except any superior officer of ye Troop shalbe presented at ye exercise. And notwthstanding this order, they are to be accounted as one intire Troop consisting of severall parts, who are to unite and attend ye General Traininge, as one intire body of Horse.

It is ordered, that for each petition that is presented to ye General Court, at any Session thereof, there shalbe paid by the petitioner, or him that presents the same, the sum of 10sh. to ye publique Treasury, whchen shalbe satisfied before the Petition be admitted to be read.

In regard it is found by experience that there is great neglect in viewinge Generall fences, according to order; It is therefore ordered by this Court, that in every Town in this Colony, there shalbe yearly chosen two men, who shalbe sworn to a due performance of ye work of viewinge fence, and whosoeuer is chosen to ye office of fence viewinge and shall refuse or neglect to attend it, shal pay twenty shilling to ye Town Treasury, vnles
it appeareth to some one Magestrate that ye said party be oppressed by the choice, and others vnjustly exempted. And it is likewise ordered, that ye said sworn fence veiwers shal haue power to fine neglects in fenceing, and to require and levy the same, and to deliuer it to ye Townsmen for ye Towns vse where they liue.

This Court grants liberty to ye Marshall, Jonathan Gilbert, to keep an Ordinary at his house, at Cold Spring, for relieuing of Travellers, according to their needs.

This Court desires and appoint the Magestrates of Hartford to agree wth a suitable man in Hartford to sel wine by retaile out of doors, at as good a rate as they can.

This Court doe impower Mr. Obadiah Bruen, of N. London, to take Oaths and grant Warrants, in ye Towne of N. London, as occasion requires.

This Court, vnderstanding that there is much preiudice like to ensue to this Colony, by conveyeing Tannd Leather out of this Colony, It is therfore ordered, that after ye publication hereof, what person soeuer in this Colony shal transport any Hides that are tan'd either for soles or vpper leather, out of this Jurisdiction, wthout spetiall order from ye Court of Magestrates, he shal forfeit ye hide or hides or ye value of them, one third part to ye complainr, the rest to ye Publique Treasury.

There is liberty granted for ye Town of Huntington to appeale in civil actions, to ye Courts held at Fairfield or Stratford for further triall.

This Court, vpon consideration of Mr. Tinkers incouragmt in his place and imployment, doe order Twelue pounds to be paid to him by the Treasurer out of ye fines imposed on Morton Haughton & Mr. Thomson.


Magestrates:

Mr. Allyn, Moderator.

Mr. Willys, Mr. Treat, Mr. Talcot, Mr. Allyn, Junr., Danll Clark, et Sec'.
OF CONNECTICUT.


This Court, duly considering the state of this Colony, and especially the Plantations situate on the River, and judgeing it very necessary and tending to ye furtherance of or present condition and comfort, Doe order, that after the publication hereof, noe person shall transport and conveigh away out of this River, any Corn or provision from any Plantation within or liberties situate on this Riuier, vpon penalty of forfeiting the said Corne or provision or ye value thereof, one 4th part to ye complainer, the rest to ye Publique Treasur[y.] The Custome masters in each Towne are required and hereby authorized to make diligent search to discover the transgression of this order. Provided, that this order extends not to any corn or provision y*e shall be transported by order from ye Treasurer, for any publique concernments respecting this Colony.

This Court doth appoint Sam: Boreman and Sergt Not to give notice to those men in Wethersfield that are indebted to ye Countrey in behalf of Capt. Cullick, and likewise C. Benjamin Nubery is to warne Tho: Ford to provide and pare paymt for the Countrey without delay, that soe ye Countrey may be able to discharge such suyns as may be charged on vs by or Worll Gouerno.

Mr. Jo: Allyn, Mr. H. Woolcot, Wm. Wadworth, are desired and appointed and authorize, in case ye persons indebted to ye Countrey doe not provide payment seasonably, as need requires, then ye Comitite or a maior part thereof shall procure corn or provisions as they can agree wth p'sons: and the forementioned Drs are to satisfie the said p'sons accordinge to ye Comitties appointment.

This Court appoints Wm. Wadsworth & James Steel of Hartford, to goe down to Hommanaset and veiw the land there, and if it be not fit for a Plantation, then they are authorize to lay it [164] out vnto || Mr. Mathew Allyn, Mr. Willys, Capt Talcot, and John Allyn, according to their grants; and if there be any ouerplus, the Secretary Clark and Mr. Joseph Haines are to have their proportion there layd out also. Bnt if there be not enough
for both of them, it is to be issued by the Generall Court, wch of them two shall haue their proportion there.

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**At the Generall Assembly or Court of Election held at Hartford, Octobr 9: 62.**

Jo: Winthrop Esq', Go:
Jo: Mason Esq', Dep: Go:

*Magestrates Elect*:

- Mr. Mathew Allyn, Cap' Talcot, et Treas'
- Mr. Sam[11] Willys, Mr. Henry Woolcot,
- Mr. Nathan Gold, Daniell Clark, et Sec'.
- Mr. Treat, Mr. Jo: Allyn,
- Mr. Ogden, Mr. Baker,
- Mr. Tapping, Mr. Sherman.

*Deputies*:

Willm Wadsworth, Sam[11] Smith, Mathew Campfield,
Joseph Fitch, James Rogers, John Gregory,
Josias Hull, Robert Chapman, Robert Warner,
Sam[11] Boreman, Phillip Groue, Thomas Leffingwell,
John Nott, Joseph Judson, Thomas Tracy,
Anthony Howkins, Cornelius Hull, John Howell,
Thomas Judd, Sam[11] Drake,

The **Pattent or Charter** was this day publiquely read in audien of ye Freemen, and declared to belong to them and their successors, and ye freemen made choice of Mr. Willys, C: John Talcot and Lt. John Allyn to take the Charter into their Custody, in behalf of ye freemen, who are to haue an oath

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*The Charter bears date April 23d, 1662, and was probably received in Connecticut early in September. The first public exhibition of it seems to have been made to the Commissioners of the U. Colonies, at their Session in Boston, (Sept. 4th–16th,) when "His Majes Letters Pattents granted unto several Gentlemen of Connecticut, vnder the broad scale of England, was presented and read." In a letter to the Government of Rhode Island, written during the same Session, the Commissioners say, "We have read and prsved a Charter of incorporation vnder ye broad scale of England, sent over the last ship, granted to some gentlemen of Connecticut," &c. [Rec. of Comm'r's.] A letter from the General Court of Connecticut to the Commissioners, dated August 30th, 1662, (in "Miscellanies," i. 89) makes no reference to the Charter, but proposes a special meeting of the Comm'r's, in case "any matters needfull to be considered should, at the return of our Wor. Governor and the agents for the Massachusetts, be presented."
The Patent of the Charters was 16th day of October and 1742, being the 3rd of the 3rd year of the reign of King George II. and in the 9th year of the reign of King George III.

Daniel Clark

(Secretary, 1653-1663)
administered to them by the Generall Assembly, for ye due discharge of the trust committed to them.

[165] It is enacted and decreed by the Freemen, that ye Town of Hartford for future shalbe the settled place for the convocation of the Generall Assembly, at all times, vnles it be vpon occasion of epidemicall diseases, sicknes, or ye like.

The Generall Assembly of Assistants and Deputies doe establish all officers in this Collony, both civill and militery, in their respective places and power as formerly, vntill further order be taken.

To ye respective Constables:—This Court doth impowre and require you forthwith vpon ye receipt hereof, to gather into yor hands all the corne due from your Towne, to discharge the Countreyes engagemt for ye Charter. And you are to exercise due care to see that you receaue 2 thirds Wheat and one third Pease, dry & merchantable. And in case any person fayle to pay at ye time that you appoint, that then you destreine any part of ye estate of such person, with in doors or without; and ye same to sell at such value as may procure corne to discharge their respective rates. And ye Constables are hereby authorized to hire or press any persons, carts, boats or canooes, that may be necessary to carry or transport the Corne from ye several Townes to ye vessels that are to transport it to N. London. And in case any of the Constables in ye respective Townes shall fayle of their duty herein, their estate shalbe destreined to make good what is expected to be discharged by that Constable. And the Deputies in each Towne are desired to excite the Constables to their duty in what is required, and to see that there be receipts taken from ye Pinnace Masters for the whole proportion of Corne for that Towne.

[166] And the Constables are to assigne ye Corne || vnto Mr. James Rogers, Lt Samuel Smith and Ens. Avery, as ye Countreyes Agents to receaue ye Corne, who are desired and appointed to see ye Corne stor'd in ye Warehouse, and also to deliver it vnto such ship as by order from our Worll Gouernour is to receaue the same, and vpon delivery of ye Corne, to take vp the specialty or Bill from ye Shipmaster, whereby the Countrey or Colony is obliged.

This Court desires Mr. Gould, Mr. Campfield, Mr. Sherman,
or any two of them, to hire vessels to transport the Corne from yᵉ seaside Townes to N: London: and Mr. Wⁿ Wadsworth, Jon: Gilbert, Joseph Fitch, to hire vessels for this River.

And it is ordered, that yᵉ charge of transportation of yᵉ Corne to N: London, shall be discharged out of yᵉ Countreyes Levy the next Spring. And what loss or miscarriage shall happen by shipwrack or other accident to yᵉ Corne in transport[ing] shall be borne by the whole Colony in a General way.

This Court doth order and declare, that the Seale* that formerly was used by the Generall Court shall still remaine and be used as yᵉ Seale of this Colony vntill yᵉ Court see cause to yᵉ contrary, and the Secretary is to keep yᵉ seale, and to use it on necessary occasions, for yᵉ Colony.

This Court being informed by C: John Yong and some other Gentlemen of quality, that yᵉ inhabitants of Southold, yᵉ maior part of them, have sent up and impowered him to act as their Deputy;† and he as their Agent, tending to submit their [167] persons || and estates unto this Gouverment, according [to] or Charter; This Court doth owne and accept them, and shall ready to afford them protection as occasion shall require: and doe advise the said Inhabitants to repair to South and East Hampton, to yᵉ Authority there setled by this Court, in case of any necessary occasion, to require the assistanc of Authority. And this Court doth hereby except and declare C: John Yong to be a freeman of this Corporatᵉ and doe grant him commission to act in yᵉ Plantation of Southold as need requires, according to his commission. And this Court doth order yᵉ Inhabitants of Southold to meet together, to chuse a Constable for that Towne; and C: Jo: Yong is authorized to administer oath to yᵉ said Constable, for yᵉ due execution of

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* A fac-simile of this Seal, (from an impression on wax, in the office of the Secretary of State) is given on the title page of this volume.

† The letter from Southold, presented at this Session of the Court, is as follows: "Southhold, October 4: 1662. Hauing notice from Mr. Willis of Connecticutt Jurisdiction, Long Island comes within yᵗ pattiet, and also yᵉ the Court is to be held att Hartford, and thither we are desired by Mr. Willis to send our Deputies, from these townes of Long Island: we therefor, of Southold, whose names are underwritten, doe desire, and have appoynted C. John Youngs, to be our Deputy; and doe hereby give him full powre to speake and act in oure behalpe, as occasion shall serve." Signed by Thomas More, John Tooker, John Payne, John Bush, and twenty eight others. [Towns & Lands, Vol. I. No. 12.]
his office. And we doe advice and order Capt Yong to see that ye Minister be duey paid his meet and competent maintenance.

Several inhabitants of Guilford tendering themselues their persons and estates vnder the Gouerment and Protection of this Colony, This Court doth declare that they doe accept and owne them as members of this Colony, and shalbe ready to afford what protection is necessary. And this Court doth advise the said persons to carry peaceably and religiously in their places towards the rest of ye Inhabitants, that yet haue not submitted in like manner. And also to pay their iust dues vnto ye Minister of their Towne; and also all publique charges due to this day.

This Court doth order and hereby declare all ye Lawes and orders of this Colony to stand in full force and vertue, vnles any be cross to ye Tenour of or Charter.

[168] This Court doth order Lt Jo: Allyn to shew Capt Varlet* the Charter granted to this Colony, and to informe him that it is desired by the Court that the Honorable Lord Stevesant would not in any wise incumber or molest his Maties subjects comprcended within ye extent of our Pattent, by any impositions, that thereby more then probable inconveniences may be prevented.†

This Assembly doth hereby declare and informed the Inhabitants of Westchester, that that Plantation is included in ye

* Capt. Nicholas Varlet (or Varleth,) was an officer in the service of the Dutch W. I. Company, and a brother-in-law to Gov. Stuyvesant. His father, Caspar Varlet, resided at Hartford, (where he died, in 1663.) A sister, Judith Varlet, was afterwards married to Nicholas Bayard, the son of Gov. Stuyvesant’s sister. [Rec. of Court of Mag., iii, 2, 4; Rec. of Hoogh Straat church, in N. Y. Hist. Coll., New Series, I. 397.]

† Capt. Varlet had presented to the General Court, a letter from Gov. Stuyvesant (dated Oct. 13th [N. S.] 1662) in which complaint was made that “one John Yonge,” professing to act under authority from Connecticut, “had vndertaken (as by his seditious letters may appeare,) to diverte and revoke the English towns in this province, vnder the protection of the high and mighty Lords the Estants General of the United Belgick Provinces & in the jurisdicition of the Right Honourable Lords of the W. India Compagnie settled. of their oath & due obedience vnto vs, theire lawfull Governour.” Gov. S. declares that these proceedings of Capt. Young, if authorized or approved by the government of Connecticut, would be regarded as “an absolute breach and a nullification of the agreement about the limits. Anno 1650,” and would give just ground to the States General and the W. India Company “to demand, and by such meanes as they in wisdom shal thincke meete, to recover all that tract of land between Greenwich and the Fresh River,” to which they claimed a right by prior purchase and possession. He requests the General Court to return, by the bearer, their “categorical answer over & above the aforesaid John Yongs seditious doings.” [Colonial Boundaries, Vol. ii. No. 1.]
bounds of our Charter granted to this Collony of Connecticut. And as it hath pleased his Ma\textsuperscript{tie} thus to dispose of them, soe we conceaue it most conduceable to their tranquillity soe to demeane in all things as may declare and manifest their readiness to subject to his Royall will and pleasure herein.

The next sett Gen\textsuperscript{11} Assembly is to be observed on ye\textsuperscript{e} 2d Thursday in May.

This Court doth hereby declare their acceptanc eof ye Plantations of Stanford and Greenwich vnd\textsuperscript{e} this Gouverment vpon ye\textsuperscript{e} same terms and provisions as are directed and declared to ye\textsuperscript{e} Inhabitants of Guilford. And that each of those Plantations have a Constable chosen and sworne.

Richard Vowles is made free of this Corporation, and sworne to the office of a Constable for and within ye\textsuperscript{e} Plantation of Greenwich, for ye\textsuperscript{e} yeare ensueing, and vntill a new be sworne.

Mr. Mathew Allyn, Mr. Willys, Mr. Stone and Mr. Hooker are chosen a Comittee to goe downe to N. Hauen to treat with ye\textsuperscript{e} Gent: and others of or lo: freinds there, according to such instructions as shalbe directed to ye\textsuperscript{e} said Comittee by this Court. [169] Several of the inhabitants at Southold accepted to be made free of this Colony, vnles any thing appeare to interrupt the same; Mr. Wels, Thomas Terrey, Philemon Dickerson, Good\textsuperscript{m} Purrier, Good\textsuperscript{m} Windes, Barnabas Horton, Joseph Horton, Lt Glouer, Thomas Moor Sen\textsuperscript{r}, Good\textsuperscript{m} Conclin, Good\textsuperscript{m} Cory, Good\textsuperscript{m} Reeues, Good\textsuperscript{m} Mapes, John Conclin Jun\textsuperscript{r}, Jo: Paine, Richard Browne, Joseph Yongs Sen\textsuperscript{r}, Joseph Yongs Jun\textsuperscript{r}, Jer: Vayle, Jo: Curwin, Richard Terrey, Mr. Elton, Tho: Brush, John Bud, Mr. Tucker.

Mr. Campfield, Mr. Gould, Mr. Sherman, are hereby appointed to keep a Court at Fairfield, when they see cause, for issuing such controversies as they are capable of, according to the tenour of our Charter. Stanford, Greenwich and Westchester haue liberty to improue the help of ye\textsuperscript{e} Court at Fairfield, to issue controversies that may arise among them for future.

Mr. Will\textsuperscript{m} Pitkin is desired and appointed as Attourney for ye\textsuperscript{e} Gener\textsuperscript{11} Court, to prosecute Thomas Ford Sen\textsuperscript{r}, John Deming Sen\textsuperscript{r}, Mrs Lattimore and Thomas Hurlbut, at ye\textsuperscript{e} Pr\textsuperscript{t}ticuler Court to be held at Hartford on Wednesday next.
Persons admitted to be Freemen, by this Court;—Mr. Sam'l Talcot, Will'm Pitkins, Nathan' Goodwin, Mr. Tho: Pell, John Olmstead & John Clarke Junr.

Richard Vowles is admitted freeman and sworne to ye office of a Constable for and within the Plantation of Greenwich, for ye yeare ensuinge and vntill a new be sworne.

This Court doth hereby declare the free remission of such transgressions of the Lawes of this Colony as haue bene committed by Monsieur Varlet by retaileing liquors in his life time.

This Assembly doth order, that for ye future, such as desire to be admitted freemen of this Corporation shal present themselves with a certificate vnder ye hands of ye maior part of the Townesmen where they liue, that they are sons of civill, peaceable and honest conversation, and that they attained the age of twenty one yeares and haue 20/. estate, besides their person, in the List of estate; and that such persons, soe qualified to ye Courts approbation, shalbe presented at October Court yearly, or some adiourned Court, and admitted after ye Election at ye Assembly in May. And in case any freeman shal walke scandalously or commit any scandalous offence, and be legally convicted thereof, he shalbe disfranchized by any of our civill Courts.

This Court doth repeale the late order wherby the Troopers salery was prohibited and taken of.

Robert Vsher is ordered to be sworne to ye office of a Constable in Stanford, for ye yeare ensuing, and vntill a new be chosen. Mr. Campfield is to giue him his oath.

It is ordered, that ye Inhabitants at Mistick and Paukatuck shal from henceforth forbear to exercise authority by vertue of commissions from any other Colony;* and that in case of any differences that may arise, they repaire to or Wor' Dep: Governo for help; and that they chuse a Constable, for the yeare ensuing; and ye said Constable to repaire to or Wor' Dep: Go: for his oath. And they [are] required to pay vnto Mr. James Rogers, Lt Sam' Smith and Ens: Avery, for and in behalf of the charge of our Charter, the sum of Twenty pounds, as their Townes proportion, two thirds in wheat, at 4s., one third

*See Appendix, No. IV.

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in pease, at 3s., by ye last of November next. The Court orders Lt John Allyn to send a Warrant to Thomas Stanton in ye Courts name, to attend this ord'r, and if he refuse, Peter Blachford is to gather the rate and destrein according to former order.

[171] C. John Yong is invested with ye power of a Particular Magestrate, within ye Plantation of Southhold, and likewise he is authorized to sit in Court to assist the Magestrates of South and East Hampton.

It is ordered, that all ye Plantations that shall be entertained and embraced under this Gouernment, shall according to ye Courts appointment pay their due proportion of ye charge expended in procuring or Charter.

This Court orders ye Secretary to send to ye Plantations of Huntington, Setauk, Oister Bay, that they choose Constables in their respective Townes, and to take their oaths, administered to them by Capt Yong for the discharge of their respective offices; Thomas Wicks, at Huntington, John Ketchum, at Setauk, Mr. Mr. Rigebell, at Oister Bay.

It is ordered, that all ye Plantations, on ye Island as well as on ye maine, shall attend ye established Law of this Colony for ye rule of Rateing, unless they mutually agree to ye contrary.

C. Yong is desired to give notice to C: Silvester and Lt Gardner, with ye other Plantations on ye Island, that they attend the Generall Assembly on ye 2d Thursday in May next, to doe their duty to ye Court.

This Court appoints that Wednesday come fortnight be set apart, throwout this Colony, for a solemn day of Thanksgiving for ye mercies yt God hath extended to this Colony ye yeare past, and particularly for ye good success God hath giuen to ye indeauours of or Hon'd Gouerno'r in obteineing or Charter of his Maiestie or Soveraigne; as also for his gracious answer of or pray'r in ye late draught, in sending raine; and for abatement of ye sicknes; and for ye hopes we have of settlement in ye waies of peace and righteousnes.

This Court declares, that Hartford Traine Band shall have ye prehemenence of all ye Companies in this Colony; And Windsor, the 2d; Wethersfield, the 3d; Then Farmington. This to stand vntill the Court order otherwise.
This Court ordereth, that there shalbe free trade in all places in this Colony. And all former ord'rs imposeing Customs, are hereby repealed.

This Court doth declare these persons hereafter named, John Green, Richard Hardey, Joseph Mead, Richard Webb, Joseph Theed, Peter Pheryes, to be freemen of this Colony; and Mr. Gould is authorized to giue them ye oath of freedom, at ye next Court in Fairfield.

This Court doth order, that Mr. Seely shal haue Fifteen pounds paid to him out of the Publ: Treasurie, & the Countrey house set into repair at Sea Brook, and he to liue in ye house and to take care of ye Ammunition.

This Court doth order, yt a Levy of a penny per pound shalbe raised vpon ye estate of ye Colony, and to be paid in wheat, pease, Indian corn or porke, at currant price.

This Court grants Sea Brooke Inhabitants liberty to set vp a Ferrey at Tilleyes Point, and to take 12d. for a man & horse, and 6d. for a single person.

This Court orders each Town in this Colony to chuse an able Inhabitant to ye office of a Packr, to pack and repack all such meat as is sent forth of ye Townes, who shalbe deposed on oath to ye faithfull performance of their respective offices; web oath may be administered by any one Magestrate or Commissioner. He shall likewise haue a Brand or Seale, wth these letters, C: R:, wherewith he shall marke each Barrel ye he packs, and for his paines he is to haue 8d. pr Barrell.

The Treasurer is required to cause the severall Townes to levell or ballance what is behind of their Levies, or require the fines of ye Constables, and destreine it of them by the Marshall.

Mr. Willys and Mr. Wadsworth are appointed to audit the Treasurers Accounts.

This Court grants to Ens: Olmstead, of Hartford, a farme of 300 acres of vpland and 40 acrs of meadow, if it be to be had at 20 Miles Riuer, in ye way to Moheag & N: London.

This Court is adjourned vntil ye 2d Wednesday in March, vnles or Wor: Go: return and see cause to call the Assembly sooner.
At a Gen'l Assembly held at Hartford, March 11, 1663.

Dep: Gov': Major Mason.

Assistants:
Mr. Willys, Mr. Woolcot,
Mr. Math: Allyn, Mr. Clark, et Sec'.
Mr. Treat, Mr. Jo: Allyn.
Mr. Talcot,


It is ordered by this Court, that after ye publication hereof, there shalbe free liberty of transporteinge Corne out of this Riuier, and the former restreint is hereby repealed.

It is ordered, that each Towne in this Col: shal pay for ye transportation of their proportion of the Pattent Rate, to N: London. Each Town is to discharge the costs of their owne Corne.

Cap't Jno Talcot, Mr. Jo: Allyn and Thomas Tracy are appointed to audit the accounts of James Rogers and Lt Smith, respecting the Pattent Corne.

This Court haueing duely considered the valuation of ye estate of N: London, apprized by Cary Latham and William Douglas, doe judge, that they haue not attended any rule of Righteousnes in their worke, but haue acted very corruptly therein, and therfore doe order the Treasurer that he send forth his Warrant to ye Constable of N: London, to levy Four pounds vpon ye estate of Cary Latham, and Two pounds vpon Mr. Douglas his estate, as a fine for their corupt and deceitfull actings therein, and fourty shillings more vpon Lathams estate, for neglecting to meet w'th ye Com'rs on ye Riuier, according to order; w'ch fines shalbe to ye publ: Treasury. And they doe further order the Treasurer to send forth his Warrant to ye Constable of N: London, to levy a Rate of a penny p' pound vpon Eight thousand, fiue hundred pound estate, w'ch ye judge to be at least ye estate of N: London. And doe desire the said Towne of N: London to be more carefull in their choyce of List makers, for the future.
It is ordered, that each Miller in this Collony, or owner of Mill, shalbe allowed for grinding of each Bushell of Indian Corne, a twelf part, and of other graines, a sixteenth part; provided that this order shal noe way prejudice or nullify any agreem't made in any Towne, respecting grinding.

[174] This Court doth hereby declare, that the Treasurer shall not allow of the account presented by ye Constables at Stratford, for searcheing for the Collonels, w^h sum amounts to 6l. 17s. 01d. as ye Account specifieth.

This Court hath granted vnto John Gilbert, one acre and half of land lying between the land of Cap't Richard Lord and ye land of C. John Cullick; and also one acre of land, more or less, lying at ye landing place on the Rivulet; both parcels being or lying in ye South meadow at Hartford. And the Court doth order John Gilbert to pay vnto the Treasurer, for ye Countreyes vse. Ten pounds, for and in consideration of the two acres and halfe of land granted him by this Court.

This Court, vnderstanding that there is much inconvenience doth yearly ensue vpon the Constables defects in not gathering the Countrey levies and makeing payments according to the Treasurers order, vnder pretence of a liberty to make vp their accounts by the Court, in Octobr yearly. Doe therefore order, that the Constables, for the future, in the respective Plantations, shal gather their proportion of the Countrey rate and make payment thereof, according to order, by the Quarter Court in June in each yeare, vpon the penalty of Fourty shillings fine for every defect herein, and they are also ordered to make vp their accounts w^h ye Treasurer according to former order, by October Court yearly, vpon penalty of 40s. fine for every defect herein. And the Treasurer is hereby authorized to send forth his Warrant to destreine the estates of the respective Constables, for the payment of the fines imposed for the breach of this order.

The conveyance of nine miles square made by Onkos w^h other Indians, to Norwich Plantation, is ordered to be recorded, with this proviso, that it shal not prejudice any former grant to or Wor^l Gouerno'r or others.

Thomas Tracy and Lt Sam'l Smith giue oath in Court, in referenc to laying out the bounds of ye Town of New London, that from ye end of ye eight miles, the measurer run a
west line to ye Riuier and there they markt a tree agaynst the north end of Vnkos his fort.

[175] In answer to ye request of John Bissel Junr, the Court doth impower the Assistants at Windsor to agree for and with another ferryman to keep the Countrey Ferry, and when they haue prvided a sufficient man, and not before, this Court doth release John Bissell of his engagement for keeping the Ferrey.

This Court by their vote gaue liberty to Mr. Pitkin to be a Councelour to plead for Thomas Burnam in his appeale to this Court. They also ordered Mr. Pitkins to giue in al the cheif heads of his plea before he begins to plead vpon the said appeale.

Mr. Pitkins affirmes in Court, if he haue not liberty to make new plea besides what were made in the Perticuler Court, he wil throw vp the case and make noe more plea in it. Mr. Pitkins recals his words, and ye Court passeth them by and fully remits them.

This Court hereby declareth their approbation and confirmation of the purchase of the Town of Farmington, of Fifteen acres of meadow of Thomas Wels Esq, deceased, bounded by the Riuier north, Mr. Newton east, Mr. Howker and John Root Sen, southwest.

In reference to Thomas Burnams appeale, the Court doth judge, that ye Court of Magestrates had sufficient ground to call ye said Burnam to account for his actings in those matters objected agaynst him; and doe, secondly, approue of the Perticuler Courts examination of Thomas Burnam, in reference to those things charged agaynst him before his accusation was stat- ed agaynst him in Court. 3ly. This Court doth approue of the manner of ye Perticuler Courts proceeding wth Thomas Burnam, after his accusation was stated, as wel as before. 4. Respect- ing the sentence itself, passed vpon Thomas Burnam by the Perticuler Court, this Assembly doth approue of the sentence of the said Court and see noe cause to make any alteration thereof.

This Court doth approue of what ye Magestrates haue done formerly, vpon a fame or report of misdemeanour, in calling the persons suspected of delinquency before them, and in ex- amining the case and testimonies, and doe hereby authorize the respective Assistants of this Colony, for the future, vpon rumours and fames, to act as aforesaid, and in case the delin-
quency appear sufficiently proved, they may pass to sentence, according to Law.

It is ordered by this Court, that in case any person in this Colony shalbe convicted and sentenced by the P'ticular Court for a misdemeanors, and shal enter an appeale therein to ye General Court, and by the judgment of ye said Gen'l Court the said appeale be found to be causeles, the person appealing as aforesaid shal pay Fiue pounds to ye Publ: Treasury. And noe person, in case of delinquency of this nature, shal haue liberty of an Attourney to mannadge his case in any of or civil courts.

This Court doth vpon due consideration repeale the order remitting Customs for Wines, Liquors etc., and doe establish the former order requireing the said Customs.

This Court ord'res, that Mr. Steels Bill of 15l. baring date 30th of May, 1654, be deliuered vp to ye overseers of Thomas Wells Esqr deceased, for ye vse of Mr. Fish, they paying vnto Anthony Howkins the sum of Twelue pounds, he hauing proved in Court a promis of Mr. Wels to ad to the said Howkins his wiues portion, in case her first husband Thomas Thomson had any estate come from England, and he hath made appeare that the said Thompson had to ye value of 30l. come from England since this engagement.

This Court doth hereby impower Mr. Obadiah Bruen to ad-minister the oath of a Constable to those yt are chosen Con-stables for the Township of N: London for this yeare ensuing.

This Court doth recom'd it to ye consideration of the Towne of Hartford, that they would speedily consider of some way to ease the Widdow Lord of her co'non fence, it appearing to them yt she is burthened by mainteineing it hitherto.

Thomas Bull, Thomas Bunc and James Steel are to consider of her greivance and report their considerations to ye Court in May next.

This Court doth grant vnto John Adams, 300 acres of land, at ye place where his father Adams took vp land in ye way to N: London, whereof thirty acres of meadow ioyninge to his father or Nicholas Olmsted. He relinquisheth his right at Fairfield.

This Court grants the bounds of Middletown to extend four miles to ye South from ye meeting house, and five miles from
ye said house, westward; three miles from ye Great Riuer, eastward.

[177] This Court hath voted and desired the Dep: Gouernor, Mr. Math: Allyn, Capt John Talcot and Lt Jo: Allyn, and for a reserve to ye Maior, Mr. Willys, as a Comittee to goe downe to N: Hauen, to treat wth or Honord and Lo: freinds about setting their vnion and incorporation wth this Colony of Conect: And in case the Comittee cannot effect an vnion, according to instructions giuen them by the Court, that then they indeauour to settle a peace in the Plantations vntil such time as they and we may be in a further capacity of issueing this difference, and to act in reference herevnto as they judge most meet.

William Wadsworth and John Deming Senr are allowed by the Court, fiue pounds a peice for their care and paines in oversight of Mr. Wels his estate.

The Magestrates ord Sam Boreman to deliuer the little Bible and a paper book, vnto Amos Williams, wch was giuen to him by his mother, and that he and Willm Goodrich distribute the estate to ye Creditors.

This Court doth grant liberty to Sam Marshall to sell liquors by retaile, but not to suffer any liquors to be drunk in his house.

It is ordered, that in case the Committee doe not issue an agreemt wth N. Hauen Gent: according to their instructions, before their returne, that then all propositions and instructions from ye Court, respecting vnion wth that people, are void and of none effect.

This Court allows vnto Mr. Rosseter, Twenty pounds, in reference to openinge Kellies child, and his paynes to visit the Dep: Gouverno, and his paynes in visiting and administring to Mr. Talcot. Of this Twenty pounds, he hath already receaued 1l. 1s. 4d. He is to make noe further demands of any peticuler persons.

It is ordered by this Court, that the Customasters formerly established by the Generall Court in the respective Townes shall attend the worke formerly appoynted to them by order of the Court, and that each Custome master shall giue an account at October Court yearly to ye Treasurer, of what Customes they receaue, and if any Custome master shall neglect to giue an account as aforesaid, he shall pay 40s. for every such neglecte
OF CONNECTICUT. 397

wch the Treasurer, shal by Warrant destreine from ye delinquent.

[178] This Court doth order that in ye vacancy of the sitting of the Generall Court, there shalbe a Counciill, consisting of the Assistants here on the River, or such as can convene, to ye number of fiue at least, to act in emerg't occasions that con- cerne ye welfare of this Colony. And hereby doe authorize the said Council to act in all necessary concernments, both military and civill, according as the present exegents require and call for.

Mr. Willys and Willm Wadsworth are appointed to be a Comittee to order and dispose all matters to issue the busines about the Pattent Rate, and to order the repaying of Wheat borrowed from severall persons for the Countreys use.

This Court doth disallow of Sea Brook Constables Acco’t of charges for witnesses respecting Jennings, and doe not see cause to allow the witnesses pay for their time and travaile, nor to any other upon such accounts for ye future.

This Court doth order the Marshall to goe downe to Sea Brook, and to destrein the sum of Fifty pounds of the estate of Reynold Marvin, for yt wch ye Countrey should haue receaued of the said Reynold for horses that he was ordered to seek vp to be sold, and for neglect in attending their ord’ herein. And respecting a mare w’t the increase, that Robt Chapman hath, belonging to ye Countrey, the Marshal is ordered to seize on her, w’t ye increase, or in want of her, soe much of Chapmans estate, if he giue not an account of the sale of ye mare according to ye Treasurers order. And what estate ye Marshall doth receaue or destrein, he hath power either to bring it vp, or to order prudently that it may be paid to ye Treasurer or his order.

The Town of N: London is to discharge the acco’t of Thomas Tracy, at Georg Tongs, for wt he expended in laying out N: London bounds.

This Court doth appoint Capt: Nubery, Edward Griswold and John Moore to be as a Comittee, and hereby they are impowred to lay out all those lands that are yet vndevided at Mussaco, to such inhabitants in Windsor as desire and need it.

[179] This Court doth declare, that it is theire mind that the
Marshal haue allowed him for every mile he goeth to serue an execution or attachm’, four pence forward and fourpence homeward. And this they judge to be the intent of the former order respecting the Marshals fees.

This Court vnd’rstanding that the hand of God is gone out agaynst the people at New Netherlands, by pestilentiall infections, doe therefore prohibit all persons for coming from any of those infectious places into this Colony and amongst o’re people, vntil ye Assistants are informed and satisfied that the distemp’r is allayed ; and that whoeuer breaks this order shal pay Fiue pound fine to ye publ: Treasury. And if any person shal bring a vessell from thenc and land their men or goods in any har- bour in this Colony, the Master of ye vessell shal forfeit Ten pounds to ye Publ: Treasury. And ye Constables in each Town are hereby required and authorized to distrein the fines of such as transgress this order. And whoeuer of o’re people shal goe aboard any such vessell he or she shal pay fiue pounds to ye Treasury for euer such offenc. The Constables in each Town are to informe the Masters of vessels, of this order.

These vndrwritten are voted to be put to nomination at ye next Court of Election, in May ; Mr. Campfield, Edward Gris- wold, Mr. Bond.

This Court doth establish and ratifie the former order sent out by the Assistants respecting the Indians, in regard of ye’r in- fection of ye Pox.

[180] At a Generall Assembly of Election, held at Hartford, May 14, 1663.∗

Magistrates elected:

John Winthrop Esq’, Gouvnr.
John Mason Esq’, Dep: Gour.

Mr. Mathew Allyn, Mr. Dan’r Clarke, et Sec’y,
Mr. Sam’r Willys, Mr. John Allyn,
Mr. Nathan: Gould, Mr. Baker,
Mr. Rich: Treat, Mr. Shermon,

∗ The record of this and the subsequent sessions, as far as published in this Volume, are in the hand writing of Mr. John Allyn.
Capt Thomas Toppin, Mr. Howell,
Capt John Talcott, et Treasurer. Mr. Thirstan Rayner.
Mr. Woolcott,

The freemen vote that the Generall Assembly shall choose Commissioners for this Corporation for the year ensuing.

Deputies:

Mr. Wadsworth, Jehue Burr, James Rogers,
Mr. Fitch, Cornelius Hull, James Morgan,
Capt Nubery, Richard Olmstead, Hugh Caulkin,
Lnt Walter Fyler, John Gregory, Thomas Tracy,
John Nott, John Clarke, Joshua Barnes,
Samll Boreman, Robert Chapman, Philip Groues,
Anthony Howkins, Robert Warner, Joseph Judson,
Thomas Judd, Nath: White,

This Court doe make choice of or Honoured Gouernour & Capt John Talcott to be Commissioners for this Colony, for the year ensuing, and Lnt John Allyn is chosen as a reseure to Capt John Talcott, and ye Secret'y Mr. Danll Clarke to be a reseure to or Honoured Gouernour, to attend that service, if the Commissioners by accident faile of going.

This Court being sencible of the great charge that this Colony is at, by the Particuler Courts attending the tryall and issuing of those differences and actions as are presented to their consideration, doe therefore order, that for the future, whateuer actions are comenced to be tryed by a Jury, and are not withdrawn one day at least before the Court, there shall be payd for every such action six shillings, (besides what is due by order, to the Secret'y & Jury,) for the use and improvement of the Court that tries the cases, for the discharge whereof the plaintiff shall procure a receipt under the hand of that ordinary keeper or inhabitant that provides for the Court, which receipt shall be deliuered unto ye Secretary or Recorder of the Court, wherby the Court may be sattisfied that they haue credit gien for so much with the sayd ordinary keeper. And there shall be in like manner, two shillings allowed for each action that is to be issued by the Magistrates or Commissioners. And likewise, whateuer fine is imposed by any Court for delinquency in any person, there shalbe so much of the fine abated from the Pultique [181] Treasurie as may fully compleat the discharge || of the
Courts expences, with the ordinary keeper or inhabitant that provides for them.

There being complaint made to this Court of the unsettled state of the plantation of Sowth-hold, by the ill carriage of several persons there, this Court have therefore desired and appointed the Worlp Mr. Mathew Allyn and Mr. Willys, to goe to Long Island, to tak in assistance of the Magistrates at Long Island, in setting the affayres at Sowth-hold, and in examining the case respecting Mr. Wells his revolt since he took oath to this Gouerment; and any other matters, either in setting the peace of that Plantation or proceeding against such as misdemeanours themselves, according to their deserts.

Mr. Bond is chosen Commissioner by this Court, and he is hereby investe with magistraticall power on the Island.

It is ordered, that three pounds be allowed to the three Plantations of Stratford, Fayrefield and Norwalke, towards the charge of the transportation of their Corne to New London, which sume shall be allowed out of the next Country Rate, and that the rest of the charge for those Townes be payd by the sayd Townes according to order of Court in March last, which is to be added to the proportion of the country rate imposed upon those three Townes.

This Court doth order, that the charge of keeping Court since March, 61-62, within the plantations of Fayrefield, Stratford and Norwalke, which remains yet to be sattisfied, for, It shall be borne by the Colony in a general way. The cost of the last Court held at Stratford is comprized in this order. And this Court doth order and hereby graunt, that there shall be liberty to keep Court at Fayrefield, for the plantations on the seaside, once a year, unless extraordinary occasion call for one more in the year. The time of their sett Court is the first Wednesday in November yearly.

This Court doe order & appoynt Mr. Bruen, Mr. Chapman and John Smith, of New London, a Committee to hear and determine the differences betwixt the Indians at Niantick and the English, respecting burning their fence, or any other complaints presented to them respecting those Indians.

This Court doth impower Mr. Toppin, Mr. Gould, Mr. Shermon and Mr. Howell as a Committee to hear and consider the
At a Session of the Gent. Assembly holden at Hartford the 19th of Aug: 1663

This Court doth desire that those Friends appointed to keep the Charter, do also receive the duplicate into their Custody & keep it in Behalf of the Freemen of this Corporation; & the Worshipful Governor is desired to deliver the said duplicate to the said Friends or either of them;

This Court doth Nominate & appointe the Dp. Govern. M. Wiltys M. Dart Clarke & John Atlyn or any three or two of them to be a Committee to treat with & honoured friends of Mr. Hauen, Milford, Darien & Guilford about setting their union & Incorporation with this Colony of Connecticut, & they are Impowered to act according to the Instructions given to the Committee sent to New. Hauen in March last,

John Atlyn Secr. (1663-1665.)
busines respecting Hamonossitt, and to make reporte of their considerations to ye Court; and likewise the case of the hors in Nicholas Clarkes hand is left according to the premises to the consideration of the sayd Co[m]ittee.

This Court doth determine that Jonathan Gilberds Butt of Wine, seazed for the Countrey, to be according to the lawe established forfeited to the Countrey.

This Court doth establish Jeramie Adams to be Custome Master for Hartford, and the liberty graunted unto Jonathan Gilbert by the Perticuler Court, is repealed, respecting custome-ing his owne wines, liquers, &c.

Whereas this Court, upon the request of Henry Walkely, Attourney to James Wakely, to release the sayd Henry from attending the order of the Court respecting the sayd estate, these are to declare that this Court doth release the sayd Henry from attending the sayd order, and haue returned to him the letter of attourney granted unto him from James Walkely, and the estate remains to be ordered according as the Perticuler Court haue provided.

This Court doth determine that the land at Homonoscitt doth not of right belong unto the Towne of Seabroke.

This Court doth remitt ye Butt of Wine to Jonathan Gilbert that was seized on of his, in behalfe of ye Countrey, & the Marshall doth engage to pay the Custome & to pay 20s. towards ye expence that hath been occasioned therby to ye Countrey.

Wm. Edwards chargeth Mr. Daniell Clerk, for breach of his oath, unfaithfullnesse in ye great trust committed to him by the freemen of this Corporation, to the dishonour of God, infring-ment of ye royall perogatiue of our Soueraign Lord the King, contempt of ye authority established in this Corporation, & abuse of the members of ye same, to such censure as he shall make appeare according to the lawes established in this Corpora-tion.

Mr. Anthony Hawkins is chosen Commissioner for ye Towne of Farmington, and sworn in Court; Capt Seely is chosen Commissioner for ye Town of Huntington and sworn in Court; and also, Mr. Jonas Wood is chosen a Commissioner for the said Towne, and Capt Seely is to giue him his oath.
Cap't John Young is chosen Commissioner for the Town of Southhold, and sworne in Court; and Barnabas Horton is also chosen a Commissioner for Southhold, and Cap't Young is to administer the oath unto him.

This Court hath chosen Mr. Bruen and John Smith, Commissioners for ye Town of New London, and the Worshipful Major Mason is by this Court requested to administer the Commissioners oath unto them.

These may sertify that we Richard Olmstead and Joseph Judson and John Banks, being appoynted by the Generall Court at Hartford to run the line between Stratford and Fairefeild, we accordingly haue begun at the usuall place agreed upon by ye two Townes, and haue run almost two poynpts from the North poynt towards the Norwest, and run and measured to the extent of twelue miles, and also haue run the due cross line at the end, which line runs on the South side of a spruse swamp commonly called Monhantik, and so ends at the mouth of ye Brook commonly called by the English the half way Brook, being above Pagasitt. Witnesse our hands, this 22 of Nouember, 1662. Richard Olmstead, Joseph Judson, Joseph Banks.

This was ordered by the Court to be recorded in the Records of the Court.

This Court orders, that Dorathy Lord shall maintaine so much fence (and no more) as doth belong to that proportion of meadow as was graunted to her and her husband by graunt from ye Towne of Hartford.

This Court repeals the order prohibiting commerce wth the people in or about the Manhatoes.

[183] The differences at Southampton about the land at Quaganantick, is referred to the determination of the Court in May next, and they are to improue the mowing land as formerly, till the case be issued.

This Court orders, that no person in this Colony shall buy, hire or receiue as a gift or mortgage, any parcel of land or lands of any Indian or Indians, for the future, except he doe buy or receiue the same for the use of the Colony or the benefitt of some Towne, with the allowance of the Court.

This Court doth inuest Cap't John Young and the rest of the Commissioners on the Island, with Magistraticall power upon the Island.
OF CONNECTICUT. 403

This Court doth order, that all that are Freemen upong Long Island, and haue not taken the oath of a Freeman, shall haue the oath of a Freeman administred to them by the Magistrates and Commissioners of the Island, or any two of them.

This Court haueing heard and considered the controversie between Leiu Rob: Sealy and the Town of Stratford, doe judge that the Towne of Stratford shall pay unto the said Sealy 25l. in some currant pay, and he to make ouer all his right and title in the lands there, to the said Towne, whether his right there be frō gift of the Towne or Indians or any other wayes; and this to be a finall issue of the controversie, each man bearing his owne charge.

This Court, haueing presented to their consideration the turbulent carriage of Rich: Latten, doe order, that in case the said Latten do not depart the Towne of Huntington by October next, he shall be summoned to appear to answer the complaint of the said Towne, at October Court; and the Commissioners are to take the testimonyes that concern the complaint, and send them up with the said Latten to the Court.

The Court chose Mr. Willys, Mr. Gould, Capt Tallcott and Capt Young as a Comitte to consider and draw up there thoughts and apprehensions concerning the setlement of Westchester & Stanford, and make return to the Court.

This Court doth declare, that notwithstanding the uncomfortable debates that haue been respecting the Major, that the Major stands clear and is in a fitt posture to carry on the affaires of the Court, which this Court doth desire and request him forthwith to attend, according as his place requires.

It is ordered by this Court, that for ye future, each Plantation hath hereby liberty to send their Deputies to the Generall Assemblies in May and October, according to the tenour of the Charter, and they are not to expect any farther notice to minde them of their liberty herein, and the Deputies are to bring certificates with them from the Constables, to manifest their choyce.

It is ordered by this Court, that the Constables in each Plantation are hereby impowred to charge the watch and ward in the respective plantations, in the name of the authority here establisht, duly to attend there watch and ward, by walkeing in such places where they may best discouer danger by the
approach of an enemy or by fire, which if they do discover, they are to give notice thereof by firing their guns and crying Fire, Fire, or Arm, Arm. And in case they meet with any persons walking in the streets unseasonably, they are to examine them, and in case they cannot give a good account of their occasions, they are to return them to the Constable, who is to require them to appear before a Magistrate or some Assistant, to give an account of their unseasonable walking.

[184] It is also ordered, that the watchmen shall duly attend to receive their charge, at the Constables, in the evening by the shutting in of the day light, and they are not to leave their watch before the break of the day, and whosoever shall be found guilty of the breach of this order shall forfeit 1s. for every defect herein.

This Court ordered that Wm. Waller, as Renold Maruen's agent, should be allowed one quarter part of this bill of 50l. as his part of the horses, and Mathew Griswold is not to trouble Wm. Waller or Renold Maruen, for any part of those horses for which the bill is made.

The petition of Mrs. Cullicke was this day read; and the Court voted, that they did not see cause to make any abatement of ye said bill, according as she petitioned.*

This Court appointed Wm. Wadsworth, Ens: Auery, Lt Smith, as a Committee to view the lands at Homonoscitt, and if they judge it be not fit for a plantation, and will not be very prejudicial to Saybrook, then they are to lay it out to Mr. Math: Allyn, Cap'T Tallcott, John Allyn, Mr. Willis, and according to the grant of the Court; but if it be prejudicial to Saybrook, they are to lay out what they judge right to the Towne of Saybrook and the rest to Mr. Math: Allyn, Cap'T Tallcott, John Allyn, Mr. Willys, Mr. Joseph Haynes or Mr. Daniell Clerk, according as the Court shall determine, as far as it will go, according to their grants, ye 1st grant to be laid out 1st, and so successively; and what any two of this Committee agree to, shall be a final issue of the case. The time of meeting and attending this service is to be appointed by Saybrook and the Gent: concerned, sometime in June next.

* See Appendix, No. XL
The Court in answer to the request of Thomas Forde, which was to have some allowance in respect of his land sold to Mr. Fitch, which the said Forde forfeited to the Countrey by mortgage, they granted him the sume of thirty pownds.

This Court appoynted Mr. Wylyls and as a Comittee to draw up a letter and send it to the Generall Court of the Massachusetts, about Paukatuck, as an answer to the letter sent to us from their Councill.*

The Court haueing considered the complaint of Wm. Edwards against Mr. Clark, and having seriously considered the case, do find him so far falty as to put him out of the Secretary's place untill the next Election Court.

This Court appoynts Thomas Minor, Math: Griswald and Wm. Waller, or any two of them, as a Comittee to hear the case depending twixt Uncass and the Inhabitants of N: London, respecting lands, and to make report to the Court in October next, what they find in the case. This they are to attend between this and the end of June next.

This Court remitts Cary Latham and Mr. Duglas fine, which was imposed upon them by the Court in March, for there transgression in making their list.

This Court orders, that Rob: Usher and John Meggs shall continue in the place and office of a Constable over those that have submitted to this Gouverment in there respective Plantations, untill the Court see cause to alter otherwise, and all those that have submitted are to attend the former order made in October Court last.

The Court voted, that they would not send the Patent nor copy thereof to be read at New Hauen.

[185] This Court orders, that the letter drawne up by the Committe to the Manadoes, be drawn out fair, and sent to the Lord Stephenson,† and signed by the Secretary in the name of the Court, as also the letter to West Chester.

This Court orders Mr. Willys and John Allyn to draw up a Letter to the Genll Court of ye Massachusetts, in reference to Pawkatuck & Mistick, and to desire a return.

* The letter from Massachusetts, (of Mar. 8, 1662-3,) and the reply of the Committee are in "Towns & Lands," Vol. I, Nos. 44 & 45.
† Stuyvesant.
This Court appoynts Lt Rob: Sealy to be the cheife miliary officer in Huntington, to exercise theire trained souldiers.

This Court ordered that Capt John Young should haue 5l. allowed him for his seruice on the Island last year.

This Court ordered that Richard Pontons charge at Hartford should be born by the publike Treasury.

This Court orders that Southhold shall haue and enjoy the same priuiledges as Southhampton doth by uertue of their combination.

This Court chose Lt John Allyn, Secry for the Colony, un- till the next election, and he was sworn in Court.

This Court graunts unto the Major or Worpl Dep'ty Governer, 500 acres of land for a farme, where he shall chuse it, if it may not be prejudiciall to a plantation allready sett up or to sett up, so there be not aboue 50 acres of meadow in it.

The Court orders that those freemen that were presented to the Court in October, from Norwidge, shall be accepted and sworn by or Worpl Deputy Gou.

The Court orders Mr. Math: Allyn and Mr. Willis to write to Setawkit, and settle businesse there, according as they judge best.

The Court also accepts of those freemen presented from N: London, and orders Mr. Bruen to administer the oath unto them, whose names are Sam Roggers, Miles More, Mihell Rice.

The Court is adjourned untill the 3d Wedensday in Augst, unless the Gou come to us sooner and see cause to call the Court together.

At a Meeting of the Councill, July 10th, 1663.

The Councill doth desire and appoynt Capt John Talcott to go down to West Chester, and if the eleuen Queries concerning West Chester do appear to be sufficiently proued in the affirma- tiue, then the said Capt may and is herby ordered to administer the oath of a Constable unto him whome the Inhabitants shall desire and chuse to that seruice, if he approues of the person; and he hath herby liberty to establish a Serj in the said Town. And it is desired that Capt Talcott would be pleased to en- deauo to settle things in the Town of West Chester, in as
peaceable a manner as may be. The forsaid Queries are upon the file.

The Secretary allso is ordered to send a Letter to the Inhabitants of Narraganset in the name of the Councill, and to signify to them, that Mr. Richard Smith Senr, Capt Edw'd Hutchinson and Lnt Jos: Hews are appointed select men at Mr. Smiths tradeing howse; and Mr. Rich: Smith Junr is appoynted Constable for the said Town, and Mr. Rich: Smith Senr is to administer an oath to him for a faithfull discharge of his office.

It is ordered, that the Plantation aforesaid shall for the future be called by the name of Wickforde. The Copy of the Letter to Wickford, hangs upon the file.

[186] At a Session of the Gen'l Assembly holden at Hartford, the 19th of Augst, 1663.

Assist's:
Maior John Mason, Dept Gou'r:
Mr. Mathew Allyn, Mr. Henry Woolcott,
Mr. Sam'l Willys, Mr. Dan'l Clark,
Capt John Tallcott, John Allyn & Sec'y.

Deputies:
Wm. Wadsworth, Tho: Tracy, Mr. Rob: Chapman,
Capt Benj: Newbery, Lnt Walter Fyler, Sam'l Boreman,
James Rogers, John Nott, Mr. Jos: Fitch.
Hugh Calkin, Nath: White,

This Court doth desire that those Freinds appoynted to keepe the Charter do allso receive the Duplicate into their custody, and keep it in behalfe of the Freemen of this Corporation; and the Worshipfull Gouernour is desired to deliuer the sd Duplicate to the said Freinds, or either of them.

This Court doth nominate and appoynte the Dep: Gouernor, Mr. Willys, Mr. Dan'l Clarke and John Allyn, or any three or 2 of them, to be a Committe to treat w'th or honour'd freinds of N: Hauen, Milford, Branford and Gilford, aboute settling their union and incorporation w'th this Colony of Connecticut; and they are impowred to act according to the Instructions giuen to the Comitte sent to New-Hauen in March last; and in case
they cannot effect a union, they are hereby authorized publikely to declare unto them that this Assembly cannot well recent their proceeding in Ciuill Gouermt as a distinct Jurisdiction, being included within the Charter granted to Connecticut Corporation; and likewise they are publikly to declare that this Assembly doth desire and cannot but expect that the inhabitants of New Hauen, Milford, Branford, Guilford and Stanford do yeild subjection to the Gouermt here establisht according to the tenor of or Charter, which is publiquely to be read in New Hauen.

This Court being sencible of the great inconueniency that may com to the members of this Colony by Indians walking up and down the Towns, in the night season, to buy liquers, doe order, that whatsoever Indian shall be found walking up and down in any Towne in this Corporation, after the day light shutting in, except he giue sufficient reason, shall forfeit twenty shillings, fifteen shillings to the Publiq’ Treasury, and five to the person or persons complaining and proueing the same, or else be seuerely whipt six stripes at least; and any one Assistt or Commissioner hath power to hear and issue any such complaint. And if any Indian shall be found in the night season transgressing this order, the Assistts or Commissioners, or any one of them, may secure them, by setting a watch upon them or by committing them to prisson for a tryall ye next fitting oppurtunity. This is to be published to the Indians in or about each Towne.

Wm. Blumfield appeales from the sentence or judgm of the Court held at Hartford, June 15, 63, to the judgment and determination of this Assembly.

The Comitte appoynted to view Hommonoscit, returned a writing under their hands, dated June 3, 1663, wherein they expresst that according to their best judgment it will make a comfortable plantation for the entertainment of thirty families to subsist comfortably. The Comitte were Wm. Wadsworth, Samll Smith, James Auery.

John Clow Junr presented a Petition to the Court for the planting of Homonoscitt, and engaged to pay 10s. to the Treasury for it,* according to order.

* i. e. for the presentation of the Petition; according to the order of May, 1662. p. 381.
Corporall Marshall is to haue 2l. payd him by the Treasurer and deliver the horse to the Treasurer, and this to be a finall issue of the case.

[187] This Court hauing considered Wm. Blumfeilds appeale, wth the [ ] therof, doe order that Mr. Rogers shall pay unto Blumfeild the summ [ ] pounds in currant pay, and Mr. Rogers to keep the mare and bull and [ ] as his proper estate, and discharge Mr. Louelands debt and pay the cost [of this] Court, and the first Court his case was in tryal. Blumfeild is to pay the char[ges of] the special Court.*

This Court orders the Secy to draw out the letter which was read in the [Court.] and subscribe it in the name of the Court, and send it to Capt' Hutchinson† and his [ ]

This Court haueing considered the request of Tho: Forde, by their vote d[ec]lares that they see no cause to give Goodman Forde the six pounds od, that he d[esires] in reference to his land at Podunck, now in Mr. Jos: Fitches hand.

This Court orders, that the land at Homenoscitt be reserved for a plantation.

This Court orders that the planting of Homonoscit be referred to October Court.

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**At a Session of the Generall Assembly at Hartford, [October] the 8th, 1663.**

John Winthorpe Esq'r, Gour.  
Major John Mason Esq'r, Dep:
- Mr. Math: Allyn,  
- Mr. Sam'l Willys,  
- Mr. Rich: Treat,  
- Capt John Tallcott,

Mr. Henry Woolcott, Mr. Dan'l Clarke, John Allyn, Mr. Sherman.

*Deputies:*
- Mr. Wm. Wadsworth, Capt Ben: Nubery, Mr. Jos: Fitch, Ln't Walt: Fyler, Samuel Boreman, John Nott,

* The corners and outer margins of the two leaves of the original record, paged 187 to 190, are much worn and defaced. On pages 187 and 189, the whole or a part of the words terminating each line is torn off, or has become illegible.

† A letter from Capt. Hutchinson and the other proprietors of the Narragansett lands, with a copy of the reply from the General Court, are in "Colonial Boundaries," Vol. I. Nos. 9 & 10.

This Court desires and appoyntes Mr. Mathew Allyn, Capt Ta[lcott], Lt Clark, as a Comity to treat wth the Gentn come from the M[anhattoes] about the matters in controversie be- tween this Corporation and the D[utch] at Manhatoes,* and in case Mr. Clark comes not down to the Court, ye[Secretary to] supply Mr. Clarkes place.

John Griffen haueing made appeare to this Court that he was the first [ ] the art of making pitch and tarre in these parts, doe order that the [said] Griffen shall haue Two hundred acres of lands (where he can find them) between Massacoh and Warranoake, wherof there may be forty acres of [meadow,] if it be ther to be had and be not prejudicial to a plantation, and not [formerly] graunted.

The list of estates were presented to this Court, as follow- eth:—

Ye persons and estates of Hartford, 18917. 06. 00
Ye persons and estates of Windsor, 16683. 00. 00

* With a view to an amicable adjustment of the differences between the New Netherlands and Connecticut, respecting the towns upon L Island, and the territory between Stamford and Westchester (inclusive of the latter plantation,) to which both Jurisdictions laid claim, Gov. Stuyvesant sent commissioners to Hartford, with full powers “for the composinge and deter- mininge of all further differences in question.” In a letter to the General Court (dated Oct. 13, 1663, N. S.) Gov. S. writes, “I therefore thought meete and needfull for the prevention of fur- ther troubles, to send the bearers, our lovinge friends and intrusted agents, Cornelys van Ruy- ven, our faithfull Secretary, Colvoast Stevenson van Cortland, burge master of the city Am- sterdam in New Netherland, and John Lawrence, marchant,” &c. [Colonial Boundaries. ii. 6.]

The Committee appointed by the General Court did not assent to the propositions submitted by the Dutch Commissioners, and the latter returned to the Manhatoes, without having attained any satisfactory result of their mission. A correspondence ensued between the General Court and Gov. S., in which the question of jurisdiction was discussed, without however arriving at any positive result, until the claims of the Dutch Government were summarily disposed of, by the occupation of N. York by the English in 1664, and the grant to the Duke of York,—which by the decision of the Royal Commissioners, in Nov. 1664, was made to include the whole of Long Island. The letters of Gov. Stuyvesant, with the propositions of the Dutch agents, and those of the Committee of the Gen. Court, are in ‘Col. Boundaries,’ Vol. ii. Nos. 3–13. See also, the Journal of the Dutch Commissioners, printed in Hazzard’s State Papers, ii. 629–633, from the original in the State Department at Albany.
OF CONNECTICUT. 411

Ye persons and estates of Weathersfeild, 12258. 10. 00
Ye persons and estates of Farmington, 07044. 00. 00
Ye persons and estates of New London, 07185. 11. 00
Ye persons and estates of Norwalke, 04420. 05. 00
Ye persons and estates of Middletowne, 03017. 00. 00
Ye persons and estates of Norwidge, 02571. 00. 00
Ye persons and estates of Stratford, 09579. 03. 00
Ye persons and estates of Fairfield, 11030. 09. 08
Ye persons and estates of Saybrook, 08000. 00. 00

Mathew Griswold and Wm. Waller and Tho: Minord are appoynted to [ ] the west bounds of New London, and Ens: Tracy and James Morgan or [ ] whom the two towns of N: London and Norwidge do appoynt are to se[ ] they are to begin at some suitable place as they shall judge m[ee], so that] they may have as much land without as their is sea [ ]

Timothy Phelps and Samuel Buell are [propounded to] be made free of this Corporation, according [to order of Court]
[188] Serjant Tho: Minor repairing to this Court for aduice, what he should doe or how he should behaue himself to any in the place where he liues that doe pretend authority there; This Court doth advise him to carry it peaceably towards them, and at present to be a patient in the case, though they injure him; this Court engageing to see the said Serjant Minor wrighted for any wrong that he either hath or shall receive upon this acco*, prouided he attends the directions of this Court, wch is that he obey noe authority at Mistick & Pawcatuck but what is or shall be establisht there by this Assembly.

It is ordered by the Court, that the letter drawn up to the Director Gen^i at the Manhatoes, be sighned by the Secty in the name of the Court, and sent to the said Generall.

This Court doth accept of the town of West Chester as a member of this Corporation, being rece'd and accepted as such by or Councill formerly. This Court doth declare that all the land between the sayd West Chester and Stanford also doth belong to the Colony of Connecticut.

This Court doth desire and appoynt the Major and John Allyn and Mr. Bruen, to keep a Court at New London, for the
issuing of such matters as shall be presented to their considera-
tion; they are to appoynte the time.

This Court appoynts Ens: James Auery a Commissioner, to
joyne wth Mr. Bruen at New London.

This Court appoynts Mr. Edward Gishop a Commissioner
for the Towne of West Chester, and he is inmested with Magis-
traticall power in that Plantation, untill ye Court in May.

This Court doth appoynte the Secy to draw out the Letter
faire, that was read in the Court, and subscribe it in the name
of the Court, and send it to Deacon Parks, by him to be pre-
sented to ye Gouern^t and Gen^l Assembly of the Massachusetts.

This Court orders, that the last Wednesday of this Instant
October be set apart throughout this Collony for a solemn day
of Thanksgiuing for the mercyes God hath extended to us the
year past, in the return of ort Honoured Gouernor, the recovery
of ort Deputy Gouernor out of his late sicknesse, the plentiful
haruest, the seasonable abatement of the waters, and continu-
ance of peace and health amongst us.

This Court graunts a rate of a penny on the pound, to dis-
charge the Countrey's debts.

This Court upon the petition of John Tompson, do request
Mr. Jones, Mr. Hanford and Mr. Wakeman, to have a hearing
of the difference between the Church of X° at Stratford and
the said Tompson, and to advise them to the best meanes for an
issue therof.

This Court desires and appoynts Mr. Gouernour, Mr. Math:
Allyn, Mr. Willys and Capt Tallcott, or any three of them, to con-
sider what is meet to be attended in refrence to Mr. Hopkins his
estate, by him bequeathed for to be improued for ye promoting of
learning, and to make reporte of there thoughts the next Court.

Tho: Hunt, John Quinby, Rob: Huested, Nicholas Bayley,
Rich: Ponton, Sam° Mills, Mr. Rich: Mills, are accepted to be
made free, according to order of Courte.

Simon Huntington, Tho: Adgatt, John Post, Tho: Post, Wm.
Baccas, Thom: Blisse, John Renols, John Calkin, Jonath: Rice,
John Birchard, are accepted to be made free, according to order
of Court.

Ens: Steel, John Norton, John Clerk, Joseph Woodford,
Tho: Judd, John Judd, John Woodruff, John Root, John Warner, Tho: Hart, are to stand for their [ ] at the Court in May next, for their freedome.

(189) Lt John Bud is appoynted Commissioner for the Town of Hastings, and is inuested [with] Magistraticall power within the limits of that Town.

Rich: Vowles is appoynted Constable for the Town of Hastings, and Mr. Bud is to g[iue him his oath.]

This Court doth approue of Deacon Stebbing and Lt Tho: Bull paying what doth [appear] to be due from Mr. Hopkins estate to Mr. Bournes or Mr. Dallye, with what [ ]ency may bee.

It is ordered by the Court, that Math: Griswald, Wm. Waller and Tho: Minor or [any two] of them, shall settle the bounds between the Town of New London and Uncas, [ ] determine what Uncass shall haue for those of his lands that fall within the [ ] that by the Court haue been confirmed upon the Towne of New London, and issue [ ] case fully, a Munday come four weeks, or as soon as may be.

Frances Brown was sworn Constable for Stanford, in the Court.

Wheras the Court haue formerly graunted Mr. Sam: Stone, of Hartford, a farme, [for his] good service to the Countrey both in Pequett warr and since, do now graunt and con[firme] to Mr. Sam: Stone his son and Mrs. Eliza Stone, the relict of Mr. Sam: Stone, deceased, [in] lieu of the former grant, 500 acres of upland and 50 or sixty acres of meadow, [where] they can find it, provided it be not prejudicial to any plantation set up all[ready] or place fitt to make a plantation.

This Court appoynts Sam: Boreman and James Steele to lay out the bounds [of the] Towne of Middletowne, according to their former graunt, and the [Towne] of Middletowne is to pay the charge therof.

This Court doth leaue the determination of the business respecting [ ] entertainm[t] of the plantations on Long Island, and the difference between [us] and the Dutch, with the Councill, who are to consider and issue the forementioned [particu]lars, as soon as they haue a return from the Dutch Director Gen: or a fort[night] hence, and the people of the Island are to

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haue a coppy of the proposals presented [by] the Genlls Messengers.

This Court appoynts John Hurd and Joseph Judson to lay out the bownds [of the] Town of Fairfeild, between them and Norwalk, according to their [former] grant; and the two Townes are to beare the charge.

This Court doth desire and authorize the Councill to draw up and send letters of [ ] to his Majesty or any Noble personages in England, as they see cause.

This Court doth approue of what the Particular Court did at South H[ampton] September, 1663, and do desire and appoynte the Assists of South & East Hampton to see that execution be attended according to the determination of the said Court; and in case there be any occasion for the future, the Assists of South and East Hampton are hereby impowered to go ouer [to South-] hold and keep Court there and deal with all persons (that carry it refractory in the sayd place,) according to lawe; and especially they are desired to consider of Mr. Wells his ill carriage; and in case they cannot sup[press] such ill disposed persons there, they may and are hereby authorized [to send] ouer any such person or persons to the Goal here at Connecticut.

Tho: Tappin is appoynted to joyne with the aforesaid Assists.

This Court doth authorize the Court at Southhold to issue the [ ] respecting Pepper, now in durance there, and to send him to Bar[badoes] or banish him, according as the nature of the offence [requires.]

This Court doth judge that Seabrook hath no right to Hommonoscitt.

This Court doth declare that the former act about Homonos- citts not being a plantation is hereby reuoaked; and the former order, that it should be a plantation is to stand.

The Court doth appoynt S. Willys, Mr. Woolcott, and Wm. Wadsworth as a Commity for the ordering of the plantation at Homonoscitt.

Mr. Willys, Mr. Gould & Ens: Tracy are appoynted by this Court, as a Commity to issue the businesse respecting John Notts appeale.

Ln^t Lewis doth request this Court for a Farme.
This Court doth order a rate of farthinge & half farthinge upon the pound, to be paid within 3 weekes, in wheat, for the compleating the charge about procuring the Charter; and the Constables of each Town are to gather the same, and prouide for the transportation of the same to New London, within a month.

This Court doth declare that they can do no less for their own indemnity then to manifest or dissatisfaction with the proceedings of the plantations of N: Hauen, Milford, Brainford &c., in their distinct standing from us in poyn't of Gouvern't; it being directly opposite to the tenor of the Charter lately granted to our Colony of Connecticut, in w'ch Charter these plantations are included. Wee al.so expect their submission to our Gouverment, according to our Charter and his Majestyes pleasure therein exprest, it being a stated conclusion of the Com'rs that Jurisdiction right allways goeth with Patent. And whereas, the afoars'd people of New Hauen &c. pretend they haue power of Gouverment distinct from us, and haue made seuerall complaints of wroungs receiued from us, we doe hereby declare that our Coun-cill will be ready to attend them, or a Committee of theirs, and if they can rationally make it appear that they haue such power, and that we have wronged them, according to their complaints, we shall be ready to atend them with due satisfaction. (Ye Gou'ret absent w'n this vote passed.)

The Court appoynts Mr. Willys and the Sec'y to draw up a Lettr to N: Hauen Gent'n, and inclose this act of the Court in it.

The return of the Comitty concerning John Notts appeale is, that the land in controversie between Mr. Russell and the Towne of Weathersfeild doth belong to Mr. Russell, and is confirmed by the Court upon him;

This Court remitts Mr. Russells forfeits for his non recording of his land, all but 5l.; and this to be a finall issue of the busi-ness between Mr. Russell and John Nott and the Town of Weathersfeild.

In answer to the petition of those English Plantations near the Dutch;—This Court being desirous to maintaine his Majesties just interest and the peace of his subjects, and yett to attend all wayes of righteousnesse, that so we may hold good corres-pondency with our neighbours of the Manhatoes, do herby de-
clare that they will for the present forbear to put forth any au-
thority ouer the English Plantations on the westerly end of
Long Island, provided the Dutch forbear to exercise any coerc-
\[191\]  
\[\text{And in case the Dutch do unjustly molest or offer vi}-
\[\text{o}\]  
\[\text{ence unto them, we do hereby declare that we shall not be will}-
\[\text{ing to see or Countrey men his Maties naturall borne sub}-
\[\text{jects, and his Maties interest interrupted or molested by the Dutch or any other, but we shall adres or selues to use such just and lawfull means as God shall in his wisdome offer to or hands for their indemnity and safety, untill his Matie or Soueraigne Lord the King shall please to declare his Royall pleasure for their future settlement, they carrying themselves peaceably and inoffenciuely.}

\[\text{The Court is adjourned to the 2d Thursday in March, except the Gouerno or Councill see cause to call it sooner.}

\[\text{This Court doth thankfully acknowledge the favor the Gouernor hath shewed to this or Colony, in his great paynes in procureing or Charter of his Matie or Soueraigne, and doe hereby discharge him from those seuerall summes of mony that he hath recd of the Colony;}

\[\text{And the Worpi Gouernor doth hereby discharge and acquitt the Colony of Conecticutt from all farther claimes for his paynes and charge about the premises.}

\[\text{At a Session of the Gen Assembly at Hartford, March 10th, 1663.}

\[\text{John Winthrop Esq, Gou.}

\[\text{Assis.}

\[\text{Mr. Allyn,}

\[\text{Mr. Willys,}

\[\text{Mr. Treat,}

\[\text{Mr. Woolcot,}

\[\text{Mr. Clark,}

\[\text{Mr. Allyn, et Sec'y.}
Deputies:

Mr. Wadsworth, Mr. Fitch, Capt. Newbery, Lt. Fyler, Anth: Hawkins,
Mr. Wadsworth, Mr. Jethu Burre, John Bankes, Nath: White, Sam'l Boreman,
Mr. Wadsworth, Mr. Jethu Burre, John Bankes, Nath: White, Sam'l Boreman,
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Mr. Wadsworth, Mr. Jethu Burre, John Bankes, Nath: White, Sam'l Boreman,
shall be orderly admitted freemen of this Company, by the Genl Assembly, shall haue their votes in chooseing Deputyes and other publique officers for the Corporation, as Gouerno, Deputy Gouerno, Magistrates.

[192] This Court, upon good advise, doe see cause to take of the sequestration formerly laid upon the estate of Edward Hopkins Esq, wh for seuerall good reasons was laid under restreint, partly because an authentick copy of the will of ye sd Edward Hopkins Esq did not appeare for ye orderly dispose thereof, and partly because an attested Inuentory of the said estate hath not as yet been exhibited to this Court, yet now being hopelesse, because of the disease of Capt John Cullick, to obteine the said Inuentory, this Court doth order as before mentioned.

This Court grants license to John Westall, to sell wine and liquers by retaile in his house, so he do not suffer men to tipple in his house contrary to lawe, but attends the contrary orders in that respect.

This Court orders, that the letter wth the warrant and instructions to the Marshall respecting Mr. John Scott, that haue been read in the Court, shall be attended.

This Court orders that the bownds of Seabrook shall be six mile and an half from the Neck gate, westward.

This Court doth grant liberty to Mr. Thomas Pell to buy all that land of the Indian proprietors between West Chester and Hudsons Riuier, (that makes Manhatoes an Island,) and lay it to West Chester, provided that it be not purchased by any before, nor in their possession.

This Court desires Mr. Henry Woolcott, Mr. Willis and Mr. Wadsworth, to go to N: London to assist the Major in keeping a Court at N: London, the 1st Wedensday in Aprill next.

This Court desires the Deputyes of Fairfield to signify to the Towne of Norwake that the Court will state the bounds between them and Fairfield, the next Session in May.

To pruent future inconueniences that may arise between Saybrook and Homonoseitt plantations, and for a full issue of the case, this Court orders that the bounds between ye sd plantations shall be where the common passage ouer Manunkekesek Riuier is, and so to run north into the Country and south into the sea. The former vote concerning the bounds of these
plants are retracted. Mr. Rossiter, Mathew Griswold and Joh: West are to lay out the boundes according to order of Court.

This Court orders, that the Towne of New London shall pay unto Ens: Waller, Mathew Griswold and Thomas Minor what is due unto them for laying out the bounds of N: London; to Ens: Waller, for two voyages, 15s.; to Math: Griswold, 15s.; to Thomas Minor, w† is his due, at 3s. a day, himself & horse.

This Court grants unto Mr. Mathew Allyn, liberty to take up that meadow at Catch, beyond Goodman Bissell, on the East side of the Riuer, and what upland he pleaseth, so he exceeds not his former grant. What Mr. Allyn takes up at this place is to go onwards of his former grant; and Edward Griswald and Josias Hull are appoynted to lay out this land for Mr. Allyn, he paying of them for their paynes.

This Court grants Mr. Phelps, 200 acres of upland and twenty of meadow, wher he can find it; prouided it prejudice not former grants and plantations sett up and to sett up.

The Deputies of Saybrook presenting to this Court their intendments to set up a plantation on the East side of the great Riuer, and also maintayn a plantation on the West side, and desiring some enlargm* of their bounds, this Court hauing considered their desires, do enlarge their boundes, fower miles on each side of the Riuer northward, prouided they do make two plantations, as aforesd, within the space of three yeaeres from the date hereof; and also, or Honor*d Gouernor hauing made choyce of the Brook that runs into the great Riuer, near Twelue Mile Island, to sett a saw mill on, and a cedar swamp near adjoyning to the said brook or riuer, by vertue of a former grant, May 21th, 1653, this Court graunts it to him, according to his former grant, and excepts it in the forementioned grant to Seabrooke.

This Court doth nominate and appoynt these to be put to ye election, at May Court next, for Assists; Cap† Ben: Newbery, Anthony Howkins, Capt Young, Mr. Fayrchild, Mr. Edward Palmes.

[193] This Court orders, that if any person in this Colony shall refuse or neglect to giue in a true acco† of any sorte of his Cattell to the Listmakers or their agents, when demaunded, in
the respective Townes, or shall leave out any parte of them, he shall forfeit for every such defect the estate left out, the one half to the Public' Treasury, and the other half to the person discovering the same, and prosecuting it to effect.

The Church of Christ at Winsor complaines of James Enoe and Michaell Humphrey, for seuerall things contained in a paper presented to the Court. Mr. Clarke, in behalf of the Church complaines of James Enoe and Michaell Humphrey for a misdameanor, in offering violence to an establisht law of this Colony. Mr. Clark withdrawes this charge.

This Court grants liberty and impowers the Major to take the convenient time, and what assist he judgeth meet, to purchase what land he can of the Indians for the use and benefitt of the Collony of Connecticut.

This Court, for the encouragement of any person that will lay out himself for the discouery of any mines or mineralls &c., doe order, that whosoever shall make such discoueryes, and purchase it for the Countrey, he shall be honorably rewarded, out of what he doth discouer as aforesayd.

This Court hauing seriously considered the case respecting James Enoe and Michaell Humphrey, doe declare such practises to be offensive, and may proove prejudicial to the wellfare of this Collony, and this Court expects they will readily come to the acknowledgment of their error in the paper by them presented to the Church, wherupon the Court respitts and remitts the sensure due for their offence, prouided answerable reformation doth followe, expecting that their lenity therein will winne upon the spiritts of those concerned in this case. And this Court doth approue of the pious and prudent care of Windsor, in seeking out for a supply and help in the ministry, Mr. Warham growing ancient; and do order all persons in the sayd plantation to allow their proportion towards the competent maintenance of such a supply in the ministry. And the Court desires a friendly correspondency may be maintayned at Windsor, as if this trouble had neuer been; this Court declaring their readyness to mayntayne all the just priuiledges of all the members of this Corporation.

It is ordered by this Court, that ye particulars complained agaynst Mr. John Scott, be drawn out and sent downe to the
present civil officers, the conservators of the peace of his Maties subjects at New Haunen, Milford, &c., and fully declared unto them, and to demand the said officers, in the Kings name, to apprehend or cause to be apprehended the body of the said Scott, and peaceably to deliver him unto the custody of or Marshall, that he may be brought unto a tryall at Connecticutt, and that he may be proceeded wth according to law, and in case the said officers neglect or refuse to attend or demand herein, that then we doe charge them as being guilty of abetting and concealing a malefactor, thereby preventing the execution of justice, and so or officer to returne and declare their answer under the hand or hands of such officer or officers to whom the demand is made, unless they refuse to declare their answer in writing.

To all his Maties Subjects within these parts of or Royall Soueraigne Charles, King of England, Scotland, France & Ireland, his Dominions in New England in America, especially those plantations situate within the limits of the Corporation of Connecticutt, These presents doe declare and proclaime, (as followeth:)

That forasmuch as John Scott, inhabitant within the Liberties of Ashford (alias Setawkit,) on Long Island, stands charged in the Court at Connecticutt for sundry hainous crimes and practises seditious, to the great disturbance of the peace of his Maties subjects on the Island aforesayd; particularly, as followeth,—

1. Speaking words tending to the defamation of the Kings Majesty;

2ndly. Seditious practises and tumultuous carriages in severall Plantations;

3dly. Abetting and encouraging the natives in hostile practises against one another;

4. Usurping the authority of the King in tendring to pardon treason, as Scott called the crime, for bribes;

5. Threatning his Maties subjects with hanging and banishment;

6. Grosse and notorious prophanation of God's holy day;

7. Forgery, and violation of his solemnne oath;

8. Acting treachourously to the Colony of Connecticutt;

9. Usurping authority, upon pretence of a commission;
10. Calumniating a Commission officer in this Corporation, with the charge of villanous and felloneous practices;

We do therefore in his Majesty's name desire and expect all and every civil officer who are conservators of the peace of his Majesty's subjects within the Plantations of New Haven, Milford, Branford, Stratford, Fairfield, &c., whosoever the said Scott is resident, forthwith upon receipt and knowledge of the contents of the premises, to apprehend or cause to be apprehended the body of the said Scott, and peaceably to deliver him unto the custody of the Marshal, Jonathan Gilbert and his aiders, that so he may be conducted securely to Hartford, that so the said Scott may come to a due trial according to law, for the crimes herein specified, according to his Majesty's Commission to this Corporation of Connecticut.

God save the King.

You are hereby authorized, and in his Majesty's name required, upon the surrender made of ye body of John Scott unto your custody, by any of the civil officers within the plantations of New Haven, Branford, Milford, Stratford, Fairfield, &c., to bring the said Scott under safe conduct to the goal at Hartford, there to be secured to a trial for several crimes laid to his charge; and you are further required to make diligent enquiry wher the said Scott is resident, and having certain intelligence, you are forthwith to repair to the civil officers or officer in that Towne, and to open the declaration or proclamation, and the same to read unto them, or otherwise cause him to know the contents thereof, and so to demand his answer; and if he or they shall neglect or refuse to observe and attend what is therein demanded, desire him or them to signify the same unto Authority here establishd, and having received the answer you are to return unto your habitation and give in the accompt of your proceedings to the Worshl Magistrates at Hartford. You are further required to desire and demand a speedy answer from the officer or officers to whom you apply yourself for Scotts apprehending; and in case the answer be unessessarily retarded, you are, in this Courts name to charge the said officer with abetting and concealing a malefactor, thereby obstructing the course of justice. But in case Scott be gone beyond Stratford River, you are to
OF CONNECTICUT.

Attend the execution of your office by apprehending the said Scott and conducting him safely, as before express'd.

March 19th. It is voated in the General Court that John Gilbert shall be allowed Eleven pounds out of the Publick Treasury, for and in consideration of his horse that dyed in the Countrey's service.

This Court have voated Mr. Willis and Mr. Math: Allyn to go over to Long Island to settle the Government on the West end of the Island, according to the agreement at Hempsted, in Feb': last; and those Gentlemen are desired to issue the matter twixt J: Scott & Bloomer. And they are farther desired to take in with them the assistance of the Commissioners in those Townes, for the regulateing of any disturbances, as occasion is presented.

[195] The seuerall propositions propounded to the Court for Answer, by Walter Salter.

1 Qu: Whether we are taken by Patent right, or not?

A: The Lines of Connecticut Patent extending to the adjoyning Islands, and ye Townes on the west end of the Island applying themselves to this Government for rule and protection and settlement in Government, and declaritiously expressing the same by their Deputies at Hempsted, in Feb: last, upon the grounds foregoing we declare our acceptance of those Townes under the Government of Connecticut.

2 Q: Whether this Court owes and will mayntayne the Commission of Mr. Allyn, and what he hath done upon the west end of Long Island?

A: In reference to the prosecution of the settlement of Government in those Towns by Mr. Allyn, and the issue that was agreed on by him, with the Assembly at Hempsted, as specified in a writing with us, wherein the Deputies of the seuerall plantations there, in behalf of ye said Townes, express their joynt submission to this Government, we do own and accept those Townes under our present care and government.

3 Q: Whether by what Mr. Allyn brought from Long Island, Connecticut hath power to command us, or not?

A: We judge according to what is returned to this Assem-
bly by Mr. Allen, so farr as we can creditt the copy attested by Anthony Waters, nominated to be Clark of the Assembly at Hempsted, that this Assembly hath power to require obedience of the persons in those Townes to the authority establisht by or Royall Soueraigne Charles the 2d, in the Corporation of Connecticut.

These Answers were voted by the Court.

This Court doth order that ye 2d Wedensday in Aprill next, be solemnly kept a day of publique humiliation, throughout this Collony, to seek to God that he would graciously be pleased to smile upon us, and succeed the labors and endeavours of his people, in the occasions of the ensuing yeare; that health may be continued amongst us, that peace and truth may be establisht amongst ourselues and throughout his Maties Dominions.

This Court votes that Mr. Alleys charges of Mr. Clark, which were presented to the Court, are not proved by Mr. Allen.

Mr. Allyn,  
Mr. Willys,  

Capt Talcott,  
John Allyn.

The Magistrates order the Secretary to giue Mr. Hicks a copy of the proclamation against Mr. Scott, and to insert that the plantations of the Island are required by their officers, to act as the plantations of N: Hauen, Milford, Stratford, &c. in the mayne, in reference to the apprehending of Mr. Scott; and Hicks is to haue the exemplification.

The Magistrates doe also desire and advise the Inhabitants of Hempsted, in case Thomas Rushmore do continue to oppose the Gouermt of Connecticut, to chuse an able and judicious man to the office of a Constable, and Mr. Hicks to administer the oath to him, they haueing first displaced the sayd Rushmore.

And it is also ordered, that all the inhabitants in the English Townes on the west end of Long Island, yeild obedience and submitt to the Gouerment of those officers that were chosen by the respecitue Townes according to the advise of the Collony of Connecticut; and all pretended officers are to stand by.
At a Generall Assembly held at Hartford, May the 12th, 1664, for Election.

These are to be put to ye election:—John Winthrop Esqr, Major Mason Esqr, Mr. Mathew Allyn, Mr. Samuell Willys, Mr. Richard Treate, Mr. Nathan Gold, Capt Thomas Topping, Capt John Tallcott, Mr. Henry Woolcott, Mr. Dan' Clarke, John Allyn, Mr. Sam' Shearman, Mr. John Howell, Mr. Thirstin Reynor, Capt Benja: Nubery, Mr. Antho: Howkins, Capt John Younge, Mr. Tho: Fayrechild, Mr. Edw: Palmes, Mr. Bond, Mr. Mulford.

These were elected by the freemen:—

John Winthrop Esqr, Gou"r.
Major Mason, Dep't: Gouern'r.
Assist'.

Mr. Math: Allyn, Mr. Henry Woolcott,
Mr. Sam' Willys, Mr. Dan' Clarke,
Mr. Richard Treate, John Allyn & Sec'y,
Mr. Nathan Gold, Mr. Sam' Shearman,
Capt Thom: Topping, Mr. John Howell,
Capt John Tallcott & Treasurer, Capt John Younge.

The freemen voted that the Gen'l Assembly should chuse the Commissioners for the year ensuing.

The Deputies of the Court are:—

Rich: Olmsted,
Mr. W. Wadsworth, Nath: White, Rob: Warner,
Mr. Wm. Gaylerd, Mr. Joseph Fitch, Ens: Abery,
Samuel Boarman, Mr. John Bissell, Barnabas Wines,
Mr. Thom: Pell, John Nott, Mr. Rich: Woodhall,
Thom: Halsey Senr, John Bankes, Cary Latham,
Hugh Calkine, John Jessop, Capt: Seely,
Mr. Anth: Howkins, John Standly, John Ketcham,
Mr. Tho: Fayrechild, Ens: Judson,
Mr. Campfield,

John Norton, John Jud, Sam' Buell, Timothy Phelps, Tho: Jud, Mr. Hamlin, Sam' Olcott;—these were made free in Court.

Mr. John Hicks, Mr. Rob: Coe, Capt John Coe, Mr. Wm.

37*
Hallett were appointed by the Townes to which they doe belong to attend the Court.*

This Court orders, that in case the Gouernour or Deputy Gourn, after ye Gen\textsuperscript{11} Assembly is once constituted, should by reason of sicknes or other speciall occasions be absent from the Court, that then the Court chuse one to act as Moderator in ye Court, both in ordering speech and silence, and in putting things to vote.

This Court doth nominate and appoynt these to be Co\textsuperscript{m}issioners in the respective Towns to which they doe belonge;—Mr. Anthony Howkins, for Farmington; Mr. Campfield, for Norwalk; Mr. Rob: Chapman & Mr. John Clark, for Saybrook; Mr. Bruen & Mr. Palmes, Ens: Auery, for New London; Mr. Fayrechild, for Stratford; Mr. Burr, for Fayrefeld; Mr. Jessop, for Westchester.

\[197]\dash They are to repair to the next Magistrate to be sworn, and they are invested with Magistratical power in the several towns.

Zerubabell Phillips appeals from the particular Court at South Hampton, December 1\textsuperscript{st}, 1663, in the action of trespass commenced against him by Joseph Reyner, concerning a pit was digged in the common, whereby he was damnified; the appeal is to the General Court, but now withdrawn.

This Court doth nominate and appoint Mr. William Pitkin, in the behalf of this Colony, to be their Attorney, to implead any delinquents in the Colony, till October next.

This Court desires the Major, Mr. Wolcott, Mr. Clark, Mr. Sherman and John Allyn, to keep the Court on Monday next, for the trial of such cases or complaints as shall then come under hand, or be presented before them.

Whereas his Majesty hath been graciously pleased to confirm unto this Colony, by Charter, all that part of his dominions

* Mr. John Hicks, was from Hempstead; Mr. Robert Coe, from Jamaica; Capt. John Coe, from Newtown; Mr. Wm. Hallett, from Flushing.

\[\text{†}\] Here occurs the first, and it is believed the only break in the original records, so far as they have been transcribed. A leaf containing pages 197 and 198 has been torn from the volume,—when, or by whose agency, cannot now be ascertained. The loss is comparatively recent, since the volume was entire so late as 1810, when it was copied by direction of the General Assembly and under the supervision of the Secretary of State. From that copy, which is generally accurate, the missing pages have been supplied.
in New England bounded as in the said Charter is expressed, with the Islands adjoining, This Court doth declare, that they claim Long Island for one of those adjoining Islands expressed in the Charter, except a precedent right doth appear, approved by his Majesty.

This Court doth desire and request the Worshipful Governor, Mr. Mathew Allyn, Mr. Willys and Captain Young to go over to Long Island, and to settle the English plantations on the Island under this Government, according to instructions given them.

The aforesaid Committee are hereby authorized to erect and constitute Quarter Courts, or appoint other fit seasons for the keeping of Court for the administration of justice, that all cases may be tried according to law, (life, limb and banishment excepted,) and to do their endeavours so to settle matters, that the people may be both civilly, peaceably and religiously governed in the English plantations, so as they may win the heathen to the knowledge of our Lord and Saviour Jesus Christ, by their sober and religious conversation, as his Majesty, our Lord the King requires in his gracious Letters Patents granted to his subjects here in this Colony; and in case of crimes of a capital nature, they are to have liberty to take the opportunity of the Courts of Fairfield or Hartford; the like liberty they have in case of review; they may also give oath to those that are accepted by this Court for freemen on the Island, and to do what else they judge may conduce for the good of the Colony.

This Court orders, that those who were propounded for freemen by the Deputies of Norwich, in October last, shall have the freeman's oath administered unto them, by the Major;

And that those of Westchester have the oath administered unto them by Mr. Jessop;

And that those of Farmington have the oath of freedom administered to them by Mr. Hawkins; This Court having accepted of the persons presented by the Deputies of the aforesaid towns, as freemen.

This Court accepts Barnabas Wines Junr., Richard Benjamin, Caleb Horton, Benjamin Horton, Thomas Hutchinson, Thomas Moore, Jeffery Jones, for freemen, and Captain Young is to administer the oath of freemen to them.
This Court accepts John Burr to be made free, and Mr. Gould is hereby authorized to administer the oath of freedom to him.

John Teed, Edward Hornett, Samuel Titus, Thomas Jones, William Williams, Samuel Ketcham, Joseph Whitman, Thomas Brush, Caleb Curwinthee, Joseph Bayley, John Rogers, Samuel Wood, Thomas Workes, Henry Whisson, James Chichester, Henry Ludlow, Thomas Scuddor, John Samwayes, Thomas Powell, Jonathan Rogers and Isaac Platt are accepted to be made free, and the Commissioners of Huntington are to administer the oath of freedom to them.

Captain Seely and Mr. Wood are appointed Commissioners for Huntington, and Captain Seely is to administer the Commissioners oath to Mr. Wood.

Ensign Avery is authorized to administer the oath of a Commissioner to Mr. Bruen and Mr. Palmes.

Mr. Woodhall and John Ketcham are appointed Commissioners for Setawckett; and were sworn in Court.

Mr. Thurston Rayner is by this Court chosen a Magistrate, and Mr. John Howell is to administer the oath to him for the faithful execution of his office.

Mr. Mulford and Mr. Bond are appointed Magistrates for East Hampton, and Mr. John Howell is hereby authorized to administer the oath to them, for the faithful execution of their places.

This Court doth make choice of Barnabas Horton for a Commissioner for South Hold, and Capt. Young is to administer the oath to him.

Mr. Barton, Henry Pering, Robert Ackerly, John Jener, Zach: Hawkens, Ralph Hall, are accepted to be made free.

This Court doth nominate Mr. John Hicks and Mr. Richard Gildersleave Sen', Commissioners for the town of Hempstead:

And Mr. Robert Coe and Mr. Thomas Benedict, Commissioners for Jamacoe:

And Capt. John Coe and Mr. Richard Betts, Commissioners for Newtown:

And Mr. William Hallett and Mr. Wm. Noble, Commissioners for Flushing:

And Mr. John Rickbell and Robert Ferman, for Oyster Bay, are Commissioners:
And Mr. James Hubbard and Mr. William Wilkins, for Graves-inn.

This Court invests the several Commissioners on the Island with Magistraticall power on the Island.

This Court appoynts Tho: Minor and Ens: Tho: Tracy to lay out the bounds between Saybrook and New London, according to former grants; and they two are to begin their measure at some indifferent place by the riuver side; prouided if any land be layd out to any of Saybrook, within the bounds of New London, they shall hold their perticuler propriety to those lands, payeing their just dues to the Towne of New London.*

Ensign Avery engageth to pay ten shillings to the Treasurer for New London Petition.

The Court refers it to the next session of this Assembly to grant commission to the several commission officers of the Foot and Horse throughout this Colony, and desire that it may be then attended.

Mr. Daniel Clark was by this Court confirmed Captain of the Troop. And Mr. James Richards is confirmed Leiftenant of the said Troop, by this Court.

This Court confirms the order respecting the penalty laid upon those that neglect or refuse to give in a true account of all sorts of their cattle to the List makers, which order was made March 10th, 1663.

Mr. John Hicks, Mr. Robert Coe, Capt. John Coe, Mr. William Hallett, had the Commissioners oath administered to them, in Court.

For Hempstead, This Court accepts of Richard Gildersleave Senr, and Richard Gildersleave Junr, Mr. Foredum, John Carpenter, Edward Titus, James Pine, Thomas Carle, Thomas Hicks, John Smithman, Jeremiah Wood, John Smith Junr, Henry Persell, William Scuddine, William Yeats, Robert Mur-uen, to be freemen, if they accept of it.

For Jamaicoe, Mr. Walker, Thomas Benedick, Henry Witny, William Smith, Joseph Smith, Dan Penton, John Bayless, Fulk Davis, Thomas Benedick, are accepted as freemen, if they accept it.

* The orthography of this order is made to conform to a copy of it certified by Secretary John Allyn, in 1672. [Towns & Lands, L 98.]
For Newtown, Mr. Loveridge, Richard Betts, Samuel Toe, Caleb Loveridge, Ralph Hunt, John Burrows, John Ramsden, Nicholas Carter, Gershom Moore, James Christy, are accepted as freemen, if they accept of it.

For Flushin, William Noble, Elias Watty,* Walter Salter, Richard Weller, John Thorne, Nicholas Persell, Thomas [†] Jonathan [†] William Salsbee, John Heeded, are accepted as freemen, if they accept it.

[199] This Court made choyce of the Worpl Gouernour and Mr. Math: Allyn for Commissioners for the year ensuing; Mr. Willys is appoynted for a reserve.

This Court doth grant liberty to the Marshall to retaile wine, vntill some other be provided to supply wth wine, that the Court approues of, or the Court call in this lycense; he attending the order in the premises.

The Court made choyce of Jonathan Gilbert for Marshall for the year ensuing.

May 19. The Court is adjourned till to morrow eight of the clock.

The Major & the Comrs of New London are desired to take a speedy course to secure the fine due from Clay, and to issue any misdemeano at New London or Saybrook as speedy as may be, and the Major may desire some other help if he sees it necessary.

This Court doth appoynt Mr. Wadsworth & Mr. Fitch to make an addition to the prison house, so as they judg meete for the conueniency of the Countrey, vpon the Countreys acco.

This Court upon due deliberation doth order, that all the estate of Mr. John Scott wth in this Colony be sequestred vntill the Court order otherwise; and ye Comrs in the seuarall Townes are hereby ordered to take an exact Inuoyes of all the sayd Scotts estate as remaynes in their respectiue Townes, and see it be secured and kept from imbezelment dureing the Courts pleasure.

This Court orders that Mr. Hagborns vessell that Ralph Parker and Sam: Chester prized at one hundred pounds, shall be delivered at that prize to Ln Bull, (for Mr. Russels vse,) by

* Doughty 1 Elias Doughty had been a Magistrate in Flushing, the year previous.
† These blanks occur in the copy of 1810.
the Constable of New London, to answer in part the verdict of the Court that Lnt Bull, as Mr. Russels attourney, recouered agnst Samuel Hagborn; and for the remaynder of the verdict, the Constable of New London is to secure the person of the sayd Hagborn untill he doth produce some currant reall estate to answer ye verdict, which estate when it is produced, it is to be apprized by Ens: Auery, Mr. Palmes, Shepherd Smith, Mr. Duglass, or any three of them, and the estate to be delivered to Lnt Bull as afoarsayd. The bills are to be returned agayne to Mr. Hagborn, that are in the Constables hand, and when the debt is answered the sayd Hagborn is to be releassed.

The Court is adjourned till the Gouerno^, or Dep: Gouernour see cause to call it agayne.

May 24th: 1664: The Councill order the Treasurer, in those Warrants that now he sends forth to Long Island for the Rate, should be payd in Wheat and Pease, or that which is equi-

[200] At a Generall Assembly held at Hartford, Octobr 13th, 1664.

John Winthrop Esqr, Gounr,
Major Mason, Dep^ Gou^r.
Mr. Mathew Allyn, Capt John Young,
Mr. Samwil Willys, Mr. John Howell,
Mr. Henry Woolcott, Mr. Samwil Shearman.
John Allyn, & Secret'y.

Deputies:
Mr. Wm. Wadsworth, Francis Griswold,
Mr. Jos: Fitch, Mr. Thomas Fairchild,
Cap^ Benj. Nubery, Mr. Isack Nichols,
Mr. John Moore, Mr. Rob: Chapman,
John Nott, Ens: Wm. Waller,
Samwil Boreman, Thomas Hunt,
Mr. Antho: Howkins, Lnt John Budd,
Sarg^ John Standley, Sarg^ Wm. Cornwell,
Mr. Cornel: Hull, Wm. Cheeny,
Mr. John Bankes, Ens: James Auery,
Mr. Math: Campfield, Mr. James Rogers,  
Ln^t Rich: Olmsteed, Mr. Wm. Chesbrough.

The Major propounding to the Court to take up his former grant of a farme, at a place by the Indians called Pomakuck, neer Norwich, The Court grants liberty to him to take up his former grant in that place, upon the same terms as it was granted to him by the Court. Ens: Thomas Tracy and Francis Griswold are appoynted to lay it out, according to the former grant.

Whereas, Mr. Wm. Thomson, of New London, is remoueing himselfe from thence to Virginia, and is indebted by Bills the sume of Twenty nine pounds, seven shillings and fourer pence, which Bill is in the hands of John Packer, This Court orders the Constable of New London to secure so much of the estate of Mr. Thomson in his hands, as it shall be apprized by indifferent men, and the sayd Constable is to keep it in his hands, till he hath order from this Court or the Court of Magistrates, to dispose of it to the right owner which is according to Mr. Thomsons tender to the Court of Magistrates, Octob'' IV^, 1664.

This Court orders, that if any officer or soldier shall neglect or refuse to attend the command of their chiefe comander in any parte of the time of their exercise, they shall forfeit for eueriy such defect two shillings, which the clark of the band is hereby authorized to distrine, which fine is to be improued for the use of the company, and in case they haue not where w^thall to pay there fine, the officers are hereby impowered to cause such other punishment to be inflicted upon them as the nature of there of- fence shall deserve.

The list of estates presented:

For Hartford, 19365 : 18 : 0  For Stratford, 10227 : 11 : 0  
For Windsor, 16763 : 00 : 0  For Fayrefeld, 11746 : 11 : 0  
For Wethersfeild, 11987 : 02 : 0  For Norwalke, 5230 : 17 : 0  
For Farmington, 07021 : 11 : 0  For New London, 8040 : 60 : 0  
For Norwidge, 03892 : 00 : 0  For Saybrook, 8397 : 12 : 0  
For Middleton, 03583 : 06 : 0  

Hoite, Steuen Sherwood, Nath: Burr, Rich: Lyon, Mr. Wake-
man, Thomas Bennit, Thomas Wilson, James Bears, John Odill,
Samll Morehouse, Thomas Morehouse, Mathew Sherwood,
Richard Hubbell, were accepted to be made free, and Mr. [201] Gould || and Mr. Sherman are appointed to administer
the oath of freedome to them in [ ] next, if nothing fall in
as a just exception in the interem.

For Norwvalke, Danll Kellog, Math: Maruen, Thomas Betts,
Mark Sension, John Bouten, Edward Nash, Thomas Lupton,
are accepted to be made free, and Mr. Campfield is to adminis-
ter the oath of freedome to them in May next, if nothing fall
in as a just exception against either of them in the interem.

This Court orders, that all dwelling houses and barnes, shall
for the future be exempted from the list of estates, and all other
houses except warehouses.

For Farmington, Wm. Corbett is propounded for a freeman.

This Court doth grant Mr. John Westall a lycense to keep an
ordinary or house of enteretainment, at Saybrook.

This Court appoyntes Ens: Waller to act as an administra-
tor wth John Clarke Senr in the ordering and disposall of the
estate of Joseph Clarke, according to his will.

This Court orders Samll Boreman, Mr. Chester & Samll
Wells to dispose of the estate of Math: Williams his wife, for the
payment of what debts are due from the estate, so far as it
will goe.

This Court orders that Colonell Nichols, and the rest of the
Comr's be presented wth five hundred bush: of Corn, as a pre-
sent from this Colony.

This Court abate John Prentice halfe his fine of five pownds,
& he is to pay ten shillings for his petition.

Mistick & Pawcatuck haueing by Mr. Cheesbrook petitioned
this Court for their fauoure to pass by their offences, the Court
haueing considered the same doe hereby declare that what irreg-
ularities or abusiue practices have proceeded from them, where-
by they haue seemed to offer contempt to the authority here
established, it shall be forgien and buryed in perpetuall obli-
ution and forgetfulness, and this to extend it self to all ye mem-
bers of the afoarsayd plantation, Captayn Denison onely except.
ed, whoe hath neglected or refused to submitt himselfe peaceably to the order of the Councill of this Colony.

This Court expects and orders that Mistick & Pawcatuck doe present a true list of their estates to the Treasurer, within the space of a moneth, and that they be rated according to their proportions, for this year and the last, with other Townes; they are to take a list of all the cattell that they had in August last, and those cattell that are left out of their list shall be forfeited, which is according to order of Court; and they are allso to pay twenty pounds, which is their proportion of the Patent rate.

This Court grants Sam'l Gibbs a lycense to sell nine or ten quarter caske of Wine, by the gallon, to his neighbours or those that will buy it; and he freely presents the Court with an anchor of the best of his wine, which the Court desires him to leaue with the Gouernour.

The Court appoynted Mr. Campfeild, Deacon More, Mr. Fayrechild, Mr. Hull and Lt. Olmsteed, as a Comittee to ripen the busines respecting the calfe in controversie between Mr. Lord and Dan'l Cone, whoe returne that they haueing veiwed the sayd beast and the evidences of both sides, doe judge it to be Mr. Lord's steare. The Court confirmes this ye determination that the stear doth belong to Mr. Lord.

The Maior testifyeth that Vncass did beat out Sunckquasson and his men out of theirie country in a just warre (as Mr. Haines and the Major conceiued,) and deliuered vp his right from Tomheganomset upwards to the English, whoe gaue the sayd Sunckquasson and his men leaxe to hunt to that Brooke; and there was a parcel of land at Wonggum reserued for the posterity of Sowheage.

The Court orders that Vncass his covenant about the Pequitts &c., and his right to the lands at and about New London, shall be duely considered by the Court, and issued (as allso Quinibage lands,) in some convenient time the next Court.

Major Mason testifyes that James, alias Allums, did (before Vncass and many other Indians) in his presence affirm that he had giuen all his land to old Mr. Winthrop. It was at the same time when they receiued a letter from Mr. Endicott, wherein he thankt him for land they had giuen him.
This Court doth hereby empower Mr. Wm. Cheesbrooke, Mr. Thomas Stanton and Mr. Thomas Minor, to issue and determine all cases that shall be brought before them, to the value of forty shillings, to grant summons according to lawe to any that desire it, to summon men to appeare before them or at any Court in this Colony, and to marry persons, and punish for crinnall matters to the value of forty shillings, or by stocks.

This Court doth nominate and appoynt Major Mason, Mr. Math: Allyn, Mr. Willys, Capt: Tallcott, Capt: Newbery, or any three of them, to be a Committee in the behalfe of this Colony to use their endeauours to issue and setle the bownds of the Colony between the Bay and vs, and Road Island and vs, and or Sowth bownds; and this Court doth order and determine that the sayd Committee shall not giue away any parte of the bownds of or Charter; and what or Committee shall doe in the premises, according to this order, is hereby rattifyed and confirmed. Mr. John Allyn is to attend this service in the absence of the Major or his Father.

Mr. James Richards was admitted a freeman of this Corporation, and accordingly the oath of freedome was administred to him.

Mr. Dan\textsuperscript{11} Clarke refusing to accept of the place of an Assis\textsuperscript{t}, Mr. James Richards was chosen an Assis\textsuperscript{t} for this Colony, till the election in May next, and had the oath administred to him.

Mr. Allyn Sen\textsuperscript{r}, Mr. Gold, Mr. Richards and Capt: Winthrop are desired to accompany the Gouernour to New Yorke, to congratulate his Majesties Honourable Com\textsuperscript{rs}. And if an opportunety offer itselfe that they can issue the bounds between the Dukes Patten & ors (so as in theire judgments may be to the satisfaction of the Court) they are impowred to attend the same. Mr. Howell and Capt: Young are desired to attend the same service.

The Court orders that Mr. Clarkes paper left in Court shall be giuen to him, or his name rasd out of it by the Secretary.

The Court grants a rate of two pence farthing upon the pound, for all the rateable estate of the Colony.

This Court leaues it w\textsuperscript{th} the Councill to appoint a fitting season for a day of Thanksgieueing.
The Court doe order that the Committee that doe goe to New Yorke shall consider Case his businesse

The Court, upon the complaint of Dan'l Garrad that Mr. John Scott made an escape from him, being in his debt for dyat and time tending on him, twelue weekes, and for other expences, This Court grants him ten pownds for it, out of John Scotts estate, if he can com at it, and Capt: Young is desired to help him to it.

This Court grants Mr. Pitkin, Twenty Nobles, out of Mr. Scotts fine, for his paines in prosecuteing the sayd Scott.

This Court grants Mr. Sam'l Sherman a farme of two hundred and fifty acres of land upon New Hauen Riuer, whereof fifty acres may be meadow, so it be out of the bounds of the Towne.

This Court grants Mr. Math: Allyn liberty to take up a lott at Homonoscitt, though he doth not goe to dwell on it, and enjoy it, him and his heirs foreuuer.

This Court orders that Lt: Bud continue in his place of Comr for Hasting and Rye, vntill the Court order otherwise, or the Goun^ and Gent^ that goo to New Yorke.

This Court orders the Treasurer by his Warrant to require the Constable of Sowthhold to gather a rate upon the inhabitance of the saide Towne, to the same value as he doth on the Towne of East Hampton.

[203] A letter was drawn up and sent to East Hampton, the contents whereof were as followeth:

Gent^: Respects being presented, these lines are to acquainte you that we are informed by persons of credit, that there is a mare of Sowth Hampton shott (by some of your inhabittance, as is supposed,) which (if it be true) we cannot but look at it as very vnneighbourly, and doe desire that such unneighbourly and unchristian motions be forborne for the future, and desire that due sattisfaction may be made for such damage as the owner of the mare receiues by her being shott, without any suits of law. We doe also desire that you would be pleased this winter season to provide and make a sufficient fence about your improoeable lands, that soe you may secure your labour from damage by cattell, (water-fences will not be judged sufficient, where it is passable for cattell without swimming, at low water,) and in the mean season, that you doe not exact damage, or trouble men by impounding there cattell, vntill you haue made a sufficient fenc about your feilds, not els. Desiring your
OF CONNECTICUT.

This Court desires and appoyntes Mr. Sherman and the Secretary to goe to New Haven, &c. and, by order from this Court, in his Majesties name, to require all the inhabitance of New Hauen, Milford, Branford & Guilford, Standford, to submit to the Gouerment here established by his Majesties gracious grant to this Colony, and to take there answer. And they are hereby authorized to declare all the present freemen of New Hauen, Milford, Brandford, Guilford & Standford, that are qualyfied according to lawe, to be freemen of this corporation, see many of them as shall accept of the same and take the freemans oath. And they are hereby authorized to make as many freemen as they shall by sufficient testimony finde qualyfied, according to order of Court, in that respect, and to administer the oath of freedom to them.

They are also to declare, that this Court doth inuest Wm. Leete Esq', Wm. Joanes Esq', Mr. Gilbert, Mr. Fenn, Mr. Crane, Mr. Treat, Mr. Lawes, wth Magistraticall power, to assist in the Gouerment of those plantations and the people thereof, according to the lawes of this corporation, or so many of theire owne lawes and orders as are not contradictory to the tenor of our Charter, vntill May next; and if any of these aboue named refuse to accept to gouern the people as afoarsayd, then Mr. Shearman and the Secretary are hereby authorized to appoynt some other fitt persons in there roome, and to administer an oath to them for the faythfull execution of the trust committted to them. And to declare that all other military and ciuill officers are established in their respective places, vntill the Court in May next.

And they are alse, by order from this Court, to declare that they will not call to acco't what hath formerly passed to an issue in their courts of judicature.

This Court desires Mr. Allyn and Mr. Richards to attend the searuice that Mr. Shearman and the Secretary were to attend at Standford.

(This Court vnderstanding by a writing presented to them
from seuerall persons of this Colony, that they are agrieved that they are not inteerteined in church fellowship; This Court hauing duely considered the same, desiring that the rules of Christ may be attended, doe commend it to the ministers and churches in this Colony to consider whither it be not their duty to enterteine all such persons, whoe are of an honest and godly conversaion, hauing a competency of knowledg in the principles of religion, and shall desire to joyne with them in church fellowship, by an explicit covenant, and that they haue their children baptized, and that all the children of the church be accepted and accorded real members of the church, and that the church exercise a due christian care and watch over them; and that when they are growne up, being examined by the officer [204] in the presence of the church, if it appeares, in the judgment of charity, they are duely qualifed to participate in that great ordinance of the Lords Supper, by theire being able to examine themselves and discerne the Lords body, such persons be admitted to full communion.

The Court desires yt the seuerall officers of ye respectiue churches, would be pleased to consider whither it be not the duty of the Court to order the churches to practice according to the premises, if they doe not practice without such an order.

If any dissent from the contents of this writing they are desired to help the Court with such light as is with them, the next Session of this Assembly.

The Court orders the Secretry to send a copy of this writing to the seuerall ministers and churches in this Colony.

The Court is adjourned till the Gouernour or Dep: Gouernour see cause to call it again.

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At a General Assembly held at Hartford, April 20th, 1665.

John Winthrop Esq', Gouernor.
Mr. Math: Allyn, Mr. Henry Woolcott,
Mr. Sam'l Willys, Lnt James Richards,
Mr. Rich: Treat, Lnt John Allyn, Sec'y.
Capt'n John Tallcott,
OP CONNECTICUT

Deputies:
Mr. William Wadsworth, Mr. Isack Nichols,
Mr. Joseph Fitch, Mr. John Clarke,
Capn Benj: Nubery, Mr. George Clarke,
Deacon John More, Sarj*: Wm. Cornwell,
Samuel Boreman, Wm. Cheeny,
John Nott, Tho: Cooke,
Mr. James Rogers, Mr. Robert Chapman,
Mr. Anthony Howkins, Mr. James Bishop,
Ens: James Auery, John Cooper,
Sarj: John Standley, Lnt: Sam* Swaine,
Mr. John Bankes, John Wilford,
Mr. Cornel: Hull, John Fowler.
Mr. Thomas Fayrechild,

S: Robert Carr, Colonel Georg Cartwright, Samuel Mauerick Esqr's, his Majesties Honourable Comrs propositions were presented to this Court and read, and are as followeth:

1. That all householders inhabiting this Colony take the oath of allegiance, and that the administration of justice be in his Majesties name.

To this we returne, that according to his Majesties pleasure exprest in or Charter, or Gouvernour formerly hath nominated and appoynted meet persons to administer the oath of allegiance, whoe haue, according to their order, administred the s^d oath to seuerall persons allready; and the administration of justice amongst us hath been, is and shall be in his Majesties name.

2d. Propos: That all men of competent estates and of ciuill conversaation, though of different judgments, may be admitted to be freemen, and haue liberty to chuse or to be chosen officers, both military and ciuill.

To the 2d, our order for admission of freemen is consonant with that proposition.

3. Propos: That all persons of ciuill liues may freely injoy the liberty of their consciences, and the worship of God in that way which they think best, provided that this liberty tend not to the disturbance of the publique, nor to the hindrance of the mayntenance of ministers regularly chosen in each respectiue parish or township.

To the 3d. propos: we say, we know not of any one that hath bin troubled by us for attending his conscience, provided he hath not distur^bed the publique.
4. Propos: That all lawes and expressions in lawes, derogatory to his Majestie, if any such haue bin made in these late troublesome times, may be repealed, altered and taken off the file.

To the 4th prop: we return, we know not of any lawe or expressions in any law that is derogatory to his Majesty amongst us; but if any such be found, we count it or duty to repeal, alter it, and take it off the file, and this we attended upon the receipt of our Charter.

[205] This Court, upon the humble petition of Jasper Gunn, haue granted five pound to be paid unto Mr. Crow next yeare, in leiw of parte of his fine.

This Court frees Isack More from training, he haueing formerly bin chief officer of the Traine Band of Farmington.

This Court doth repeal the former order, which constituted and impowred a Councill, made March the 11th, 1663.

This Court orders that Mr. Wm. Leete, Mr. Wm. Joanes, Mr. Benjamin Fenn, Mr. Math: Gilbert Mr. Jasper Crane, Mr. Alexander Bryant, Mr. Lawes, shall be read at the Election for nomination for Assistants. Mr. Rot: Treat allso is nominated for election; Mr. Welles, Mr. Newbery & Mr. Howkins were allso nominated, and Mr. Clarke.

This Court doth hereby declare that all former actings that haue past by the former power at New Hauen, so farr as they haue concerned this Colony (whilst they stood as a distinct Colony,) though they in their own nature haue seemed uncomfortable to us, yet they are hereby buryed in perpetuall obliuion, neuer to be called to account.

This Court doth approue of the inhabitants of Midleton's endeavours to enter into church fellowship, and doe desire that they would proceed therein according to the order of the gospell, and take the aduice of the neighbour elders and churches.

This Court doth appoynt Ensigne Auery, Ensigne Thomas Tracy, and John Gallop, Thomas Minor, or any three of them, to lay out a comuenient percell of land, for Robin and his company to plant vpon, at or near the head of Mistick Riuier, provided it be not in the bownds of any of the plantations, & to make returne hereof to ye Court in May next.

In referrence to ye motion of Coll: Richard Nichols to
John Winterpode (Governor)
John Mason (Dep. Governor)
(Matthew Alyn
Sam: Willy
Mathew Gold
Henry Wolof
John: Alyn
John Talcott
Sam:lell Sheaman
James Richards
William Leitz
Wm. Jones.
Benjamin [illegible]
Sampson [illegible]
Dan: Clark:
Gentlemen, for assistance, in case of forraigne inuassions, it being a matter of waigthy importance, it is left to the serious consideration of the Genll Assembly in May next.

In reference to what was moued about Capta Scotts fine, the Deputies declare that they feare his fine will not sattisfy the charge and damage which he put this Colony to, but when that is issued the case may be farther considered.

Respecting what was moued about a speedy conuayance of of Lett's, the Court will consider & aduice wth neighbour Colones, what will be best in that case.

The Court desires Mr. Willys and Mr. Richards to draw vp a writing in answer to what was moued about Duke Hambleton's Petition, and to present it to the next Court.

[Note. The General Court of New Haven Colony, at their session in December, 1664, had assented, conditionally, to the necessity of union, and voted that, "in loyalty to the King's Majesty, when an authentic copy of the determination of his Majesty's Commissioners is published, to be recorded with us, if thereby it shall appear to our Committee that we are, by his Majesty's authority, now put under Connecticut Patent, we shall submit, by a necessity brought upon us, by the means of Connecticut aforesaid; but with a salvo jure of our former rights and claims, as a people, who have not yet been heard in point of plea." A Committee was accordingly appointed to confer with Connecticut and to complete the union. In a letter to Connecticut, Jan. 5th, 1664-5, Mr. Bishop, (a member of the New Haven committee, and by their order) writes that "having seen the copy of his Majesty's Commissioners' determination (deciding the bounds betwixt his highness the Duke of York and Connecticut charter,) we do declare submission thereunto, according to the true intent of our vote, unto which we refer you." &c.

The union of the two colonies was now virtually complete. The Magistrates of New Haven, having been formally "invested with Magistralitical power to assist in the government of those plantations & the people thereof," by the General Court of Connecticut, and "all other military and civil officers established in their respective places," continued to exercise their former authority in New Haven Colony, until the General Election in May: at which time the union was finally consummated, and the following Magistrates chosen to office for the ensuing year:

John Winthrop Esq., Governor. John Mason Esq., Deputy Governor. Assistants; Mathew Allyn Esq., Samll Willys Esq., Mr. Nathan Gold, Capt. John Talcott (& Treasurer,) Mr. Henry Wolcott, Lt. John Allyn, Mr. Samuel Sherman, Lt. James Richards, Mr. William Leete, Mr. William Jones, Mr. Benjamin Fenn, Mr. Jasper Crane. Capt. Daniel Clarke, Secretary.

Of the Assistants, the four last named had been Magistrates in New Haven colony, the year preceding.

A list of such documents relating to the union, as have been preserved in the office of the Secretary of this State, with a partial abstract of their contents, is given in the Appendix, No-XII.]
WILLS AND INVENTORIES.

[From Colonial Records, Vol. I.*]

[52] The last Will and Testament of Richard Lyman, being in perfect memory, I give unto my wife all my howseing & lands during her life, and one third part of my lands to dispose at her death amongst my children as shee pleaseth, and I giue to her all my moueable goods, as Cattell and howshold stuffe, and all other impliments or mouables. And the other two parts of my land I giue to my elder sonne Richard, and to his heires forever, and if he dy without an heir, then I giue yt to my sonne Robert and to his heires for ever. For my sonne Richard my mynd is that the Cattell I haue formerly giuen him, that he shall enjoy. To my daughter Sarah, besides the Cattell I formerly haue giuen her, my will is that my wife shall pay her twenty pounds, to yeris after my death. To my sonne John Lyman I giue him thirty pounds, to be paid him by my wife, att two & twenty yeris of age, and the hoggs that I formerly haue giuen him, I giue vnto my wife, and if he contends with her and will not be content my wife should enjoy the hoggs, then yt is my will that shee should not pay him the thirty pounds. To my sonne Robert I giue twenty fower pounds, to be paid him at twenty two yeris of age; and to my daughter Fillis, the wife of Willia Hills, I giue tenne shillings; and I make my wife sole Executrixe to this my will.

Dated the 22th of Aprill, 1640.

* Such wills and inventories as were recorded prior to the close of the year 1644, were entered in various parts of the first Volume, wherever a convenient blank page offered itself to the Secretary, and without any regard to chronological sequence. These are here brought together, and transposed so as to follow somewhat more nearly the order in which they were originally recorded. Such as are recorded by themselves, on pages [228] to [271] of the first Volume, are printed without transposition. The record, as far as page [250], inclusive, is in the hand writing of Secretary Welles; the remainder, in that of John Cullick.
The two p'ts of my land and howse I give to Richard Lyman my sonne: the reson of writeing this is because the word howse was not formerly expresed.

Read, sealed and del'd
in the presents of vs
Tho: Bull, John Moodie,
Andrewe Bacon.

**JULY 24th.**

The wydowe Lymans mynd is that her sonne Richard Lyman should p'forme her husbands will, and that her sonne Robert should luye w'th him till he be twenty two yeres of age, and then she giues Robert Lyman the third p'te of the howsen & grownds, & for pformance of her husbands will, she giues Richard all her moueable goods both w'thout the howse and w'thin, only her weareing Cloathes and some of her lining shee will dispose of.

John Moody,
Andrewe Bacon.

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**[53] A Inventory of the goods of Richard Lyman deceased, made the vii of Septéber, 1641.**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>A Cow &amp; a Cow calfe</td>
<td>. . . .</td>
<td>8. 10. 00</td>
</tr>
<tr>
<td>2.</td>
<td>a heifer of a yere &amp; halfe old</td>
<td>. . . .</td>
<td>4. 00. 00</td>
</tr>
<tr>
<td>3.</td>
<td>a bull, 4l. 10s. ; It: a goate &amp; 2 kids, 1l. 13s.</td>
<td>[6]. 03. 00</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>8 hoggs and halfe a sowe, &amp; the pewtre</td>
<td>. . . .</td>
<td>10 00. 00</td>
</tr>
<tr>
<td>5.</td>
<td>one acre of mislin,*</td>
<td>. . . .</td>
<td>3. 10. 00</td>
</tr>
<tr>
<td>6.</td>
<td>an acre of sumer wheat, 2l. 10s. ; an acre of oats, 2l.</td>
<td>[4]. 10. 00</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>3 roods of pease and barly</td>
<td>. . . .</td>
<td>1. 10. 00</td>
</tr>
<tr>
<td>8.</td>
<td>5 acres of Indean Corne</td>
<td>. . . .</td>
<td>8. 15. 00</td>
</tr>
<tr>
<td>9.</td>
<td>for squared tymber, planke &amp; board</td>
<td>. . . .</td>
<td>1. 05. 00</td>
</tr>
<tr>
<td>10.</td>
<td>a Cart &amp; plow &amp; tacklin belonging to them</td>
<td>. . . .</td>
<td>1. 08. 6</td>
</tr>
<tr>
<td>11.</td>
<td>a Tabell, forms &amp; chaires, 8s. ; It: a Cubberd, 15s.</td>
<td>[1]. 03. 00</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>4 chests, a trunke ; a old one</td>
<td>. . . .</td>
<td>0. 18. 6</td>
</tr>
<tr>
<td>13.</td>
<td>2 beare vessells, 5s. ; It: 4 old firkins, 3s.</td>
<td>[0]. 8. 00</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>1 payle &amp; a wooden platter, 2s. ; an old byble, 2s. 6d.</td>
<td>[0]. 4. 6</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>3 kettells, 2 skillits, an old brasse pot</td>
<td>. . . .</td>
<td>2. 4. 00</td>
</tr>
<tr>
<td>16.</td>
<td>2 brass pans &amp; a bakeing pan</td>
<td>. . . .</td>
<td>0. 12. 00</td>
</tr>
<tr>
<td>17.</td>
<td>a pestell, a mortar and old kettell</td>
<td>. . . .</td>
<td>0. 6. 6</td>
</tr>
<tr>
<td>18.</td>
<td>4 platters, 2 cansticks, &amp; dranking pott, w'th some other smale peeces of pewter</td>
<td>. . . .</td>
<td>1. 2. 00</td>
</tr>
<tr>
<td>19.</td>
<td>a warmeing pann, a chaffin dishe and pewter bottell</td>
<td>. . . .</td>
<td>0. 9. 00</td>
</tr>
<tr>
<td>20.</td>
<td>2 frying pans, 6s. ; It: 3 Iron pots, 1l. 4s.</td>
<td>[1]. 10. 00</td>
<td></td>
</tr>
</tbody>
</table>

---

*Mislin or Meslin; a mixture of wheat and rye. Webster.
It: a Cob - iron, a gridiron, a trammell, a fire pan &
doggs & some other old iron, 0. 11. 00
It: 2 fier locke peeces, a sowrd & belt, 2. 3. 00
[54] It: a sacke & wool, 0. 8. 00
It: 2 beds and bowlsters & pillowes, 6. 00. 00
It: 3 Couerlids, 4 blankets, 3 straw bedds, 4. 8. 00
It: 8 Curtens, 1l.; 3 bedsteads, 6s.; Tewed* skins, 8s., [1. 14. 00
It: 2 Wheelees, 5s.; It: 9 p’e of sheets & one odde one,
3l. 8s. 8d., 3. 13. 8
It: 4 table cloathes and a dossen and halfe of napkins, 1. 9. 00
It: 7 pilloberes and’ 2 other smale peeces of linnen, 0. 13. 6
It: a Coate, a Jergen, 2 dubletts, and a p’re of breeches,
1. 10. 00
It: 2 sythes w’ their tacklin, 6s.; It: 2 p’ers of breeches,
0. 12. 00
It: a Churne & meat in yt, 10s.; It: 4 howes, 6s., 0. 16. 00
It: 2 wedges, 2 betel rings, 2 sawes, 0. 16. 00
It: a broad axe, 2 narrow axes, wimbell & chessells,
0. 11. 00
It: a powdring trofe, . . . . 0. 01. 6

Some is 83l. 16. 2d.

John Moodie,
Andrew Bacon,
John Barnard.

[70] October the 27, 1639.

A Inuention of the goods and Cattle of JOHN BRUNDISH of Wethersfield.†

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp* his weareing apparrell,</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. his two beds compleat,</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. two p’e of sheets w’ two pillowberes,</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. in brasse and pewter,</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. one chest, a boxe, a small cubbert &amp; a table,</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It: cushens, stoole &amp; caires,</td>
<td>10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. Tramels, tonges, fier pan, bellowes, cobirons, rostiron, spitt</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and frying pan,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in working tooles,</td>
<td>4</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>It€ twelve bushells of Rye,</td>
<td>4</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>It. about fourscore and ten bush of Indean corne,</td>
<td>18</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. one horse and a mare,</td>
<td>48</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. one cow, 2 heifers, 2 calues,</td>
<td>55</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. in hay,</td>
<td>7</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>It. in debts due vnto him,</td>
<td>15</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. books,</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>174.6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Debts due to be payd out 62l. 10.

her howse and land valued at 130l.

* Tewed or tawed; i.e. dressed white. † See pp. 40 and 45, ante.
She hath 5 children, the 2 eldest girls, the next a boy, the other 2 girles.

Andrew Ward,
Richard Gyldersly.

A noate brought in Court since the Inventory, as followeth:
Rachell Brundishe hath 14 acres of meadow, her howse lott 3 acres, and w' vpland belongs thereunto in every diuysion, saueing w' her husband and shee hath sold, vizt. her shaire beyond the Riuier and 6 acres in Penny wise.

Debts appereing since the Inventory was made, 4l.
Debts paid, 41l. 16. 4d.
Remayneing of the stocke of Cattle, 2 Cowes, on mare.

---

[68] A true Inventory of all the goods, corne and cattell that were in the hands of ABRAHAM FYNCH, when he deceased, taken the 3 of Sep. 1640.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp&quot; his apparrell,</td>
<td></td>
<td>2. 6. 0</td>
</tr>
<tr>
<td>It. one Cow,</td>
<td></td>
<td>20. 0. 0</td>
</tr>
<tr>
<td>It. one Heifer,</td>
<td></td>
<td>10. 0. 0</td>
</tr>
<tr>
<td>It. four swyne shoots,</td>
<td></td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>It. one cutting saw, one axe,</td>
<td></td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>It. 3 p're of sheets, 2 p're of pilloberes,</td>
<td></td>
<td>1. 10. 0</td>
</tr>
<tr>
<td>It. 5 napkins,</td>
<td></td>
<td>0. 3. 0</td>
</tr>
<tr>
<td>It. 2 kettles and 1 potte,</td>
<td></td>
<td>1. 8. 0</td>
</tr>
<tr>
<td>It. his howse lott, w' all deuisions thereunto }</td>
<td></td>
<td>100. 0. 0</td>
</tr>
<tr>
<td>belonging,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The prisers, Sam: Smith,
The same, 137. 17. 0

Nathaniell Foote.

A noate of the debts that Abraham Fynch owed at his decease.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Mr. Michell,</td>
<td>3</td>
<td>1. 0</td>
</tr>
<tr>
<td>To Goodman Boosie,</td>
<td></td>
<td>1. 12. 0</td>
</tr>
<tr>
<td>To Goodmā Sticklin,</td>
<td></td>
<td>1. 9. 0</td>
</tr>
<tr>
<td>For Towne Rates,</td>
<td></td>
<td>4. 15. 6</td>
</tr>
<tr>
<td>To Geo: Lawes,</td>
<td></td>
<td>1. 10. 0</td>
</tr>
<tr>
<td>Wydow Kilborne,</td>
<td></td>
<td>0. 5. 0</td>
</tr>
<tr>
<td>Goo: Smith,</td>
<td></td>
<td>0. 3. 0</td>
</tr>
<tr>
<td>Leasly Bradfield,</td>
<td></td>
<td>0. 9. 0</td>
</tr>
<tr>
<td>To Mr. S</td>
<td></td>
<td>0. 11. 0</td>
</tr>
<tr>
<td>To goodmā Daggett,</td>
<td></td>
<td>1. 3. 0</td>
</tr>
</tbody>
</table>

14. 18. 6
It [is] Ordered, that the Relike of Abraham Finch deceased shall administer & possesse the Estate lefte in Goods, and also hold the land & howseing untill the Child com to the age of one and twenty yeres, and then the Child of the said Abraham to haue two p'ts, & the said Relick duering her naturall life the third; the said Relick is to mayntayne the Child, or to comitte him to his Grandfather Abraham Fynch, who tenders to educate yt as his owne Coste.

Decéber the 3\textsuperscript{d}, 1640.

[64] The last will and Testament of James Olmstead, late of Hartford, deceased.

This is my wyll, to giue my Estate betweene my two sons, that is to say, the on halfe to my sonn Nicholas, and the other halfe to my sonne Nehemia, equally deuyded betweene the both, w\textsuperscript{th} this reseruation, that if my brother Luïlus doe make his word good to make my sonne Nicholis wifes portion as good as any child he hath, for so I understand his p\textsuperscript{r}mise is, but if he shall refuse so to doe, I shall then refuse to giue my sonn any p\textsuperscript{r}te of my moueable goods, cattell or debts, but my will is to leaue the thing w\textsuperscript{th} Richard Webb and William Wodsworth to see my Brother Luïlus doe p\textsuperscript{r}forme his p\textsuperscript{r}mise, and as the said Richard Webb and Will’ Wodsworth shall doe I shall be content. And if my Brother Luïlis doe p\textsuperscript{r}forme his p\textsuperscript{r}mise, then my will is their portions shall be a like, only Nicholis shall abate so much as I gaue him before. And my will is that my sonne Nehemia shall giue out of his portion ten pownd to my Cossen Rebeca Olmstead that now dwelleth w\textsuperscript{th} me, and he shall pay yt her w\textsuperscript{th}in three yeares after my dicease, and I leaue her to be disposed by Richard Webb and Will’ Wadsworth, and as shee shall carry herselvse, yt shall be in their power ether to giue her the tenn pownd or to deteyne yt frô her. I doe giue my searuant Will’ Corby ffive pownd, to be paid when his tyme comes forth, and I doe will my sonne Nehemya to pay him out of his owne portion: And I doe will that Will’ Corby doe searue his tyme w\textsuperscript{th} my sonne Nehemia. And I leaue my sonne Nehemia w\textsuperscript{th} Richard Webb and Will’ Wodsworth, intreating the to haue the ouer sight of him, and the disposeing of him as their owne child. But if my sonne Nehemia shall goe contrary in bestowing himselfe any way contrary to the judgement of
my two frinds, Rich: Webb and Will’ Wodsworth, then yt shall be in their power to comand and take a hundred pownd of his Estate, and dispose of yt as they thinke fitt. I giue to my two frynds Richard Webb and Will’ Wodsworth, wch I put in trust, six pownds and a marke to be paid equally betwixt thé, and my two sonns shall pay thé, the one pay the one halfe and the other pay the other halfe.

Witnesse, the 28th of September, 1640, Ja: Olmstead.

Richard Webb,

Will’ Wodsworth.

[65] Wee whose names are hereunder written, the frynds in-trusted by the deceased wthin named, haueing litell acquayntance wth things of this nature, and being by him suddenly caled hereunto, in a sore stresse and pang of his sicknes, wherein he expected a present deptinge, he being senceble of his owne weakenes, hasted to an issue of this busines, did seuerall tymes desire vs to advise him what he should doe, and many times did wishe us to doe what we thought meet o’selues.

Now we haueing since his disease, togather wth his two sonns, Nicholas & Nehemiah, to whó he hath bequethed his estate, taken into more serious consideration what is done, and obsearueing some things to be ouerpast, of wch we are p’swaded that if ether they had com to his owne mynd, or otherwise had then bine suggested by vs, he would redily and cherefully haue attended thereunto: Wee therefore, togather wth the reddy & free consent of his sonns abouesaid, (well knowing, out of long and good experience, the disposition and constant practice of their father,) hath mutually agreed, as desierus to fulfil that wch we conceaue to be his mynd, to ad to those bequethed wch are spesified wthin, these legases following:

That is to say, to his Kynsmen Richard Olmstead fiue pownd, and to his Kynsman John Olmstead fiue pownd, to be paid vnto them wthin three yeres after his disease. And vnto the Church of Christ in Hartford, Twenty pownds, to be paid at the same tyme of three yeres after the decease of there said father. In witnesse whereof we haue sett to our hands.

Will’ Wadsworth.  Nicholas Olmstead,

Nehemiah Olmsted.
An Inventory of the goods and Cattell of James Olmestead of Hartford, deceased in the yere of our Lord, 1640.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp&quot; one horse</td>
<td>20. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one mare</td>
<td>15. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one mare colt</td>
<td>10. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one yoke of steeres</td>
<td>30. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one single steere</td>
<td>13. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. four coves</td>
<td>47. 13. 4</td>
<td></td>
</tr>
<tr>
<td>It. three calves</td>
<td>10. 10. 0</td>
<td></td>
</tr>
<tr>
<td>It. thirteene hoggges</td>
<td>18. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. eightscore bush of Indeane corne</td>
<td>24. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. 30 bush of sumer wheat</td>
<td>7. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. 12 bush of pease</td>
<td>2. 10. 0</td>
<td></td>
</tr>
<tr>
<td>It. 15 load of hay</td>
<td>10. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. 8 bush of molt</td>
<td>2. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one young heifer and on young steere</td>
<td>13. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one young steer at Paq'nuck</td>
<td>8. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. one cow hide</td>
<td>0. 10. 0</td>
<td></td>
</tr>
<tr>
<td>It. one chese p'sse, old hogsheads &amp; a pype</td>
<td>1. 3. 0</td>
<td></td>
</tr>
<tr>
<td>It. 2 beare hogsheads, two beare barrells, 2 powdring tubbs, 4 brueing vessells, 1 cowle, 2 firkins</td>
<td>2. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. wymbles, chysells, hammers, pynsers</td>
<td>0. 13. 0</td>
<td></td>
</tr>
<tr>
<td>It. collers &amp; harnes, saddell and pannell,† halters &amp; brydele</td>
<td>1. 7. 0</td>
<td></td>
</tr>
<tr>
<td>It. fiue pyke forks, one rope, on fanne</td>
<td>0. 8. 0</td>
<td></td>
</tr>
<tr>
<td>It. 3 axes, 2 wedges, 2 ryngs for a beetell</td>
<td>0. 13. 0</td>
<td></td>
</tr>
<tr>
<td>It. 4 brasse, 3 skillletes, one skimer, on ladle, on candle-stick, on morter, all of brasse, 1 brasse pott</td>
<td>5. 0. 0</td>
<td></td>
</tr>
<tr>
<td>It. 7 small peuter dishes, 1 peuter bason, 2 chaüer pots, 6 poringers, 2 peuter candlesticks, 1 frudishe, 2 little sasers, 1 smale plate</td>
<td>1. 12. 6</td>
<td></td>
</tr>
<tr>
<td>It. 7 bigger peuter dishes, one salt, 2 peuter cupps, one peuter dram, 1 peuter bottle, 1 warmeing pan, 13 peuter spoones</td>
<td>2. 3. 0</td>
<td></td>
</tr>
<tr>
<td>It. 2 Iron potts &amp; a pott posnet, 1 dripping pan, 1 fry-ing pan, 1 gridiron, one squar, 2 spitts</td>
<td>2. 2. 0</td>
<td></td>
</tr>
<tr>
<td>It. 2 Irons, 2 tramells, 1 perre of tongs, 2 perre of po-hooks, 2 perre of cobirons, 1 fier pan, 1 cole dishe and a perre of bellowes, one peale</td>
<td>1. 13. 0</td>
<td></td>
</tr>
<tr>
<td>It. one stupan, 3 bowles &amp; a tunnell, 7 dishes, 10 spoones, one woodden cuppe, 1 woodden platter, wth 3 old latten‡ pans, &amp; 2 doz. and halfe of trenchers and two wyer candlesticks</td>
<td>0. 11. 1</td>
<td></td>
</tr>
</tbody>
</table>

* Corset. † A kind of rustic saddle. Webster. ‡ Sheet iron covered with tin. Webster.
WILLS AND INVENTORIES.

It. 2 Jacks, 2 bottells, two drinkeing horns, 1 little pott, 0. 10. 0
It. 3 bibles & 3 other bookes, .... 2. 5. 0
It. one payle, one pecke, one halfe bushell, .... 0. 3. 8
It. one smoothing iron, two brushes, .... 0. 2. 8

[67] It. 3 musketts, one fowlinge pece, 3 perre of bandaleres, one sword, one rapier, 1 dagger, 2 rests, 2 pistolls, wth powder, shott & match,

It. one Table, one Chire, sixe cushions and one little forme, 1. 7. 0
It. fiue sacks, .... 0. 10. 0
It. two fether beds, two flockebedds, .... 6. 10. 0
It. 3 ruggs, one Courierled, 6 blanketts, one p' e of curtens & curten rods, & a course bedcase,

It. 2 fether pillowes, 1 flocke pillow, 1 bedstead, 0. 19. 0
It. 3 p'e of fyne sheets & 5 p' e of course sheets, 3. 10. 0
It. 3 course pillowebers, & 2 fine ons, 1 doz. of napkins, 1. 3. 0
It. two shorte Table Cloathes & two course ons, 2 towells, 0. 11. 0
It. diuers smale things in a trunke, 3. 0. 0
It. 20 little smale pecces of childing lyning, 0. 10. 0
It. 15 quire of paper, 0. 6. 3
It. 27 yards of course Canuas, 1. 0. 10
It. 19 yards of Lockru,* 1. 4. 0
It. 5 yards of woollen cloath, 1. 5. 0
It. 2 trunks, one chest and 2 smale boxes, 1. 6. 0
It. 12 Caps, 8 bands, 1. 2. 0
It. 3 shirrets, .... 0. 15. 0
It. one little pece of course Lockru, 0. 4. 6
It. 3 suits of apparrell, wth hatts, stocking & shues, 13. 5. 0
It. 2 acres of Englishe corne of the ground, 4. 0. 0
It. 13 acres of ground broke vp, 12. 0. 0
It. in mony and debts, 55. 0. 0
It. one case of bottells, .... 00. 15. 0

The whole some, £397. 19. 2

John Steel,
Edw: Stebbing.

[60] March the 11th, 1640.

A Copy of the will & Testament of Willia Spenser, late of Hartford deceased, presented in Court vppon Oath, by John Taylcott & John Pratt of the said Towne.

A noate of the mynd and Will of Willia Spenser for present the 4th of May, 1640.

Imprs his Will is that the Estate that he hath in New Ingland, and also that wth may com to his wife hereafter, that is any

* Lockram,—"a sort of coarse linen." Webster.

39*
p^te of his wifes portion yf any doe com, that all the Estate be dyuyded as soloweth:
I giue to my wife one third p^te of all my Estate:
I giue to my sonne Samuell one third p^te:
I giue to my two daughters Sarah and Elizabeth one third partte:
The children to be brought vppe w^h the improvemen of the whole estate that I leaue both to my wife and children; The portion w^h I leaue to my sonne to be paid him when he is of the age of twenty yeres; Also the portion of my daughter Sarah and my daughter Elizabeth to be paid to them at the age of * yeres of age. Also yt is my mynd that if ether of my children doe dy before the tyme their portions be due to them, that the portion of the p^ty desesed be equally devyded to the p^tyes or p^ty that shall suruife the other.
Also my mynd is, my Cosen Mathew Allen, my brother John Pratt and John Taylcoat, that these three partyes, or any two of them, shall haue the Oversight of my Estate, and in case that they shall see in their judgement the Estate to be wasted, that they shall haue power to take the children and their portions for their bringing vppe, and to pay the Children their porti^s that remayne at the seuerall tymes aboue written.
Also my mynd is, that my wife shall haue no power to alienatt or make sale of my howse or any p^te of my land I leaue, w^hout the consent of two of the p^tyes that are to ouer-see my Estate.

* The Inventory of the Estate of the said Will' Spenser.  

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp^a in weareing Cloathes,</td>
<td>.</td>
<td>.</td>
<td>5. 8. 0</td>
</tr>
<tr>
<td>in the Hall, the planks &amp; two chayres,</td>
<td>.</td>
<td>.</td>
<td>0. 11. 0</td>
</tr>
<tr>
<td>in the Closett, on trundell bedd and blanket,</td>
<td>.</td>
<td>.</td>
<td>0. 15. 0</td>
</tr>
<tr>
<td>one sadell and brydle, and waiget &amp; skalls,</td>
<td>.</td>
<td>.</td>
<td>0. 15. 2</td>
</tr>
<tr>
<td>in sythes, axes, wimbles, horses harnis &amp; other working tooles,</td>
<td>.</td>
<td>.</td>
<td>3. 0. 0</td>
</tr>
<tr>
<td>in the Parlor chamber, one chest, two plancks,</td>
<td>.</td>
<td>.</td>
<td>0. 9. 0</td>
</tr>
<tr>
<td>one fetherbed, boulster, two pillowes,</td>
<td>.</td>
<td>.</td>
<td>3. 0. 0</td>
</tr>
<tr>
<td>In sheets and tabell lynen,</td>
<td>.</td>
<td>.</td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>in the Sisler, in seuerall peeses of peuter,</td>
<td>.</td>
<td>.</td>
<td>1. 10. 0</td>
</tr>
</tbody>
</table>

* Blank.  
† Blank.
in brasse kettells and iron potts & other implements, 4. 15. 0
and on hoghead and barrel, 1. 5. 0
In the lodging room, one bedstead & curteens, 0. 15. 0
two chests, 1. 5. 0
One muskette, bandalers, two sward, 1. 4. 0
One fouling peece, 28. 0. 0
One Cowe and on Cow calf, 13. 0. 0
In swayne of severall sorts, 44/. 0
Seuerall debts lette vncroste in his booke, owing in the Bay, the
wth the most of the are denied, and those that are confessed are very
doubtful whether much of yt will be paid, being in the hands of some
of his kindred that are pore, in all to the value of 74 acres, as may appear by the records to
that purpose, whereof, besides the right wth he had in any other
lands to be deuyd.
Also, eleven acres of meadow and swamp, lying in the north
meadow.
Also, one p’cell lying on the East side of the great Riuere, con-
teyneing tenne acres.
Also, there is land yet remayneing at Concord in the Bay, wth while he liued he esteemed at 120/.
Out of this estate there is left to be paid, 50/.
Also, a debt wth is of an old recknoing, the wth we have no clere
account of, but yet himselfe doubted that it would be 10.
The goods and estate estimated by these p’tyes here exprest.

John Tallcott,
John Pratt.

*These last four lines were added subsequently, in the hand writing of Secretary John Allyn.
a pare of sheets, and to my eldest sonne Edward I giue vnto
him twelue pence of mony; furthermore I make my sonne in
law, John Flecher, my whole and sole Executor, to pay and
dischardge all those debts and legaces wch I am bownd to
pforme, and for to see my body to be brought to the ground
in a decent manner; In witnesse whereof I haue sett my hand
the day and yeare aboue written.

Memorandm. That I Joyce Ward haue lefte my sonne Rob-
erts portion, wch his father gaue him, wch is twenty pownd, in
England, in the hands of my sonne Edward Ward; I haue made
Mr. Wollersloue, of Clipsum, in England, in the County of Rut-
land, my Atturmy for to receaue yt for my vse; if he haue gott
yt then my sonne Robert shall haue the whole twenty pownd,
but if yt be not gotten, then the sixe pownd wch I paid for the
puting out of the said Robert Ward to an Aprentice shall be
p'te of that twenty pownd.

Joyce Ward, her marke.

This was done in the pr'sence of vs,
    Nathaniell Dickenson,
    Roger Prichat.

An Inventory of all and singuler the goods, chatells, Cattell, belonging
to Joice Ward, wydow, late of Wethersfield, made, taken and found,
the 24th of February, 1640, by George Hubberd and Leonard
Chester.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp®. 7 yards of Hemppen cloath at 2s. p' yard,</td>
<td>0.14.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It. one p're of flaxen sheets,</td>
<td>1.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It. four p're of hemppen sheets,</td>
<td>2.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It. her apparrrell vizt. 2 gownes, one hatt, one p' of bodyes</td>
<td>5.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>wth other,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It. one bedd, two boulsters, two pillowes, two Couerings, two Curtens</td>
<td>10.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It. one boxe wth a little hand Trunke,</td>
<td>0.3.6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One brasce pott,</td>
<td>0.16.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One brasce panne,</td>
<td>1.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Iron pott,</td>
<td>0.2.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One Chamber pott,</td>
<td>0.2.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One brassse Coal dishe,</td>
<td>0.2.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[63] One sowe, wth three piggs,</td>
<td>1.0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two table cloathes, wth 4 napkins,</td>
<td>0.16.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One bond or specialty,</td>
<td>30.0.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Som: tot: 52.15.6

p' Leonard Chester,
George Hubberd.
The Inuentory of Tho: Johnson, as the particular were sold by Andrew Bacon & John Barnard, appoynted by the Court to make sale of them.

<table>
<thead>
<tr>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 p' of stockings, a shirt &amp; band and hose yarne</td>
<td>0. 12. 0</td>
<td></td>
</tr>
<tr>
<td>a p' of high shues</td>
<td>0. 5. 0</td>
<td></td>
</tr>
<tr>
<td>a piece of leather</td>
<td>0. 2. 6</td>
<td></td>
</tr>
<tr>
<td>5 bands, a shirt, a redde wascoat, a perre of start ups†</td>
<td>0. 12. 0</td>
<td></td>
</tr>
<tr>
<td>a shute of apparrell, a pestell</td>
<td>0. 18. 0</td>
<td></td>
</tr>
<tr>
<td>a hatte</td>
<td>0. 6. 0</td>
<td></td>
</tr>
<tr>
<td>3 pieces of leather, halfe a pound of pepp', a seefe bottom</td>
<td>0. 12. 1</td>
<td></td>
</tr>
<tr>
<td>a synth</td>
<td>0. 2. 0</td>
<td></td>
</tr>
<tr>
<td>a shuet &amp; two bands</td>
<td>1. 13. 0</td>
<td></td>
</tr>
<tr>
<td>2 perre of breeches</td>
<td>0. 3. 0</td>
<td></td>
</tr>
</tbody>
</table>

Abated the Partyes for a mistake in their accoumpte, To be allowed the for their paynes in keepeing & selleing the particulars, The debte he owed vpon the distresse & for Recording the Inuentory, Goodm™ Hill owed him 10L.

---

The 6th of Noevember, 1643.

The last Will and Testament of Tho: Scott, of Hartford, deceased, as yt was spoken by him to Edward Stebbing and Tymothoy Standly who were sent for by him for that end, to whó he expressed his will as followeth:—

I doe give to my wife and sonne Thomas, the one halfe of my howse and halfe of my barne and halfe of my howse lott: I doe also give vnto them my two lotts in the North meadow, and my lott in the little meadow, as also the swamps at both ends: I doe in like manner give vnto them all my corne in my howse and barns, both here at Hartford and at Tunxis Cepus, as also two Cowes and my two elder steers and five hoggis, wth halfe my howshold stuffe: I doe also give them my Carts and ploughs and

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* See pages 49, 55, ante.  
† A kind of high shoe.
the tacklin belonging to the. And my mynd is that if my sonne Tho: depart this life before my wife, at his death that the one halfe of the meadow, cattle and howshold stuffe before giuen to him and my wife, shalbe equally diuided betwixt my other children then liuing; and my mynd is that my wife shall have power at her death to dispose of and giue away the other halfe of that wch is giuen to her and my sonne as shee seeth fitt, except my howseing and land, wch my mind is shall then com to the rest of my children, at the death of the longest liuer of my wife or my sonne Thomas. I doe also make my wife execu-trixe to receive and pay my debts; and my mynd is that my youngest daughter doe remayne wth my wife so long as shee seeth meete, wth the advice of those that ouersee my will. My mind also is, that all my daughters be disposed of, both in sear-vice and marriedge, by my wife and ouerseers, and that my daughters shall receaue their portions, ether at the day of their marriedge or at twenty yeares of age, wch shall first happen, my mynd being that all the remaynder of my estate wch is not by this my will giuen to my wife and sonne Thomas, (after my debts are dischargd,) shall be equally diuided among them.

The suime and substance of this was expressd by Tho: Scott aforesaid in the presence of vs.

But before he had named the ouerseers of his will, the Lo: pleased to put an end to his life and pruented him in that and what els he would haue said, and therefore the Relict of the said Thomas wth the appracon of the Court hath desiered John Talcott, Wm: Westwood, Ed: Stebbing and Andrew Warner to assist in seeing the Will of the dead prformed. And these Ouersers, vnderstanding frō these that are the witnesses of his will, that he often expressed that his mynd was his wife and sonne Thomas should be comfortably pruided for, and finding that no prussion is made for fueell or fireing, doe thinke fitt and very agreable to the mynd of the deceased, though pruented by death frō expresseing himselfe in that particular, wch yet they leaue to the consideration and confirmation of the Court, That the Widdow & Thomas should haue liberty to cutt & fetch fire-wood for their owne vse out of that field commonly cauled the Aduenturers field, vntill the other children, or some for
them, do diuert yt to such impruement as will receaue prjudice if this liberty should be continued; and that they should haue liberty to cutt & fetch any such fuell for their owne vse out of that peece of ground cauled the Ox pasture, dureing ech of their naturall lues. They also thinke fitt and agreeable to the mynd of the deceased, that the boy searuant shall continue w^h the Relict of the said Thomas, dureing his tyme. All w^h they leaue to the consideration and confirmation of the Court, if they approue thereof.

[72] A Inventory of the goods of Tho: Scott deceased, taken January the 6th, 1643, deliuered to the Wydow Scott for her vse.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>One fetherbed &amp; fether boulster,</td>
<td></td>
<td>3. 5. 0</td>
</tr>
<tr>
<td>one greene Rug &amp; Couerled</td>
<td></td>
<td>3. 0. 0</td>
</tr>
<tr>
<td>one blanket and strawe bed,</td>
<td></td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>one p’re of sheets &amp; pillowe, 15s.; one bedsteed &amp; curtens, 2l. 10s.</td>
<td>[3. 5. 0]</td>
<td></td>
</tr>
<tr>
<td>4 p’re of sheets, 2l. 5s.; 2 table cloaths, 12s. 6d.</td>
<td>[2. 17. 6]</td>
<td></td>
</tr>
<tr>
<td>3 dyeper napkins, 6s.; 5 flaxen napkins, 5s.</td>
<td>[0. 11. 0]</td>
<td></td>
</tr>
<tr>
<td>2 fyne pillowbeers, 12s.; in wearing cloaths that were her husbands,</td>
<td></td>
<td>[6. 4. 0]</td>
</tr>
<tr>
<td>40 pownd of cotten wooll, 1l. 6s. 8d.; 3 sawes, 1l.</td>
<td>[2. 6. 8]</td>
<td></td>
</tr>
<tr>
<td>several peeces of old Iron,</td>
<td></td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>1 flockbed, 2 boulsters, 2 blanketts,</td>
<td></td>
<td>2. 10. 0</td>
</tr>
<tr>
<td>1 couerled &amp; blanket, 1 pillowe,</td>
<td></td>
<td>1. 6. 0</td>
</tr>
<tr>
<td>in seu’all peeces of pewter, and one brasse candlesticke,</td>
<td>1. 17. 5</td>
<td></td>
</tr>
<tr>
<td>in brasse kettells &amp; iron potts: 1 iron dripping pan,</td>
<td></td>
<td>2. 7. 6</td>
</tr>
<tr>
<td>1 p’re of pothooks &amp; a glasse bottell,</td>
<td></td>
<td>0. 2. 6</td>
</tr>
<tr>
<td>1 brasse skimmer, 1 laten lampe, 2 latten panns,</td>
<td></td>
<td>0. 5. 4</td>
</tr>
<tr>
<td>1 spit, 1 trammel, 1 p’re of bellowes,</td>
<td></td>
<td>0. 8. 0</td>
</tr>
<tr>
<td>1 p’re of tongs, fyer pan, cob iron, andiron, &amp; a iron to make wafer cakes, 10s.; 1 smothing iron, 1 fowleing piece, 1l. 5s.,</td>
<td>[1. 15. 0]</td>
<td></td>
</tr>
<tr>
<td>1 match locke muskett, 13s. 4d.; 1 sword, 1 p’re of bandalers, 9s. 2d.</td>
<td>[1. 2. 6]</td>
<td></td>
</tr>
<tr>
<td>1 lether bottell, 1 warming pan,</td>
<td></td>
<td>0. 13. 0</td>
</tr>
<tr>
<td>1 chafin dishe, 1 frying pan, 1 shedding knife,</td>
<td></td>
<td>0. 5. 10</td>
</tr>
<tr>
<td>4 hows, 4 axes, 1 bill, 2 cleuers, 1 mattoke,</td>
<td>1. 2. 0</td>
<td></td>
</tr>
<tr>
<td>1 spade, 1 hobing iron, 5 siues,</td>
<td>0. 12. 0</td>
<td></td>
</tr>
<tr>
<td>in brueing vessells, barrelles; 2 churns, 1 tabell,</td>
<td>2. 6. 0</td>
<td></td>
</tr>
<tr>
<td>wimbells &amp; chissells, 3 wheels, 1 glasse bole,</td>
<td>0. 16. 0</td>
<td></td>
</tr>
<tr>
<td>4 chayrs, 2 tabells, 1 forme,</td>
<td>0. 13. 0</td>
<td></td>
</tr>
<tr>
<td>In the seller, vessells &amp; seu’all goods,</td>
<td></td>
<td>0. 14. 0</td>
</tr>
<tr>
<td>In the lenetoe, potts, pans, vessells &amp; other implements,</td>
<td>2. 3. 0</td>
<td></td>
</tr>
<tr>
<td>In the seller without dores, dyet vessells,</td>
<td>1. 0. 0</td>
<td></td>
</tr>
</tbody>
</table>

48. 18. 3
1 grinston & winch, 6s.; 1 great bible & other smale books, 1l. [1. 6. 0]

Goods of Tho: Scotts sett aparte for his 3 daughters.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 p're of flaxen sheets, 2 p're tow sheets</td>
<td>3. 5. 0</td>
</tr>
<tr>
<td>3 diap' napkins, 4 flaxen napkins</td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>1 flaxen tabell cloath, 2 fine pillobers, 1l. 4s.; 2 boxes, 8s.</td>
<td></td>
</tr>
<tr>
<td>In the little chamber, 1 fether bed</td>
<td>4. 10. 0</td>
</tr>
<tr>
<td>1 bedkase, 1 bedsted, 19s.; 2 fether bolsters, 1 pillow, 1 blanket,</td>
<td>[4. 17. 4]</td>
</tr>
<tr>
<td>2. 8s. 4d.; 1 couerlitt, 1l. 10s.</td>
<td></td>
</tr>
<tr>
<td>In the garret, 1 fether bed, 1 fether bolster, 1 fether pillow,</td>
<td>3. 12. 0</td>
</tr>
<tr>
<td>1 yellow &amp; red couerlitt, 1 pillow</td>
<td>1. 14. 0</td>
</tr>
<tr>
<td>1 quart pot, 2 porringers, 3s. 2d.; 2 dishes, 1s. 8d.</td>
<td>[0. 4. 10]</td>
</tr>
<tr>
<td>2 sasers, 1 smale salt seller, 1 flaxen tabell cloath,</td>
<td>0. 1. 4</td>
</tr>
<tr>
<td>1 flaxen tabell cloath, 2. 8s. 4d.; 1 couerlitt, 1l. 10s.</td>
<td></td>
</tr>
<tr>
<td>3 great platters, 18s. 6d.; 1 pewter bowle, 1s.</td>
<td></td>
</tr>
<tr>
<td>2 sasers, 1 smale salt seller, 1 flaxen tabell cloath,</td>
<td>0. 19. 6</td>
</tr>
<tr>
<td>1 laten candlestick, &amp; tunell, 1s.; 1 pewter candlestick, 2s.</td>
<td>[0. 3. 0]</td>
</tr>
<tr>
<td>1 great pewter bason &amp; châberpott</td>
<td>0. 6. 6</td>
</tr>
<tr>
<td>1 great brassie kettle, 15s.; 1 brassie posnit, 1 iron pott, 13s. 4d.</td>
<td>[1. 13. 4]</td>
</tr>
<tr>
<td>1 little brassie kettle, 1 brassie pott,</td>
<td>0. 11. 8</td>
</tr>
<tr>
<td>1 p're of pot huks, 2 latten pans</td>
<td>0. 2. 2</td>
</tr>
<tr>
<td>1 spit &amp; tremell, 1 smothing iron</td>
<td>0. 6. 0</td>
</tr>
<tr>
<td>1 snaphanc* smale piece, 15s.; 1 cok mach musket, 13s. 4d.</td>
<td>[1. 8. 4]</td>
</tr>
<tr>
<td>1 rapier, 2 p're of bandelers,</td>
<td>0. 10. 8</td>
</tr>
<tr>
<td>1 frying pan, 1 shredding knife, 2s. 8d.; 1 brassie morter &amp; iron</td>
<td></td>
</tr>
<tr>
<td>pestill, 7s.</td>
<td>[0. 9. 8]</td>
</tr>
<tr>
<td>1 glasse bottell, 1 couerd drinking pott</td>
<td>0. 2. 6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corne for the Widdowe Scott, at Sepose &amp; Hartford</td>
<td>30. 0. 0</td>
</tr>
<tr>
<td>2 Cowes for Wydow Scott, at Sepose</td>
<td>10. 0. 0</td>
</tr>
<tr>
<td>2 steers, 16l.; 2 hoggs, 9l.</td>
<td>[25. 0. 0]</td>
</tr>
</tbody>
</table>

For the three daughters.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 steers, 12l.; 1 Cow, 5l.; 1 mare, 8l.; 2 calves, 3l. 6s.</td>
<td>[28. 6. 0]</td>
</tr>
<tr>
<td>4 hoggs, 3 piggs,</td>
<td>5. 5. 0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Wydowes Some</td>
<td>65.</td>
</tr>
<tr>
<td>The daughters,</td>
<td>33. 11</td>
</tr>
<tr>
<td>Totall,</td>
<td>174. 12. 4</td>
</tr>
</tbody>
</table>

besids Carts & 3 Ploughs.

* Snaphance; (German, Schnap-hahn;) a musket with a flint-and-steel lock. Bailey.
The Will of Blaynch Hunt deceased.

I, Blaynch Hunt do make my last will. Impr's, I giue my best suite of weareing Cloathes to my Cossen Mary Robins, & a p're of my best blanketts; Itë, I giue my Cossens in the howse, twenty shillings a piece, in gold or sylver if yt can be made vpp att my decease; Itë, for the rest of my estate in howshold stuffe & debts, I comitt to the dispose of my Vnckle Welles, only I remit 40s. I lent my Cossen Mary Robins; I make my Vnckle Welles my Executor; I giue my Cossen Mary Baylding vi yards of kersey.

Blaynch Hunt.

A'Inuentory, taken the 20th day of September, 1644, of the goods of Blaynch Hunt deceased, by Andrieu Waerid & Will Gybbins.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 yards of kersy</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>A debt oweing fro Mr.Hill, 3 yards of cloth</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>A debt fro John Robins, a Cloke</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Now on her Vnckles accompanied, mittens &amp; stockings</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Lent her Cossen Mary Robins, table cloaths &amp; lynine cloath</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Her cloth shute of weareing cloathes</td>
<td>1</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Her stuffe shute</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>A green Couering</td>
<td></td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>A p're of blanketts</td>
<td>0</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>One blankett</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A fetherbed, a bolster and 2 pillowes</td>
<td></td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>2 Cloath petticoats</td>
<td>1</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>5 old petticoats &amp; 4 p'e of bodyes</td>
<td></td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>4 wastcoats &amp; 4 aporns</td>
<td>1</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>4 hatts</td>
<td></td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>3 shifts</td>
<td></td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>A ketle, a torne &amp; a hatch-brasse and pewter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yarne</td>
<td></td>
<td>0</td>
<td>5</td>
</tr>
</tbody>
</table>

A'Inuentory of the goods of John Cattell, deceased, taken and prysed by John Coleman, and Samuell Hales, the 17 of July, 1644.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impr. a Bedde, boulster, and furniture to yt</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itë: Woollen and Lynnen Cloathes</td>
<td>5</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Item</td>
<td>Quantity</td>
<td>Value</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Brasse &amp; Pewter &amp; 2 potts &amp; other tooles</td>
<td></td>
<td>2. 0. 0</td>
<td></td>
</tr>
<tr>
<td>a gun, sword and bandaleres</td>
<td></td>
<td>1. 10. 0</td>
<td></td>
</tr>
<tr>
<td>a Calfe, 2. 0. 0; a Cowe, 5. 0. 0</td>
<td></td>
<td>[7. 0. 0]</td>
<td></td>
</tr>
<tr>
<td>oweing fro George Chappell a debt of</td>
<td></td>
<td>5. 0. 0</td>
<td></td>
</tr>
<tr>
<td>a Swyne, 6. 10. 0; a debt of Good</td>
<td>*1. 0. 0</td>
<td>[7. 10. 0]</td>
<td></td>
</tr>
<tr>
<td>a debte of goodman Boosye, 12.; a debte</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Corne, 5L.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the home lott and barne</td>
<td></td>
<td>12. 0. 0</td>
<td></td>
</tr>
<tr>
<td>6 ac: in myle meadowe</td>
<td></td>
<td>6. 0. 0</td>
<td></td>
</tr>
<tr>
<td>3 ac: in the great mea: 12L.; the garden</td>
<td></td>
<td>12. 12. 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>69. 0. 0</td>
<td></td>
</tr>
</tbody>
</table>

Debts he owed,

<table>
<thead>
<tr>
<th>Witness</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tho: Tomson</td>
<td></td>
</tr>
<tr>
<td>Tho: Coleman</td>
<td>59. 0. 0</td>
</tr>
<tr>
<td>Sam: Hale</td>
<td></td>
</tr>
</tbody>
</table>

Presented to the Court by Will': Gybbins, and the Relicke of the deceased admitted to administer.†

[97] The last Will and Testament of Mr. Ephraim Huit, of Wyndsoor, in Conectecottce.

Imprs. I giue vnlo my loueing wife my dwelling howse and homelott, downe vnlo the swampe, whth all the howseing thereon; also I giue vnlo her my meadowe lott conteyninge by estimation fowrterene acres more or lesse, likewise I giue vnlo her my lott of fittene acres whth the vast swampe adiowynge thereto. Ite: I giue vnlo her Tho: Staieres his howse and the square plot of gardens lying beyond the swampe to the highway. Ite: I giue vnlo my daughter Susanna, and to my daughter Mercy, my great lott lying behind the hog pen, adiowynge to Daniell Clarke on the one side and Humphrey Hids on the other, to be diuided betweene the equally. Ite: I giue vnlo my two younger daughters, Lydea and Mary, my great lott at the Falls, conteyninge fowerscore and two rodde in breadth, to make them two lotts, togather whth the meadowe grownd that lyes therein, to be diuyded also equally betweene them. Pruided always, and it is my full intent, that these my fower daughters shall not enter vppon these said portions of land vntill they ech of them shall com to the age of one and twenty, and in the meane tyme yt shall be to my beloved wife whatever pfit shall accrewere thereby; and as ech of the shall com to the age of one and twenty, so ech shall enter accordingly vppon her portion.

* Blank.
† Page 110, ante.
Pruided also, that if either or any of them, shall dy before they com to the said age of one and twenty, then the portion intended to her or the so dying, shall desend upp my wife and be at her dispose.

Also, I giue vnto my daughters Susanna and Mercy, all my interest, right and benifit that shall arise frō the graunt of the Towne, made me, of fifteene acres of meadowe, when yt shall com first into their hands, about Pequanucke, if they shall liue to the age of on and twenty yeares; if ether dy in the interim then her portion to descend upp my wife.

Ite: my great Iland at the Falls, I giue to the Court at Hartford, for the vse of the Country.

Ite: I appoynt that my debts be paid out of my personall estate, and all the rest, both with in dores and without, whatsoeuer, I wholy giue to my beloued wife, whether land or goods.

Lastly, I appoynt Dauid Wilton and Daniell Clarke to be the Executors of this my last will and Testament, only they shall not medle with any thing within dores. And the Ouerseers of this my Will, I intreat the Deacons of our Church to be.

Ep: Huit.

An Inventory of the Goods of Ephraim Huit, late of Wyndsor, taken the 9th October 1644, by vs whose names are underwritten.

In the Parlour, 1 Bedstead, wth bed and furniture thereun- £

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 table &amp; forme</td>
<td></td>
<td>10.00</td>
</tr>
<tr>
<td>1 chest, 2 trunkes, 1 case of bottles, vall</td>
<td></td>
<td>02.10</td>
</tr>
<tr>
<td>Carpitts, Cushions</td>
<td></td>
<td>02.12</td>
</tr>
<tr>
<td>6 veluet courers for stooles &amp; Chaires</td>
<td></td>
<td>01.10</td>
</tr>
<tr>
<td>8 yards Kitermaster, 16s.; 3 yards Cotton</td>
<td></td>
<td>01.06.6</td>
</tr>
<tr>
<td>1 children blanket &amp; wascoat cloath</td>
<td></td>
<td>01.06.8</td>
</tr>
<tr>
<td>the weareing apparrrell</td>
<td></td>
<td>04.10.0</td>
</tr>
<tr>
<td>[98] in bucrum, 10s.; 9 doz. of napkins, fine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>course</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5l. 19s. 4d.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 towels at 1l. 4s.; 14 pillobears at 3l. 10s.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 table cloaths, 1 towell</td>
<td></td>
<td>3.17.</td>
</tr>
<tr>
<td>14 pair sheets, fine and course</td>
<td></td>
<td>16.14.</td>
</tr>
<tr>
<td>3 table cloaths, 2 short towels, 8 napkins,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 sheet, vall:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In plate, 2 Bec Bowls, 2 wyne bouls, 1 salt,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 trencher, salt seller, 4 siluer spoons, att</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 spoons giuen to children, hauing their</td>
<td></td>
<td></td>
</tr>
<tr>
<td>names on them, &amp; 1 silver dishe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 desks, 2 boxes, 1 small trunke, &amp; other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>smale things</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In chamber over parlour; 2 bedsteads, wth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>beds &amp; furniture</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>14.0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.6.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9.0.</td>
</tr>
</tbody>
</table>
another bed with boulsters, pillowes, ruggs & blanketts, 4. 0.
3 chests, 1 box, 9 doz. trenchers, . . . . 0. 16.
In the corne chamber, in rye and pease, . . . . 0. 13. 4
In the hall, 3 spinning wheels, . . . . 0. 10. 4
one table board & forme, & 2 pair of bellowes, . . . . 0. 6. 0
2 fowling peeces, 2 muskets, 4 chayres, . . . . 4. 5.
in lynnern yarne, 2l. 6s. 8d.; in pewter, 4l. 10s. [6. 16. 8]
1 cullender, 2 pudding pans, 2 swords, 1 p'le of bandalers, 0. 15. 0
In kitchin, in brasse & Iron pots & brasse panes, ladles, skim*, dripping pans & posnet and other pans, vall: 6. 16. 0
a pair of Andirons, 1 Brandii:* 2 pair Crooks, 5 pair of
tongs & iron spitts, pothangers, . . . . 1. 0. 0
a Fornace, . . . . 2. 0. 0
In tubbs, pales, churms, butter barrels & other impli-
ments, . . . . 2. 0. 0
2 thwart saws, axes, pitchforks, . . . . 1. 0. 0
3 stocks of bees, 9l.; 1 cow, 1 heifer, 9l.; 4 goats, 2l. [14. 0. 0]
2 sowes, 5 piggis, vall: at 6l.; 2 pound of powder, 6s. [6. 6. 0]
2 thousand planks at Elias Packmans, & 5 C. at the Falls, 8. 10. 0
In the Barne, in wheat, pease, oats, hay, flaxe, . 7. 5. 0
The Howse and barne, with other howseing & homelott, vall: . . . . 100. 0. 0

Som: 247. 2. 8

16 acres & 3/4 of meadowe in the great meadd:
The land at the Falls, over the great Rvier, . 66. 0. 0
80 acres of land neere Mr. Phelps, . . 30. 0. 0
In books, valued by Mr. Smith and Mr. Warham, . 15. 0. 0
A grinding stone with iron spindle & turne, . . 13. 0. 0
A share & culter, 13s.; a ferry boat, 2l. 10s. . 00. 12. 0
[03. 03. 0

374. 18. 0

More a Lease for the Tole at the Mill, the with valued at 259. 1. 1


I owe Mr. Willis 100, with I make account will be paid thus:
that thirty pound is coming to me from Piscataquo’ Company, and there is
Guns sold to do yt. A Raft of Planke is goinge downe, I think will be 40.
What is wanting may be made vp out of the Loder.
I owe 100 to John Fishe with he will have keep in New England.
I owe Mr. Lummis 20; he will take nothing but mony.
I owe Mr. Woolcott about 12.
I owe John Eares, 25.
I owe for Tho: Steres his howse and land, about 17.
Oweing me.

The butcher, for goats, 6l. 13s.; Gudwife Whithead for all Rats
since her husband went, for my Canow. Mr. Williams, 2l. Mr.

* Qu. Brand-iron 1 “a trivet to set a pot on.” — Webster.
Rossiter, Tho: Dewe, 17. 10s. Mr. Whiteing owes something as the account will show. Mr. Hill, 3. He hath power to receive yt of Mr. Maio.

[100] Jo: Fishe his 100, if Henry Clarke will take yt, it shall be paid in wheat now.
John Banks owes me about 5 or 6 pound.
Daniells account is left to himselfe.
Mr. Phelps owes 1l. 18s. debt confess.
*Yf Henry Clarke will not, then yt must be kept, as the rest of the Towne mony is.
The towne owes me 25l.
Richard Sexton oweth me 16l. and for the 2 yeares to come.
The Townes Rate and his debt must be husbanded by the Executors.
Old Eagleston owes 2l. to be paid in wheat & pease.
Mr. Hull witnesse to yt.
My wife and children must line vppon the Lott set out for that purpose.

Noouember the 20th, 1644.
An Inventory of the goods and Lands of Nathaniell Foote of Wethersfield deceased, being truly taken and Indifferently prised by Richard Tratte, Samuel Smith and Nath: Dickinson.

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp&quot; His purse and apparrell,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in neat Cattell and in hay,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in horsse fleshe,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in hoggs,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in debts,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in Englishe corne,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in goats,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in carts, ploughs and the furniture, belonging theretoo,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in nayles,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in Indean Corne,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in old wheat and pease,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It for certain things in the chamber,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It for amunition,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It for fower beds with the furniture,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in fyne Lynnen,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It 2 table boards, 2 chests, 1 Trunke with other Imples&quot;,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It pewter &amp; brasse and other usefull vessells,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in husbandry tooles,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It in beife, butter and cheese and other necessary provision for the house,</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* This clearly ought to follow "John Fishe his 100," &c., four lines above. The entries were probably separated by an error of the recorder.
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>In poultry,</td>
<td>1.00.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total:</strong> 380.17.00</td>
</tr>
</tbody>
</table>

The debts of Nath: Foote of Wethersfield wch he did owe at his disease.

Imparatia. for goats, 2l. It; another debt, 3l. 10s. It; 12s. It; 17. 3s. 4d. It; 12s. 6d. It; 17. 10s. . . 9 7 10

The Land.

Ten acres of home lotts wth one dwelling howse and 2 barnes wth other buildings thereupon,
4 acres of home lotts,
6 acres of meadow wth an acre of swampe,
20 acres of plaine fenced in being 14 ac. broke vp,
7 acres of the plaine meadow plowed vp,
20 acres in the great meadow of hay ground,
4 acres in bever meadow,
27 acres of swampe ground,
81 acres of vpland in the weste field,
32 rod broad beyond the Riuver being three myles in length.
  Richard Trott, Samuell Smith, Nathaniell Dickenson.

| 3 sowes, 6 young shoats prysed | 17l. One young mare prysed at 5l. A company of nayles wth other smale things, 17. 10s. |

Land devided to the Wydowe Foote.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. ac. home lott where her howse is</td>
<td>20.00.00</td>
</tr>
<tr>
<td>The howseing</td>
<td>50.00.00</td>
</tr>
<tr>
<td>2 ac. vnsubdewed</td>
<td>4.00.00</td>
</tr>
<tr>
<td>7 ac. plaine broke vp</td>
<td>28.00.00</td>
</tr>
<tr>
<td>3½ plaine med</td>
<td>20.00.00</td>
</tr>
<tr>
<td>14 ac. meadow</td>
<td>70.00.00</td>
</tr>
<tr>
<td>3 ac. plaine not broke up</td>
<td>5.00.00</td>
</tr>
<tr>
<td>30 ac. vpland in westfield</td>
<td>15.00.00</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>212.00.00</td>
</tr>
</tbody>
</table>

Land devided to the eldest sonne.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 ac. homelott next her</td>
<td>15.00.00</td>
</tr>
<tr>
<td>2 ac. vnsubdewed</td>
<td>4.00.00</td>
</tr>
<tr>
<td>7 ac. plaine broke vp</td>
<td>28.00.00</td>
</tr>
<tr>
<td>3½ of meadow</td>
<td>20.00.00</td>
</tr>
<tr>
<td>3 ac. in great med</td>
<td>24.00.00</td>
</tr>
<tr>
<td>4 ac. in beaver med</td>
<td>4.00.00</td>
</tr>
<tr>
<td>27 ac. swampe</td>
<td>1.10.00</td>
</tr>
<tr>
<td>2 ac. not broke vp</td>
<td>5.00.00</td>
</tr>
<tr>
<td>30 ac. vpland west field</td>
<td>15.00.00</td>
</tr>
<tr>
<td>Halfe the east side</td>
<td>10.00.00</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>126.10.00</td>
</tr>
</tbody>
</table>
Land for the youngest sonne.

3 ac. homelott, . . . . . . 15. 00. 00
6 ac. mea: in the swamp, . . . . . 30. 00. 00
21 ac. west field, . . . . . . 10. 00. 00
halfe on the east sd, . . . . . . 10. 00. 00

65. 00. 00

A Debt formerly forgotten wch the said Deceased Nath: Foote did owe, . . . . . . 1. 10. 00

The age of the 5 children Dwelling with their mother.
Nath: Foote, 24 yeares,
Rob Foote, about 17.
Frances, about 15.
Sarah, about 12.
Rebecka, about 10.

The wyddowe of the said Nath: Foote is admitted to administer the Estate, and the eldest sonne is to have the lands before mentioned as they are valued at 126L 10s. wch is to be made vpee 148L & the youngest sonne the pticuler landes above mentioned for him at 65L wch is to be made vpee 74L. and the daughters disposed in marriedge are to have the 30l. a peece wch they have receaued made vpee 74L, and the other Children are to have 74L. a peece puided it is lefte at the dispose of their mother to detracte from any of them if shee see just cause 5L. of the portion here sett downe, and to adde yt to such of the other as best deseare yt.

[228] The last Will and Testament of Ed: Veir of Wethersfield, wch he being in prfect memory hath established, the 19th of July, 1645.*

Impnis I giue to Mr. Shareman of Totocott, 4 pounds. It: to Mr. Smith of Wethersfield, 4 pounds, of wch two legaces my will is that my cow wch is at Totocott shall be parte, so far as yts worth, to be deuided betweene the two. It: I giue to Lysly Bradfield 3 pounds. It: to John Robins and his wife, I giue three pounds. It: I giue to Mary & Hannah the daughters of John Robins, my two acres of meadow, wch I had of John Robins in exchaynge for my howse and homelott. It: my mynd is that John Carington and Tho: Kirkeman shalbe no loosers by the bargaine of pease and wheat they bought of me. Itë: I

* See page 129, ante.
make Mr. Shareman & Mr. Smith my executors to whom I give the rest of my estate. Memorand: yt is my mynd that John Carington and Th. Kirkman shall vse their indauor that they lose not any thing in their Corne through their owne default. It: my mynd is that John Carrington & Tho: Kirkman shall haue 20s. for making my Coffen. It: my mynd is that there shalbe 20s. bestowed vppon pruissions of wyne, bear, caks and such like of what may be had for my buriall. It: I giue to Mr. Swayne all my workeing tooles.

In the presence of

Ed: Veir.

Nath: Dickinson.


Two acres of meadowe, 6: 14: 0)
A peece of land in Pennywise, 1: 10: 0; 9£.
One Sowe, 0: 16: 0)

Goods at Totocutt pryzed by Will' Swayne & Robert Rose.

A heifer, 4: 10: 0
a barrell, 0: 4: 0
an old brasse potte, 0: 7: 0
in bedding, 0: 8: 0
a locke and key, 0: 1: 8
a peece of a bearskinne, 0: 3: 6
an old cheste, 0: 1: 0
a frying panne, 0: 3: 6

5: 18: 8

Goods pryzed by Gyles Smith & Samuell Netleton.

Two smale sawes, 0: 5: 0
one long playne, 0: 2: 0
one plough playne, 0: 2: 0
2 old smale playnes, 0: 1: 0
1 priker & chessell, 0: 1: 0
an old axe, 0: 2: 0
1 adds, 0: 1: 8
2 smale augers, 0: 1: 6

16: 2

Oweing the foresaid Veare at Totocutte.

Oweing him at Wethersfield.

From Mr. Robins 10 bush:
Indean, 10 bush: pease, & of wheate, 3: 7: 6
and 8s. 8d. in corne for worke, 0: 8: 8

By Rich: Hill, as appeareth by bill, in corne at March, & 2: 16: 6
halues,

John Carrington & Tho:
Kireu a debt of 12 bush:
of wheat and 8 of pease, 3: 12: 0
Henry Palmer, 3£. in Corne,
frö Ab: Elsing in Corne, 3: 0: 0
[330] William Froste his laste will and testament, wherein the said William doth giue and bequeth all his lands and goods now enjoying, the viith of January, 1644.

I giue and bequeth to my eldest sonne Daniell Frost, two p'ts of my meadowe and vpland oute and to lay oute, (the home lotte excepted,) and also to the said Daniell Frost all my parte of the swampe and Redye ponds, and also fiftene acres of meadowe that I bought of John Graye, lying att Muchuncohosr Sasqug, commonly so cauled, and also my cloake and warmeing pan, I giue to the said Daniell Frost his heires for euer; I giue and bequeth to Rebecka & Sarah Frost that blacke heiffer that Daniell Frost hath to wynter; I giue and bequeth to my sonne Abraham Frost all that lotte and howse, wth all the land laid out and to be laid out, that I bought of John Stickling, wth those mouealls I bought of him, and also those cloathes on my bedde and my little chest, and also my two great Oxen and my two greate yearleing Calues, wth all that is in my little chest, and on third part of my howshold goods. I giue and bequeth to my daughter Elizabeth and John Graye the sowe that he hath to winter and all her increase and [the third part of my howshold goods; & to Luke Watson] the two yeare old blacke heiffer that goodman Close hath to the halfes for fower yeares, the pr'fte to be for the said Luke. And to Susanna and Johana Watson, daughters to Elizabeth Graye, one blacke heiffer that John Graye hath to the halues for fower yeares, and the profit to them both equally. And the redde heiffer that Daniell Froste wintereth, I giue to John Grayes owne two children, and the profit equally to them both. I giue and bequeth to Henry Graye and Lydea Graye for their liues and after them to Jacob their sonne, all my howse and home lott, wth that part that I chaynged wth John Foster, and the third p'te of my meadowe and vpland, laid out and to lay out; and to Mary Graye, daughter to Henry Graye, I giue and bequeth my redde heiffer that Goodman Close hath to wynter. And to Mary Rylie and her children, I giue and bequeth all my goods and lands that I haue in Old Ingland. And to the Towne of Vncowah, I giue and bequeth tenne pownds, in good

[In margin] 'These words enterlyned, the third parte of my howshold goods, and to Luke Watson.'
pay, towards the building a Meeteing howse, to be paid when yt is halfe built. Furthermore I ordeyne and make Henry Graye of Vncowauh, my lawfull executor, to pay and discharge my legaces & debts, and also power to receaue what is due to me, and I giue the foresaid Henry Graye full power to sue and discharge for any debts or goods, that these presents should stand in force, after my decease and not before, and I entreat Ephraim Weeler and Daniell Frost to be my Overseers to see my will p^rformed according to the intent thereof, and they are to haue ten shillings for their paynes: Whereeto I haue sett my hand and seale, the day and date hereof.

Witnes, Ephra Weeler, William Froste.
Frances Purdy, Frances Purdy,
Mary Purdy. Mary Purdy.

[529] On the backe side of Frosts Will.

These are to explayne my meaneing of howshold goods; all my moueable goods or tables, excepte corne and cattell and swyne. Further, I would haue Abraham my sonne to receaue to his vse the rent of all the howseing and land that I bought of John Sticklin; further, I will that Abrahâ my sonne pay no rent to Henry Gray my sonne, nor Henry to him, but all former ingadgements to be voyd betwixt the, in or about the lease. I will that the two third prts of my land be deuided as soone after my death as may be, yet so that my sonne Henry his leace be not disturbed. Witnes my

Frances Purdy, Frances Purdy,
Mary Purdy. Mary Purdy.


I the said John Purkas doe appoynt my wife to be my sole executor, to administer vpon my whole estate, to bring vp my children, and it is my mynd & will that my wife shall possess my howse and land for her prper vse for the whole tyme of her life, prvided that shee shall haue noe power to alienat yt or make sale of my howse or any of my land wthout the consent of John Talcotte and Richard Goodman, or one of them if ether
The 1663:  

But among my daughters that shall suruiue and continue after the death of my wife.  

Also, my mynd is, that my daughtter Mary & Elizabeth shall haue eech of them a whole and serviceable pear of sheets and eech of the a pewter platter at the age of eighteene yeares.  

And if God giue me a sonne wch my wife goeth with all, my mynd is that if my sonne shall liue to the age of eighteene yeares, that he shall haue my gunne, wch is a fierlocke, and my sowrd and bandaleres and rest, and my long crosscutt sowe, and my betell rings and three wedges.  

Also my mynd is, that my howshold shall be deuided to my daughters that shall suruiue & continue vntill the death of my wife, only the bedde and blanketts and one pair of sheets and one trunke, I leauie wholly to my wife to dispose on at her death.  

Witnesses hereof I haue sett to my hand the 15\textsuperscript{th} of October, 1645.  

Witness hereunto, Jo: Talcott,  

Rich: Goodman.  

November 26: 1663. Know all men by these presents that I, Jaret Spicke doe acknowledg my self receiued of Nicholas Palmer, the full and just sume of ten pounds, which is the acquitting all accr\textsuperscript{ts} between us two concerning my wiuues portion, which was due to her by her father John Purkis his will.  

Jerret Speck.  

Witness, Thomas Butler, Robert Sanford.  

Whereas there haue bin an appoyntment that Nicholas Palmer was to pay his daughter in lawe Elizabeth Purchass tenn pounds &c. These presents doe testifiy, that I Richard Case of Windsor doe acknowledg that I haue receiued of Nicholas Palmer of Windsor afoarsayd Tenn pounds in pay to my content and satisfication, & doe hereby acquitt & dischardge the sd Nicho: of all debts and demands, as witness my hand this 17 December: 1663:  

Signed, & delivered in the presence & witnes of us,  

The marke of Richard M Case  

John Moore,  

The marke, Antho: C Hoskins.
These are true copies of the original receipts, being compared therewith Octobr 20th: 64: p' me, John Allyn, Secretary.

[232] *An Inventory of the goods of John Purkas, deceased in October, 1645.*

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>One bed &amp; bolster, 2 blanketts, one on rag, one pair of sheets, 2 fetherbeds</td>
<td>£4.15</td>
</tr>
<tr>
<td>pillowers &amp; 2 pillowers, one coverlet,</td>
<td></td>
</tr>
<tr>
<td>Two pair of new sheets &amp; one pair of old sheets &amp; one halfe sheet &amp; two old pillowers</td>
<td>2.5</td>
</tr>
<tr>
<td>His weareing cloathes,</td>
<td>4.0</td>
</tr>
<tr>
<td>6 pewter dishes and some smale things,</td>
<td>1.0</td>
</tr>
<tr>
<td>one great brasse kettell, one iron pott, one brasse pott, one posnett, brass ladle</td>
<td>4.10</td>
</tr>
<tr>
<td>dripping pann &amp; other implements, in barrells, tables and pails,</td>
<td>1.0</td>
</tr>
<tr>
<td>one trunke &amp; chest, chaires, frying pan &amp; gridiron,</td>
<td>1.5</td>
</tr>
<tr>
<td>one fier locke musket, bandalers, rest &amp; sowrd,</td>
<td>2.0</td>
</tr>
<tr>
<td>one crossecutt sawe, 3 wedges, two betell ryngs, &amp; other implements,</td>
<td>1.10</td>
</tr>
<tr>
<td>one Cow &amp; 6 pyggs,</td>
<td>8.10</td>
</tr>
<tr>
<td>and corne for the yeare.</td>
<td></td>
</tr>
</tbody>
</table>

30.15.

---

Feb: 27th: 1645.

A trewe Inventory as neere as we can find out of all the goods, corne and cattell and lands of Samuel Ierland, deceased the 20th of May, 1639.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>His Howse and lotte with 8 acres of meadowe &amp; all other diuidents vnsold pryse at</td>
<td>£40</td>
</tr>
<tr>
<td>His Apparell and p'ersonall estate,</td>
<td>10.0</td>
</tr>
<tr>
<td>His Hoggs,</td>
<td>20.0</td>
</tr>
</tbody>
</table>

Tho: Vfboote: 70.£. 0. 0
Jo: Edwards.

[233] Whereas I, George Willis, of Hartford vpon Connectecutt am by a gratious & mercifull visitation of the Lord sumoned to expect my change, to the end therefore that I might p'forme my duty and continue loue and peace among those I shall leaue behind, being at the p'sent through the gentle and tender dealeing of the Lord in full and p'fecte
memory, I doe dispose of that estate the Lo: hath giuen me, and make my last will and testament as followeth:—

I giue all my buildings, lands, tenements and heredetaments in Hartford bownds and at Tunxis Cepus, vnto my beloved wife Mary Willis and vnto my sonne Samuell and vnto the heires of his body, and in the want of such heires, then vnto my heires as yt is expressed vpon record:

I doe giue vnto my sonne George and the heires of his body, all my land and buildings vpon the west side of the great Riuier in the bownds of Wethersfield, now in the hands and occupation of diuers men, pruised he doe com ouer into New England and settle himselfe and his family heare, according as I haue wrote him by letter, dated the 28th of October laste, (a copy whereof is among my papers and subscribed with my owne hand,) and pruised that he make payment and send ouer hither in goods, according to the tenour of the said letter, to the vallue of three hundred pouunds; it being my will, that if he attend the terms prpownded by me in the letter aforesd he shall injoy and there shalbe made good to him what I haue offered and tendred to him in my said letter, wch is the buildings and land aforesaid, as also onh undred pouunds to be paid him in corne and cattle wth in three months after his arriuall here, researueing only twenty pouunds a yeare out of the said lands, wch my will is he shall pay to my beloved wife Mary Willis dureing the tearme of her life. But in case my sonne doe not attend my aduise in transplanting himselfe and family into these prts, or prforme not the conditions prpownded by me as afore, then my will is that the buildings and land aforesaid shalbe and remayne at the whole dispose of my beloved wife Mary Willis.

My will is further, that my sonne George shall injoy and possesse my lands and buildings att Feny Compton, in Old England, according to a deed made to him by my feoffees, and the heires of his body after him, and in case of the want of such heires, then to fall to my sonne Samuell and the heires of his body, and for want of such heires then to the right heires of me, George Willis.

[234] And whereas vpon the makeing ouer of the moity of my lands att Feny Compton aforesaid and the reuersion of the other moity after on & twenty yeares to my sonne George, I
researued to my selfe on third p're te of his mariedge portion, my will is that in case my sonne George shall giue to me or my executrixe a generall and full relesse of all claimes and disbursments expended by him for me and mentioned in his last accoumpte sent me, that then he shall enjoy to hismelfe and his owne p'per vse, that third part of his mariedge portion so researued. But in case my sonne shall not accepte of this third p're te of his mariedge portion, in full satisfaction of all claimes and demaunds of monyes due to him frō me, then my will is that the third parte of his mariedge portion due to me as aforesaid shalbe and remayne to the vse of my executrixe, and that shee pay and dischardge vtto my sonne the fower hundred pownds claimed by him frō me, in his accoumpts, out of the estate bequeathed to her, in this my will.

I doe giue vtto my daughter Hester, fower hundred pownds, whereof two hundred pownd shalbe paid at the day of her mariedge, in mony, and the other two hundred pownds in such goods and comodityes as the Country doth afford, eightenee months after the day of her mariedge, prouided shee or any issue of her body be liueing at that tyme; but if it please the Lord otherwise to dispose, then my will is that the said two hundred pownds shalbe paid to my daughter Amy and the heires of her body.

I doe giue vtto my daughter Amy, three hundred and fifty pownds, whereof on hundred and fifty pownd shalbe paid in mony at the day of her mariedge, and one hundred pownds twelue months after that, and the other hundred pownds twenty fower months after the day of her mariedge, prouided shee or any issue of her body be aliue at the seueral tymes of payment as aforesaid; the two last hundred pownds to be paid in such comodityes as this Country doth afford.

My will is that my loueing wife Mary Willis shalbe haue and injoy to her owne p'per vse and to her assigns, the lease of the moity of Feny Compton, for one and twenty yeares; and my will is that shee pay tenn pownd a yeare to my daughter Hester, and tenn pownd a yeare to my daughter Amy, for the said tearme of the lease, prouided they continue so long in this life, but when ether of the shall departe this life, then the said anuity to cease.
I doe giue vnto my sonne Samuell, all my land on the east side of the great River, within the bounds of Wethersfield, he paying to my daughters, Hester and Amy, forty pounds a peece, sixe yeares after my decease.

I doe giue vnto my loueing friends Mr. Fenwicke, Mr. Heynes, Mr. Hopkins, Mr. Welles, Mr. Webster, Mr. Whiting, Capten Mason, Mr. Hooker, Mr. Stone & Mr. Wareham, twenty shillings a peece, as a token of my loue.

[235] I doe giue vnto Mrs. Huet, five pounds, out of the debte due to me from her deceased husband, and to Mr. Smith five pounds, out of the debte he oweth me, and to William Gybbins ten pounds, out of Mr. Smiths debt, to be paid to him twelve months after my decease. George Willis.

I doe further giue to my sonne Samuell, ten pounds in mony, and all my books, and my watch.

I doe giue vnto ech of my two daughters, a bedde and furniture, wch I leaue at the ordering of my wife.

It is my will that my two daughters take the advise & counsel of my loueing wife, att their dispose in mariedge.

I doe giue and bequeth vnto my beloued wife all my debts, cattell, chatells, vtensells, mony, plate, wth all other moueables not otherwise disposed of by this my will. And for the payment of my debts and performance of this my will, I doe make my beloued wife sole executrix.

This was published by Mr. George Willis, as his last will and testament, the 14th of December, 1644, in the presence of, Ed: Hopkins, & Will’ Gybbins.

Whereas, I haue expressed before my will to be that my sonne Samuell should pay to ech of my two daughters, Hester & Amy, forty pounds within sixe years after my decease, now my will is that the said forty pounds be paid within on yeare after my sonne Samuell shall com to the age of one & twenty yeares, to ech of my said daughters, and not before.

This last clause was added the 22th of Febr. 1644, in the presence of, Ed: Hopkins.
March the 4th, 1644.

My will now is that the two hundred pounds given to my daughter Hester by this my Will, in commodities of this Country, and made payable eighteen months after the day of her marriage, if she or any issue of her body be living at that time, that the said two hundred pounds be paid in manner following, vizt. one hundred pounds eighteen months after the day of her marriage, and the other hundred pounds eighteen months after that, provided she or any issue of her body be living at the several days of payment, as before; but if otherwise it please the Lord to dispose, my will is that it be paid to my son Samuel and daughter Amy, and equally divided between them. And my will is that so long as both or either of my daughters remain unmarried and my wife continue in this life, besides their, or either of their dyet, there be paid to the fifteen pounds a piece, per annum: in this Country commodities, for and towards their maintenance. And my will is that they or either of them remaining unmarried at my wife's death, that six months after her decease the portion that is given by this my will to them, or either of them, payable at the day of marriage, shall be paid to the or either of them that so remain, to [236] be at their own dispose; and if they afterward marry, then the residue of the portion given to them or either of them by this my will, to be paid according to the tenor and true meaning thereof.

I do further give & bequeath twenty Nobles to the poor in the Towne of Hartford, five marke to the poor in Wethersfield, forty shillings to the poor at Wyndor, and forty shillings to the poor at Tunxis Cepus, to be paid in Country commodities and disposed according to the discretion of my Executrix.

These explications and additions of the 4th of March were made in the presence of, Ed: Hopkins,

George Willis.*

* "George Wyllys Eq. late of Fenny Compton, in old England, dyed March 9th, 1644."

(Hartford Records.) From the record of the Particular Court, (page 122, ante,) it appears that Mr. Wyllys' Will was brought into Court, March 5th, 1645-6.

A particular of all the debts owing to William Lotham, as also by him owing:

£ s.

Imp". Debts to him owing, first from Mr. Robins, for delivering Robert Bedle at Fishers Island, according to Mr. Robins desire, 1. 14.
Itë: to him due from Goodman Comstocke, for Tobacco, 0. 6.
Itë: also from Walter Baker, for Tobacco, 0. 6.
Itë: from Sergeant Bryan, upon Mr. Tapens account, 1. 9.
Itë: more from Sergeant Bryan, for transporting 2 butts of sacke from Mr. Leches, 0. 16.
Itë: from Sergeant Bryan more in stock, 3. 0.
Itë: from Henry Townsend 1l. Itë: from John Ogden, 1. 15.
Itë: from Mr. Mitchell for carrying goods, 3. 19.
Itë: from Goodmâ Carman, 0. 6s. Itë: from Mr. Olderton, 1. 0.
Itë: from Frances Homes, 36 pound of Iron.

Debts by him owing to the persons following:

Imp". To one Elias, his servant formerly, about 3. 0.
Itë: to one Michael Chatterton, 0. 10.
To Frances Homes, 0. 6.
Itë: To Lathâ as long as he is mine after six and twenty shillings a month.

A particular of his goods, as followeth:

Imp". 3500 of Planke, 6000 Trunnells, 500 of Iron, part att Frances Homes, part att Mr. Tappings, the rest in a grapnell lying att the Waterside.
Itë: a barrel and three quarters of tarre and pitch, lying att the waterside.
Itë: a sow in Edmund Sticlins hands.
Itë: a boate of tenn tun, with two roads, an anker, a grapnell, mainesale and foresale, a iron pott, a new suite of clothes, shoes, hatt, stockins, three shirts, 6 handcharces, 2 bands, a gunn, one hundred nynty three pickes, on auger, one draewing knife.

2 chessells, 2 caukeyng irons, some heads for clinke worke, a scraper, a brest wimble, one iron wedge, a frying pan, a skellette, a sackle with some biskett in yt, another old sackle vsed for a bedd, an axe, a perre of piners, 2 hamers, a gynlett, 2 Indeac baggs, a file, a butter tub, a powder horne, a p're of old stockings, an old buckett, an old kettell to make fyer in, a mallet, a woodden dishe, a platter, a little box, on gouge, on narowe chessell, a chest, an iron candle-sticke, 2 owers, 2 setting poles, an halespear, a pocket compass, a skife & two Owyrres.

These severall pticulers appeareing under the lyne were added vpon a vewe taken in the boate the same morneing the Testator dyed by others & Will' Wells.

41*
474  WILLS AND INVENTORIES.

[241]  Whereas on the other side herof ther is p'ticulers of the debts & credits and goods of Willia Lotha, w'h apareas best vnder ech p'ticuler matter, and therunto as his memory may be [ ] being now visited by the hand of the almighty Jehouah, w'h sicknes, hauing in p'sence of vs whose names are hereunder subscribed, declared his mynd and will to be, that in case a period be put to his dayes before alteratiō hereof, then his just debts being defrayed out of his p'sonall estate, the remaynder hereof is by him giuen & bequethed to John Clarke and John Ogden, whō he maks joynt executors of this his last will and Testament, equally to be deuided betwixt thē.  Witness my hand the day and yeare within written.

In the p'sence of vs,
Will' Wells, Ed: More,
Isacke Nicholls, George Allsouce.

SEPTEMBER THE 27th, 1645.
An Inventory of the goods of Will': Lothā late deceased.

Imp$: a Boat, 8 tun, more or lesse, valued at 30s. p'tun, 12. 0. 0
On grapnell, on anker, about a C. and $, 3. 10. 0
Maynsale & foresale, 5. 10. 0
about halfe a C. wyght of rigging, w' the oares, 1. 0. 0
a Skife, 1. 10. for old tooles & nayles, 0. 10.

also, a chest prised att 0. 3. 0 Ed: More,
a Coat, drawers & cap, 0. 17. 0 Will' Carrose,
a doublet, breches, stockings, shues & hatt, & some other old cloathes, 2. 7. 0
an Iron pott, 0. 10. 0

prised and witnessed by 3. 15. 0
Tho: Burchwood, Stephen Poste.

[242]  A Inuention of the goods of Ed: HARRISON, latly de-

ceased.

<table>
<thead>
<tr>
<th>£</th>
<th>s. d.</th>
<th>£</th>
<th>s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>one chest</td>
<td>0. 6. 8</td>
<td>one p're of stockings</td>
<td>0. 2. 0</td>
</tr>
<tr>
<td>in mony</td>
<td>3. 19. 5</td>
<td>one stuffe sute</td>
<td>0. 6. 8</td>
</tr>
<tr>
<td>in Wampum</td>
<td>0. 13. 4</td>
<td>one wascoate</td>
<td>0. 5. 0</td>
</tr>
<tr>
<td>two shirts</td>
<td>0. 8. 0</td>
<td>one p're of shues</td>
<td>0. 3. 4</td>
</tr>
<tr>
<td>two hats</td>
<td>0. 6. 0</td>
<td>one p're of boots</td>
<td>0. 7. 0</td>
</tr>
<tr>
<td>one old Coate</td>
<td>0. 2. 4</td>
<td>one p're of drawers</td>
<td>0. 0. 6</td>
</tr>
</tbody>
</table>

prysed by Nath: Waird & Andrewe Warner,
Townsmen, John White, Gregory Wilterton.

Mr. Whiting speaks of some Beauer, viijl. & boards, 8 C.

There was testimony giuen in Courte vpon the 25th March, 1630, in reference to this estate, as appears by the Records of the said Courte, in the Booke of Particuler Courtes fol: 3:
Imprimis, This is the last Will and Testament made by mee, John Porter, of Wyndsor, although now weake and sick in body yet in perfect memory, doe bequeath my Soule to God that gaue it, and my Body to bee buried, and my Goods as followeth:—

Item, I giue to my eldest sonne, John Porter, one hundred pounds; and to my second sonne Jeames Porter, I giue threescore pounds; and to my other six children, to wit, Sammuell Porter, Nathaniell Porter, Rebecka Porter, Rose Porter, Mary Porter, Anna Porter, I giue to each of them thirty pound a peece; wch is to bee raised out of my whole estate, as houssings, lands, cattells and houshold goods, and is to bee paid as they come to bee twenty yeares of age or sooner if my ouersseers sees just cause, without whose consent I would not haue them to marrye; wch if they doe, it shall bee in the power of my ouersseers to abate of their porcons, and giue it to the other that are more deseruinge. And in case any of my children dye, before they bee married or bee twenty yeares of age, their portion shall bee equally devided amongst the rest, vnless the ouersseers see cause to abate it vppon the eldest. In case my estate shall bee founde vppon perticular veiw to arise to bee more in valew then these portions aboue giuen, or less then the summ, my will is that it shall bee proportionably added or abated to my childrens severall portions, except my ouersseers see cause to abate my eldest, that hath the bigger portion, or likewise my second. The particular goods wherein each childe shall haue his porcon paid out of my whole estate, I leaue to the discretion of my ouersseers.

My sonn Joseph Judgson is to take twenty shillings of Thomas Thornton, the next winter.
Allso, I giue fifty shillings to the pore of Wyndsor Church.
My desire is that these my beloued freinds would bee the ouersseers of this my last will and Testament; Mr. Warham, of Wyndsor, Mr. Goodwyn, of Hartford, Goodman White, of Hartford, Mathew Graunt, of Wyndsor.

Wittnesses: John Porter. *
Henry Clarke, Abigaill Branker.

* See page 191, ante.
Vpon consideracion of the buisnes referred to or consideracion, touching the children of John Porter of Wyndsor, deceased, wee findinge some expressions of his, that hee would make the portions of his two eldest daughters as good as his younger, allso wee conceuie the eldest were helpefull to the estate, and that the Lord hath taken away one of the younger daughters, and that the rest of the children are disposed of without damage to theire portions; or apprehensions are (if the Courte see meete) that the two eldest daughters portions bee made vp thirty pounds a piece.

March 7th, 1650.
This is a true copye of an originall writing, ordered by the Courte to bee recorded with the Will and Inventory.

John Taillcott, Will: Westwood.

J. C. Secry.

[245]

APRILL 27th: 1648.
An Inuentory taken of the whole estate of John Porter, of Wyndsor, late deceased, as howsing, lands, and all moueables, according as they were valued by the men imployed to prise them, whose names are underwritten:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>All the howsing was valued at sixty pounds</td>
<td>£60.0.0</td>
</tr>
<tr>
<td>2.</td>
<td>The homelott pertaining to the Howse, w'h is seuen acres, valued at twenty eight pounds</td>
<td>£28.0.0</td>
</tr>
<tr>
<td>3.</td>
<td>The meadow before the howse containing sixteene acres, valued at sixty eight pounds</td>
<td>£68.0.0</td>
</tr>
<tr>
<td>4.</td>
<td>All his land on the east side the great Riuier, fifty eight rodd in bredth, from the Riuier eight score back in length, with an addition fifty rodd in bredth, and in length two myles and a halfe, valued at sixty five pounds five shillings</td>
<td>£65.5.0</td>
</tr>
<tr>
<td>5.</td>
<td>Three acres of meadow, valued at</td>
<td>£6.15.0</td>
</tr>
<tr>
<td>6.</td>
<td>of woodland, forty six acres, valued at thirteene pounds, twelue shillings</td>
<td>£13.12.0</td>
</tr>
<tr>
<td>7.</td>
<td>eight acres in a swamp, valued at two pounds</td>
<td>£2.0.0</td>
</tr>
<tr>
<td>8.</td>
<td>sixty acres, remoate in the woods, valued at one pound ten shillings</td>
<td>£1.10.0</td>
</tr>
<tr>
<td>9.</td>
<td>for plowing and seed in the ground, nineteene pounds</td>
<td>£19.0.0</td>
</tr>
<tr>
<td>10.</td>
<td>Cattle valued; four cows, four oxen, four young beasts, one mare, nine swyne, at seventy seuen pounds, two shillings</td>
<td>£77.2.0</td>
</tr>
</tbody>
</table>
Item: All the furniture for carte and plow, valued at six pound five shillings, 6. 5. 0
Item: Corne in the hose, twenty pound seventeen shillings: 20. 17. 0
Item: Hopps, ten shillings, 0. 10. 0

Goods within house valued: In the parlour:
One standing bedstead, with a featherbed and all things belonging to it, with a trundle bed underneath it; four paires of sheets, with pillow beares; table linnen; wearing cloaths of his owne, and wearing cloaths of his waives; and other furniture about the room; valued at thirty two pound two shilling: 32. 2. 0

Item: In the Chamber over the parlour:
One standing bedstead, with a featherbed and all things belonging to it; one halfe headed bedstead and bedding to it; with some cushions and cotton wooll; valued at 11. 14. 0

In the Chamber over the Kittchelin:
Item: Some bedding for children, valued at 3. 9. 0

In the Kittchelin:
Item: Five silver spoones; and in pewter and brass, and iron, and armes, and ammunition, hempe and flax and other implements about the roome and in the sellar, valued at thirty five pound, 14 shilling: 35. 14. 0
Item: In the new Roome, seuerall sorts of tooles for husbandry and seuerall other vses, valued at 7. 0. 0
Item: In debts owing to the estate, 12. 2. 0

Debts to bee paid out of the estate, 20l. 17s.

Henry Clarke, William Phelps,
Dauid Willton, Thomas Forde.

[246] An Inuery taken of the goods of Tho: Fenner, deceased May the 15, 164[7].

Att Gn Luffys:
Impa. a piece of Trucking cloth of about 4 yards, 32s.—A Jackette, & p're of breches, 30s.—1 Fowleing piece, 30s.—1 Racoone skine coate, 12s.—11 Bieuuer skins atte 8s. p'p'd.—21 kniues att 4s. a dozen, 7s.—2 lookeing glasses, 0. 8d.—An old hat, stockings & shuues, 3s.—a little iron potte, 6s.

Prysed by Gn Luffyn & Gn Northam, May the 17.

A piece of wooden ware about 6l. Ité: His boate and lyne wth he brought vp. Ité: a piece of wannp about 20l. & 16 pieces of Dutch mony in Mr. Whitings hand. The boate & loading.

Impn. one peec of trucking cloth con. 24 yards at 7s. 6d. p' yard,
9. 1. 10
one peec more of violet cullered trucking cloath, of 21 yards, at 7s. 6d. p' yard,
7. 17. 6
Itè: on other peec of damask coulered trucking cloath, con. 13 yards, at 6s. 6d. the yard,
4. 4. 6
Itè: one smale & course fetherbed tecke & boulster, w'\textsuperscript{th} some fethers put into them,
2. 0. 0
It: one course Cou'lette,
0. 12. 0
It: 2 blanketts, on cotten, the other cotton & lynnen,
0. 14. 0
It: on weareing coate, 1: 5: 0. It: one coate made of Catte skins,
0. 10. 0
It: one coate made of Racoon skins,
0. 10. 0
It: two deer skins, one foxe skin and a paire of Indean stockins,
0. 11. 0
It: one old sowrd, 0: 0: 5. It: one pair of shues,
0. 5. 6
It: 11 traplines 0: 1: 0. It: a little oyle, in a halfe firkin,
0. 1. 6
It: a smale kettle, he vsed to boyle tar in,
0. 2. 0
It: one short coate made of darnixe,
0. 6. 0
It: one Portingale cap begun made & vnlyned, w'\textsuperscript{th} a smale piece of cloth of the same,
0. 4. 0
Itè: in Wampum,
1. 0. 0
It: 2 yards of blewe lynen, 0: 6: 0. It: 4 bands,
0. 4. 0
It: 4 handkercheifs, cut out, vnmade,
0. 6. 0
It: on ketell, w'\textsuperscript{th} will hold about a pint,
0. 2. 0
It: 2 dozen & a halfe of Jues trumps, 0: 4: 0. It: his Chest,
0. 4. 0
It: 3 yards one halfe of red broad cloath, at 18s. p' yd.
3. 3. 0
24 bush: of Indean trucked w'\textsuperscript{th} Indeans, at 2s. 6d. p'
bush:
3. 0. 0

Concerneing his debts, we cannot yet certenly find what they are. The writings in his chest you wrote for, are sent w'\textsuperscript{th} this Inuentory & are found to be somewhat imp'est, w'\textsuperscript{th} is like, had we had tyme & the booke he had w'\textsuperscript{th} him, they myght haue bine p'fect. Mr. Swayne ought him 4l., towards the w'\textsuperscript{th} payment he appoynted him to receaue 20 bush: of pease of Sa: Gardner. Concerneing what is owed, we fynd he owes to a Country Rate, 18s. 8d.; besides there is another Rate come out, yet vngathered of any; and also some fencing w'\textsuperscript{th} he hath lett out, & 22 weeks dyet to Mr. Swayne; also some other.

The 17\textsuperscript{th} of the 3\textsuperscript{d} month 1647. Robert Rose,

Jo: Plum.
The Inventory of the goods and lands of Abraham Elsen, lately deceased in Wethersfield, prysed the 8th of May, 1648, by Sa: Smith, Nath: Dickinson, Tho: Hurlebutt.

<table>
<thead>
<tr>
<th>£</th>
<th>s. d.</th>
<th>£</th>
<th>s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imprh: his apparell att</td>
<td>9. 0. 0</td>
<td>It: his brasse, in potts &amp;</td>
<td></td>
</tr>
<tr>
<td>Itc: in wheat &amp; pease,</td>
<td>3. 5. 0</td>
<td>kettells,</td>
<td>2. 10. 0</td>
</tr>
<tr>
<td>It: in Indean, att</td>
<td>1. 10. 0</td>
<td>It: his arms &amp; munition,</td>
<td>1. 15. 0</td>
</tr>
<tr>
<td>It: in meale &amp; molte,</td>
<td>1. 0. 0</td>
<td>It: his house, homelotte</td>
<td></td>
</tr>
<tr>
<td>It: one bed &amp; bedding,</td>
<td>5. 0. 0</td>
<td>&amp; mea: att</td>
<td>40. 8. 0</td>
</tr>
<tr>
<td>It: his husbandry tooles,</td>
<td>3. 10. 0</td>
<td>It: his cattell, att</td>
<td>18. 10. 0</td>
</tr>
<tr>
<td>It: chestes &amp; a bed tieke</td>
<td></td>
<td>It: his hoggs, att</td>
<td>5. 10. 0</td>
</tr>
<tr>
<td>&amp; wooden vessell,</td>
<td>2. 10. 0</td>
<td></td>
<td>fro other,</td>
</tr>
</tbody>
</table>

The debts wth he oweth
The wyddow is admitted to administer. She hath two daughters, on 3 year old, the other a yeare and halfe.

This 6th of June, 1655. An account of ye House and Land of ye Heires of Abraham Elsen desceased in Wethersfeild, rented out by us, Nath: Dickinson and Sam: Smith, foure yeares, for ye raising of ye childrens portions, according to ye appointment of this Court, unto Thomas Hurlbutt, at foure pounds ten shillings yeare, voth ye use of 4l. 10s. for three yeares: ye is to say, ye Rent is eighteen pounds, ye use is two pounds one shilling and seaven pence,

<table>
<thead>
<tr>
<th>£</th>
<th>s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Layd out for groundselling ye house, one pound three and fourepence,</td>
<td>1. 03. 4</td>
</tr>
<tr>
<td>And for other necessary charges, layd out of purse,</td>
<td>0. 06. 8</td>
</tr>
<tr>
<td>The charges substracted there remains,</td>
<td>01. 10. 00</td>
</tr>
<tr>
<td></td>
<td>18. 11. 07</td>
</tr>
</tbody>
</table>

For wth eightene pounds, eleaven shillings and seaven pence, wee ye said Nath: Dickinson and Sam: Smith, doth by o' hands, ye day and yeare abouesaid, secure ye said portions unto ye Courte, for ye best improvement of ye said portions for ye children, either till they come at age, or till ye Courte bee pleased to call us to acco'.
The Inventory of the goods and land of John Elsen,* of Wethersfield, on Conectecott River, with he was cesed on when he dyed, prysed the sixteenth of May, by Sa: Smith and Nath: Dickinson.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp&quot; his Apparrell</td>
<td>6 18 0</td>
</tr>
<tr>
<td>Itē: his bedds and bedding, woollen &amp; lynin wth some leather</td>
<td>. . 14 10 0</td>
</tr>
<tr>
<td>Itē: his cart and plows, wth husbandry tooles</td>
<td>8 10 0</td>
</tr>
<tr>
<td>Itē: his arms and ammunciation</td>
<td>. . 2 0 0</td>
</tr>
<tr>
<td>Itē: his brasse and pewter and iron vessell</td>
<td>5 0 0</td>
</tr>
<tr>
<td>Itē: his howse &amp; barne &amp; homelott &amp; other land</td>
<td>87 0 0</td>
</tr>
<tr>
<td>Itē: debts wth were owing him</td>
<td>. . 8 10 0</td>
</tr>
<tr>
<td>Itē: his corne and meat and other things</td>
<td>5 10 0</td>
</tr>
<tr>
<td>Itē: his books</td>
<td>. . 1 0 0</td>
</tr>
<tr>
<td>Itē: his cattell, hogggs &amp; a mare</td>
<td>. . 67 10 0</td>
</tr>
<tr>
<td>Itē: his cattell, hogggs &amp; a mare</td>
<td>. . 67 10 0</td>
</tr>
<tr>
<td>Itē: his cattell, hogggs &amp; a mare</td>
<td>. . 67 10 0</td>
</tr>
<tr>
<td>Itē: his cattell, hogggs &amp; a mare</td>
<td>. . 67 10 0</td>
</tr>
</tbody>
</table>

A copy of the dispose of his estate, before Mr. Smith.

To my B. Gardners children, land att the meadowe gate; To my Br: Gardner my coate; To Mr. Smith, 5L; My loeinge wife all the rest. Only the howse and land to her two sons, after her life; 11 acres of meadowe, howse & lotte; 3 roods of meadowe to B. Gardners boy. The howse & homee lett to Ben: The meadowe to be deuided betweene him & Job. John T Elsin

Robert Parke
Henry Smith

The Wyddow is admitted to administer.

May the 19th, 1648.

An Inventory of Tho: Dewys Estate.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp$: One howse and barne, wth the homee lott, in quantity £. s. d. about one acre &amp; quarter, to the foot of the hill</td>
<td>40 0 0</td>
</tr>
<tr>
<td>Itē: one pcecell of meadowe adioyninge thereunto, about 7 acres</td>
<td>. . 20 0 0</td>
</tr>
<tr>
<td>Itē: another pcecell in the great meadowe, 4 acres &amp; one quarter</td>
<td>. . 13 0 0</td>
</tr>
<tr>
<td>Itē: another pcecell in the great meadowe, 3 acres and on quarter</td>
<td>. . 10 0 0</td>
</tr>
<tr>
<td>Itē: another pcecell in the great meadowe, about 5 acres, 8 rodde &amp; halfe</td>
<td>. . 15 0 0</td>
</tr>
<tr>
<td>Itē: two pceells of vpland, about 29 ac: &amp; halfe</td>
<td>. . 20 0 0</td>
</tr>
<tr>
<td>Itē: one yoake of oxen</td>
<td>. . 15 0 0</td>
</tr>
<tr>
<td>Itē: two mares &amp; a colte</td>
<td>. . 18 10 0</td>
</tr>
</tbody>
</table>

* See page 163, ante.
Itē: two cowes and on young beast, .......................... 12. 0. 0
Itē: one sowe & two piggs, 1: 0: 0. Itē: 2 stocks of bees, 2: 10: 0. ........................................... [3. 10. 0]
Itē: 5 acres of corne vpon the ground, ....................... 5. 0. 0
Itē: 7 other acres of corne vpon the ground, ................. 5. 0. 0
Itē: in beddimg, bedstead and lyming, ........................ 9. 10. 0
Itē: his wareing clothes, 5: 10: 0. Itē: Pewter, 1: 8: 0.[6. 18. 0]
Itē: a chest, a boxe, a cubberd, ................................ 0. 11. 0
Itē: one fowlinge peece, sword, powder & bullits, ......... 1. 15. 0
Itē: wedges & betle rings, 0: 4: 0. Itē, axes, spads & other tooles, 1: 10: 0. ....................................... [1. 14. 0]
Itē: potts, kettells of brasse & Iron, .......................... 7. 0. 0
Itē: hempe & flaxe, 1l. Itē: a soddell & pillion, 1l. 4s., [2. 4. 0]
Itē: meal trow, tables, payles & other smale things, ....... 2. 1. 0
Itē: a table board, 0: 6: 0. Itē: a syth, 0: 5: 0, .......... [0. 11. 0]
Itē: part in a sawe & shott mold, ................................ 0. 6. 0
Itē: a cart, plowe, harowe, howes, and other things, ....... 3. 10. 0

Som, 213£

The distribution of this estate was by the Courte the 17th October 1648, as appears by the Records of that Courte: * and provision made for the childrens portions at ye Courte the 6th of June, 1650. fol. 9.

David Wilton, Robert Wynnell.

Syxe children, 4 boyes, 2 gerlls; one gerle, Mary Clark, 12 yeare old; one sonne, Thomas Dewye, 8 yeare. Josiah Dewey, 7 yeare old; Annah Dewye, 5 yeare old; Isreall Dewey, 3 yeare old; Jydidiah Dewey, 3 quarters of a yeare old.

[250] A trew and pfecte Inventory of the goods and Chattells of SETH GRANT, of Hartford, deceased.

Imp: In the parlowre, one great table, 10s.: 3 joyned £. s. d.
    stooles, 6s.: two chaire, 4s. 6d: on chest, 6s. ................ 1. 6. 6
It: in the lodginge roome, 1 fetherbed & bolster, 3 pillowes, 3. 10. 0
It: one rugge, 20s: one flock bolster 10s: 3 blanketts & one coverlett, 1l. 10s., ........................................... [3. 0. 0]
It: 5 curtens, 12s. 6d: one bedsted and strawe bedd, 1l. 1. 12. 6
It: one trundle bed, 7s: fower sheets & one board cloath, 3l. 10s. .................................................. 3. 17. 0
It: 3 sheets, 3l. 10s: fower sheets, 1l: 5 perre of pillo-
    bers, 1l. 10s., .................................................. 6. 0. 0
It: a parcell of linen cloath, 2l. 0: one table cloath & 3 napkins, 12s., .................................................. 2. 12. 0
It: 1 grage cloath, 3s: three towells, 4s. 6d. ............... 0. 7. 6
It: one smale boxe, wth some child bed linnen, ............... 0. 5. 0
It: 2 chests, 4 boxes, 13s. 4d: one cubberd, 5s: one warm-
    ing panne, 6s. 2d., ........................................... 1. 5. 0

* Page 168, ante.  
† Wynnell.
It: in the Hall, one Table, 2 forms, 1 chaire, 0. 6. 8
It: one muskett, bandalers, & sword, 1. 5. 0
It: 1 pair of coribrons, 1 slyce,* 1 pair of toongs, 1 pr'of bellowes, 2 perre of trammells, 0. 14. 0
It: 7 smale books, 8s: one spit & gridiron, 4s., 0. 12. 0
It: 2 brasse kettells, 1l. 5s: three brasse posnetts, 10s., 1. 15. 0
It: on paile w'h an iron baile, 1s. 6d: 2 iron potts & pott-
hooks, 1l., 1. 1. 6
It: one bell mettell mortar & iron pestell, 0. 5. 0
It: 2 smale bear vessels, 4s: a cowl, 2s. 8d: an hower glasse, 2s., 0. 8. 8
It: 2 wedges, 2 axes, 2 betel rings, 8s: It: 10 pewter dishes, 2l. 4s., 2. 12. 0
It: 1 pewter quarte, 1 halfe pinte, 1 beker, 1 candlesticke,
2 salts, 3 porringers, 2 sancers & 1 bason, 0. 15. 10
It: 4 smale dishes, 4s., 0. 4. 0
It: 2 peir of new shoos, 10s: one peir of boots, 7s. 0. 17. 0
It: 4 cushens, & his weareing apparrell, 2. 6. 8
It: in the chambers, 7 bush: Indean corne, 0. 17. 0
It: 29 bush: of wheate, 5l. 16s: 10 bush. of pease, 1l. 10s., 7. 6. 0
It: two bush: of Indean molt, 5s: 7 bush: of oats, 12s. 0. 17. 0
It: 4th. of towne, 6s. 4d: 25 pound of hempe teare, 1l. 5s., 1. 11. 4
It: in the yards, 1 Cove, 6l: two hogges, 1l. 10s. 7. 10. 0
It: on dwelling howse, w'h the barne & homelott, cont:
1 acre, 1 rood, 40. 0. 0
It: in the north meadow, 1 p'cell of meadow, cont: 3 roods, 4. 10. 0
It: on p'sell of meadowe & swamp, cont: 3 ac. 3 roods &
27 p'ches, 20. 0. 0
It: 2 roods 4 p'ches of meadow, on the east side the great
River, 2. 0. 0
It: 1 acre of swamp, 2l: and 32 acres of vpland, 30l., 32. 0. 0

The toall sume as ther cast vppe, 141. 10. 8

March the 4th, 1646.

[251] The last Will and Testament of William Buttler, late
of Hartford, deceased.

I William Buttler of Hartford, in Connecticutt, doe make and
ordaine this my last will and Testament, wherein I give my
earthly goods as followeth:

And first, I make my brother Richard Buttler dwelling in
Hartford, my whole executor, and all that is left of my lands
and goods, when hee hath paid all these legacies vnderwritten, I
give to him.

* A peel, or fire shovel.
It: I give my sister Wests children that are now living in old England, five pounds a piece. Item, I give my sister Winters children, that are now living in old England, five pounds a piece. Item, I give my loving friends of Hartford, Mr. Stone and Mr. Goodwyn and Mrs. Hooker and Mr. John Steele, ten pounds a piece. Item, I give to the Church of Hartford, three-score pounds. And further, I do earnestly desire my two friends, Mr. John Cullick and William Gibbens, both of Hartford, to see that this my last will and testament bee fullfilled; and for their love and paines, I doe bequeath to each of them three pounds a piece. In witnes whereof, I the said William Buttler haue set to my hand, this eleuenth of May, 1648.

William Buttler.

A true and perfect Inventory of the goods and estate of William Buttler, late of Hartford, deceased: apprised by John Cullick and William Gibbens.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp: wearing cloaths and mony in his purse</td>
<td>12. 0. 0</td>
</tr>
<tr>
<td>It: one bed and furniture,</td>
<td>10. 0. 0</td>
</tr>
<tr>
<td>It: one gunn, one sword, powder and shott</td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>It: 4 yards of searge 1l. 10s.</td>
<td>[61. 10. 0]</td>
</tr>
<tr>
<td>It: land at Wethersfield,</td>
<td>[283. 13. 0]</td>
</tr>
<tr>
<td>It: Land at Hartford, 90l.</td>
<td></td>
</tr>
<tr>
<td>It: In debts, 193l. 13s.</td>
<td></td>
</tr>
</tbody>
</table>

Summa Totalis, 429. 03. 0*


I, John Horskins, of Wyndor, doe make this my last will and testament, as followth: Item, I give unto the Church, three pounds, to bee distributed by the Deacons unto the poore, to bee paid in wheat or pease, as wee are able. Concerning my man servant, Sammuell Rockwell, my desire is that hee should serve in my howse one quarter of a yeare after his covenant is out, which hee hath formerly made; and in case hee is willing so to doe, my will is that at the end of his service, hee shall haue six pounds of mee, as wee are able to pay it; but in case hee is not willing, then my will is that hee shall haue foure pounds, when hee hath compleated his tearme of searuice allready cou-

* An error of the original record. The amount of the Inventory, as recorded, is £369. 3. 0
enanted. Some persons owe mee some small sums of corne, wch I shall leave to the disposing of my wife and my sonne. Five bushells of Indian Corne and seauen pecks of pease is due to mee from Robert Winchell, and Thomas Holcombe owes mee seuen bushells of pease; and Sammuell Gaylerd owes mee two bushells of pease, and eight shillings or thereabouts of an old reckoning; and Abraham Randall owes mee foure shillings. And all the rest of my goods, moueable or immoueable, cattell, howses and lands, and any thing growing thereon, I leave to my wife and my sonn Thomas, assininge them to receive my debts, and also to make payment of theise things forenamed, or any other engagement of mine. In wittnes whereof, I have herevnto put my hand, this first of May, 1648.

In the presence of, John Horskins,
Sammuell Rockwell, Abraham Randall.

An Inventory of the goods of John Horskins deceased, June this 29: 1648.

Imp: the howse and two barnes, with the homelott of 12 akers of land, 52. 0. 0
Item, 12 akers of meadow, 42l: Item, a great lott, 27 akers, 6l. 15s., 48. 15. 0
Item, at Pyne meadow, 14 akers, 30l: Item, a parcell of swamp, 3 akers, 3l., 33. 0. 0
Item, 6 akers of wheat sowen, 10l: Item, 14 akers of diverse sortes of graine, 18l., 28. 0. 0
Item, 2 paire of wheelles, one carte, one tumbrill, wth a plough & tackling therevnto belonging, 6. 0. 0
Item, halfe a Boate, 0. 10. 0
Item, two axes, howes, sawes, wedges, and hookes, with other things, 2. 0. 0
Item, two swyne, 1. 6. 8
Item, in the Hall, one bed & a bedcase, and the furniture, 7. 0. 0
Item, two beds more with the furniture, 6. 0. 0
Item, in Leather, 1l: Item, in sheets, 3l: Item, two table cloaths, 6s., 4. 6. 0
Item, in napkins, 6s: Item, in holland, 17. 2s., 1. 8. 0
Item, his wearing cloaths, 16l: Item, in cotton cloath and kniues, 5l. 8s., 21. 8. 0
Item, in baggs and bottells, 1l. 6s: Item, in chests and boxes, 1l. 2. 6. 0
Item, a table, formes, stooles and wheeles, 1l. 2s: Item: in bookes, 10s., 1. 12. 0
Item, one furnace pann, 2 brass panns, 1 warming pann & other things, 3. 15. 9
Item, in pewter, 1l. 2s: Item, 3 brass potts, 3l. 4. 2. 0
Item, 1 frying pann, crooks, pot hookes and other things, 1. 0. 0
Item, 3 pewces, 2 swords, powder, bandleers and bullits, 2. 10. 0
Item, a barrill of pitch, 1. 0. 0
Item, in barrills, tubbs, pailles, hogshheads & other things, 1. 10. 0
Item, a cart rope, hemp, flux, yarne, and cushions, 2. 10. 0
Item, in corne, meale, mault and bacon, 9. 0. 0
Item, in salt, suies, meale troughs, one hyde, saddle & other lumber, 2. 10. 0
Item, 2 kine, 11l. 10s: Item, one Cowe, 4l. and two steeres, 6s., 21. 10. 0
Item, two steares, 9l. and one Cowe, 4l. 10s: Item, one Bale, 4l., 17. 10. 0
Item, one yoke of oxen, 16l. 10s: Item, one mare and colt, 14l., 30. 10. 0
Item, 2 yearlings and two calves, 4l. 10s: Item, in debts, 20l. 18s., 25. 8. 0

Will: Gaylerd, Thomas Stoughton, Totall sum is 338. [6. 8]
Daud Willton.

---

[253] An Inventory of the goods and estate of Richard Sawyer, deceased July 24, 1648.

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 musck colored cloth doublitt &amp; breeches</td>
<td>1.00</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1 bucksleather doublett, at 12s: 1 calues leather doublitt, at 6s,</td>
<td>0.18</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1 liuer coloured doublett &amp; jacket &amp; breeches, 0.07. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 haire coloured jackett &amp; breeches, 0.05. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 p' of canuas drawers, 1s. 6d. 1 old coate &amp; 1 p' of old grey breeches, 5s. 0.06. 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 stuff jackett, 2s. 6d. 1 paire greene knitt mens hose, 2s.</td>
<td>0.04</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>1 old coloured hatt, 3s. 1 p' old knitt cotton hose, 1s. 6d.</td>
<td>0.04</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>1 new coloured hatt, at 7s. 10 bands, at 15s. 1. 02. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 shirts, at 12s. 1 paire of old bootts, at 5s. 0. 17. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 paire of old shoes, at 2s. 0. 02. 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 chest, 1 paire of cloth buskins and other th: 0. 04. 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in siluer, 2s. 3d. in wampum 23½d. 2. 06. 10½</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

John Bernard, Totall sum is 07. 17. 10½
Arthur Smith.

Octob' 17th 1648, The Courte gaue Mr. Cullick powr to adminis-
ter vpon the estate abouesd. as appears by the Records of that Courte.*

* Page 169, ante.
[254] A true and perfect Inventory of the goods and chattells of Richard Rissly, late of Hockanum, deceased.

£.  s.  d.

In the yarde, Item, two milch cows and a heifer, 14. 0. 0
Item, 3 heifers, 9L. and one steare, 3L. 12. 0. 0
Item, one Bull and two young Bullocks 6L.; one calfe, 20s. 7. 0. 0
Item, one steare, 5L., one spotted hogg 50s., 7. 10. 0
Item, 2 sowes, 4L., younge hoggs, 9L.; 6 store, 4L., and 6 shotes, 3L., 20. 0. 0

In the Hall, Item, 1 muskitt, 15s., and one sword, 7s., 1. 2. 0
Item, 2 frying pans, 6s., and one kettle, 16s., 1. 2. 0
Item, 1 kettle, 13s. 4d., and one small kettle, 3s., 0. 16. 4
Item, 1 posnett, 2s. 6d.; one iron pott, 7s., 0. 9. 6
Item, one small iron pot, 3s.; pott hooks and trammells, 4s., 0. 7. 0
Item, 3 platters and a plate, 8s., one pewter pott, 3s., 0. 11. 0
Item, 1 pewter cupp, 12d.; six spoones, 12d.; earthen ware, 7s., 0. 9. 0
Item, 2 payles, 2s. 6d.; 2 old payles, 12d., 3. 6. 0
Item, 2 Indian trayes, 4s.; 2 platters, 2 bowles and dishes, 3s., 0. 7. 0
Item, 1 great wooden platter, 2s.; 1 lattin dripping pann, 18d., 0. 3. 6
Item, 1 paire of bellowes, 2s.; one joined table and formes, 10s., 0. 12. 0
Item, 2 chaires, 3s.; 1 childes chaire, 18d.; a forme, 6d., 0. 5. 0
Item, 6 trenchers, a scummer, a cleansing dish, & chaffing dish, 0. 1. 6
Item, 1 smoothing iron, 12d.; 1 great Bible, 13s. 4d.; 1 small Bible, 2s., 0. 16. 4
Item, 1 narrow axe, 3s.; a broad axe, 2s.; a hattchett, 12d. 0. 6. 0
Item, 1 handsaw, 12d.; 1 hammer, 6d.; 2 augers and a beetle ring, 2s., 0. 3. 8
Item, 1 charne, 3s.; 1 coule, 3s.; 1 keeler, 2s.; 1 powdering tubb, [3s.] 0. 12. 0
Item, 2 beare barrills, 5s.; 1 powdering trough, 4s.; 2 payles, 12d., 0. 10. 0

In the Parlour: Item, 1 bedsted, 10s.; a featherbed, strawbed & 2 boulsters, 5L., 5. 10. 0
Item, 1 pillow, 5s.; 1 paire blanketts, 30s., 1. 15. 0
Item, curtaines, 20s.; 3 paire new sheetes, 3L., 4. 0. 0
Item, 6 yards of lynsy woollys, 12s.; a flock bed and boulster, 30s., 2. 2. 0
Item, 1 paire of blanketts, 15s.; 1 cradle, 2s.; 3 pillowows, 8s., 1. 5. 0
Item, 3 pillow beeres, and a warming pann, 0. 15. 0
Item, wearing clothes, and mony in his purse, 3. 0. 0
Item, 3 chests and a box, 12s.; a hogshead & meale tubb, 6s., 0. 18. 0
Item, 1 peece of sole leather, 0. 3. 0
In the chamber; Item, one fann, 6s.; one great Indian bagg, 4s., ... 0. 10. 0
Item, 6th of hopps, 4s. 6d.; rough hemp, 10s., ... 0. 14. 6
Item, 3 baggs, 3s., & 1 spade, 2s.; a corne baskitt, 12d., ... 0. 6. 0
Item, 1 saw, 1 old sithe, 7s.; 1 iron bayle & old how, 12d., ... 0. 8. 0
Item, halfe a bushell, ... 0. 2. 0
In the Barne; Item, 55 bush: wheate, ... 11. 0. 0
Item, 40 bush: of pease and rye, ... 6. 0. 0
Item, 15 bush: of Indian corne, ... 1. 10. 0
Item, a Howse at Hartford, with the homelott, 4 akers of swamp, and 2 of woodland, ... 26. 0. 0

John Cullick, 
Will: Gibbens. 
Totall sum is 135. 5. 10

There are 3 children, viz. one daughter, by name Sarah Rissly, betweene 7 and 8 yeares old; one sonne, by name Samuwell Rissly, about 2 yeares old; and one sonn, by name Rich: Rissly, about 3 months old.

The distribution of the estate by the Courte, the 7th of Decemb, 1848, is: To the 3 children, 16£ a peece, to bee pd to the daughter at the age of 18 yeares, and to the sons at the age of 21 years, William Hill bringing of ye vpp to write and read, and guing security to the Courte for the payment of the seuerall childrens portions.

<table>
<thead>
<tr>
<th>Debt Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Joseph Mygatt</td>
<td>2</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>To Thomas Selden</td>
<td>1</td>
<td>13</td>
<td>11</td>
</tr>
<tr>
<td>Capt: Cullick</td>
<td>0</td>
<td>17</td>
<td>10</td>
</tr>
<tr>
<td>Phillip Davis</td>
<td>0</td>
<td>13</td>
<td>10</td>
</tr>
<tr>
<td>Rich: Fellowes</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Will: Wessly</td>
<td>3</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Andr: Warner</td>
<td>1</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Rob: Ely</td>
<td>1</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Mr. Edw. Hopkins</td>
<td>16</td>
<td>15</td>
<td>8</td>
</tr>
<tr>
<td>To John Hopkins</td>
<td>0</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Thomas Woodford</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>

[255] Debts owing p'r the estate of Richard Rissly deceased.

The will of Robert Day hee being sick and weake, yet in perfect memory, doth order and dispose of his estate to his wife and children, in the manner following:

Impr'nis I give vnto my beloued wife Edatha Day my now dwelling howse and howsing thereto adioyning, howse Lott,
Also all my land whereof I stand possessed, or that of right doth belong vnto mee, lying in Hartford, during the tearme of her naturall life: And at the end of her life, my will is that the said howse and land shall bee for the vse of my children that then shall bee liuing, to bee deuided in an equall proportion: my will allso is that all my houeshold stuff, and Cattle and other moueable goods shall bee my wiues to bring vp my children: And in case my wife should bee married to another man, then my surviers of my will shall haue power if they thinke good to take security for the bringing vp of the children, and for so much estate as shall bee thought meete by them, and to this my last Will and Testament I make my wife my Executrix, and I doe desire my Deare Brethren, Mr. Tailecoate, Willerton, and Stebbing, to take care of and Assist my wife in the ordering her selfe and my children, and I give them power to doe what in their Judgements may bee for the best, to bring vp my Children and dispose of them, and that I leaue, for there good. And to this my will I sett to my hand the day aboue written.

Edward Stebbing,

Wallter Gaylerd.

[256] 14th October, 1648.

*An Inventory of the Goods of Robert Day Deceased.*

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>2 blankitts, one red &amp; yellow Couerlitt,</td>
<td>07</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 chest 10s. 1 Box 3s. 1 desk box 3s.</td>
<td>00</td>
<td>16</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 table 5s. 1 Cushersd 5s. and chaires,</td>
<td>00</td>
<td>16</td>
<td>90</td>
</tr>
<tr>
<td>Item</td>
<td>3 paires of sheetes,</td>
<td>02</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>6 table napkins 12s. 1 table cloth 5s.,</td>
<td>00</td>
<td>17</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>6 pillow beeres,</td>
<td>01</td>
<td>10</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>the wearing clothes with 3 skinns,</td>
<td>05</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>in Linnen yearne and Cotton wool yearne,</td>
<td>01</td>
<td>10</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>2 Cushens 6s. 1 paire of Bellowes 3s.,</td>
<td>00</td>
<td>09</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 Little Baskitt 12d. 1 warming pann 6s.,</td>
<td>00</td>
<td>07</td>
<td>00</td>
</tr>
<tr>
<td>In the Hall. Item</td>
<td>1 Brass Kettle,</td>
<td>02</td>
<td>10</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 Little kettle 12s. 1 little brass kettle,</td>
<td>00</td>
<td>15</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 brass possnett 4s. 1 brass pott 16s. 1 Iron pott 14s.,</td>
<td>01</td>
<td>14</td>
<td>00</td>
</tr>
<tr>
<td>Item</td>
<td>1 brass Chaffin dish 3s. one skumer,</td>
<td>00</td>
<td>05</td>
<td>66</td>
</tr>
</tbody>
</table>
WILLS AND INVENTORIES. 489

Item: 7 pewter dishes, and some broken pewter; 1 saser: 2 pewter potts: 1 Candlestick: 1 salte: 1 small bottle: 6 ockumy* spoons, 2 porringer and 4 old spoones. 01. 10. 00

Item: 1 Lattin dripping pann: 1 spitt, 1 pistoll: 1 smoothing Iron. 00. 10. 00

Item: in earthen ware, and wooden ware. 00. 10. 00

Item: 1 muskitt Bandleers and sword. 01. 00. 00

Item: 1 table and 2 chaires, 00. 05. 00

In the sellar. Item. in tubbs and Tables and formes. 01. 00. 00

In y* little chamber. It: one flockbed, 2 blankitts: 1 Couerlitt, 1 feather boulster, 2 feather pillowes, 2 bedsteads, 04. 12. 00

Item: 3 hogsheads, 2 Linnen wheeles, 1 woolen wheele, one Barrill, 00. 19-00

Item: 1 table, 1 wheele, 1 hatchett, 00. 05. 00

Item: in working tooles, 01. 08. 00

Item: 1 Leather Bottle 2s. vid. 1 paire of tongs: fier pann, grid Iron: frying pann, one trammell, 00. 15. 00

Item: in Bookes, and Sackes, and Ladders, 01. 00. 00

Item: one Cow: 1 3 yeare ould heifer: one 2 yeare old heifer, with some hay to winter them, 14. 10. 00

Item: 2 hoggs 3l. 03. 00. 00

Item: in seuerall sorts of Corne with some hemp and flax, 15. 00. 00

Item: the dwelling howse and out hosing, howse lott and Garden, 45. 00. 00

Item: about 6 Akers of meadow, in severall parcels with vpland, 26. 00. 00

Summa Totalis 142. 13. 06

John Taillecoate,
Gregory Willerton,
Edward Stebbing.

[257] October 16th, 1648.

An Inventory of the Goods of Timothy Standly, of Hartford, deceased.

Imp*: In the kittechin chamber; One standing bedstead, one feather bed and feather boulster, one red and blue £. s. d. couerlitt, one paire blankitts, 2 pillowes, 7. 18. 08

* Ockimy, (alchemy) a mixed base metal.
Item, one trundle bed, 1 flock bed & 2 boulsters, 1 white blankitt, 1 straw bed case, one yello and white couer litt, 1 feather pillow, 1 flock pillow, 2 little feather pillows, 5. 18. 08

Item, 4 yards ¼ of blankitt cloth at 3s. p' yard, and one trundle bed, 0. 18. 06

Item, one paire of flaxen sheetes, 1. 04. 00

Item, 1 paire of course sheets, 12s. 1 paire sheets more, 12s., 1. 04. 00

Item, 2 paire of hempen sheets, 2. 10. 00

Item, 1 paire more of towing sheets, 16s. 1 single sheete, 12s., 1. 08. 00

Item, more 4 paire of course sheets, 8s. pr, 1. 12. 00

Item, 1 long table cloth, 10s. 2 shorte table cloths, 10s., 1. 00. 00

Item, 3 holland pillow beeres, 12s. 3 flaxen pillow beers, 10s. 2 flaxen hand towells, 9s. 1 course towell, 2s., 1. 13. 00

Item, 1 course board cloth, 2s. foure course towing towells, 6s., 0. 08. 00

Item, 6 flaxen napkins, 12s. 1 chest & box, 4s. 3 chaires, 4s., 1. 00. 00

Item, 6 cushins, 12s. 1 paire bellows, 2s., 0. 14. 00

In the Hall chamber ; one chest, 12s. 1 paire curtans, 20s. 1 little chest, 3s. 1 shipp chest, 2s. 6d., 1. 17. 06

Item, one trunck, 5s. one old trunck, 3s. one little chest, 2s., 0. 10. 00

Item, one Fann, 10s. foure hogsheads, 8s. 10 yards of course lyning at 18d. pr. 1. 13. 00

Item, 5 great platters, 20s. 4 small platters, 10s., 1. 10. 00

Item, 3 sasers, and 2 bigger dishes, 0. 05. 04

Item, pewter bowle, 2 small potts, 4s. foure porringers, 21s. one salte, 3s. one dozen of spoones, 2s. vid., 0. 11. 06

Item, one chamber vessell, 2s. vid. 12 skinns for cloaths at 5s. p'. 3l., 3. 02. 06

Item, the wearing cloaths, valued at 6. 00. 00

In the Garrritt chamber ; 1 flock bed & 4 blankitts, 2. 10. 00

Item, 8 sacks, 1. 00. 00

In the Kittchin ; 1 kettle, 30s. one, 16s. one, 12s, 2. 18. 00

Item, 3 skillletts, 10s; 3 iron potts, 1 iron kettle, 1. 14. 00

Item, one spit, one lattin dripping pann, 0. 04. 00

Item, one brass skumer ; in earthen ware and wooden dishes, 0. 06. 08

Item, one iron morter and pessell, 0. 05. 00

Item, 1 kneading trough, 1 forme, 1 table, 0. 08. 00

Item, 2 tramells, fier pann, tongs & cobiornes, 0. 11. 00

Item, 1 tosting iron, 2s. two linnen wheeles, 6s., 0. 08. 00

Item, 3 sieues,* 3s. one treuett, 18d, 1 chaffin dish, 0. 05. 06

Item, 1 cross cutt saw, 6s. 2 muskitts, 24s. 2 paire bandelers, 4s. 1 fowling peece, 15s., 2. 09. 00

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* sieves ?
Item, more one woollen wheele, ................................. 0. 03. 00
Item, in seuerall bookes, 20s. and one sword, 4s. ................ 1. 04. 00

In the Hall; one table, 10s. one press, 10s., .................... 1. 00. 00
Item, one warming pann, 5s. 1 halfe bushell, 2s., .............. 0. 07. 00
Item, one great seife, 2s. in mony and wampum, 2l., ........... 2. 02. 00

In the chamber over the shopp; 1 flock bed, 2 bouler-
sters, 2 blankitts, 1 yello: and white couerlitt, ................ 4. 00. 00

[258] Item, In the working shopp; in lasts, axes, hand-
saw, beetle rings, iron wedges & other toolls, .................. 1. 15. 00
Item, in 3 backs and halfe of leather, and one piece; .......... 10. 00. 00
Item, one parcell of leather, sould for 13l., ..................... 13. 01. 00
Item, one paire of Bootts, ....................................... 00. 10. 00
Item, in Cartes and wheeles, & chains & plow irons, ......... 2. 10. 00
Item, 6 oxen valued at ........................................... 38. 00. 00

Item, 2 coves, 11l. one heifer, 2l. 10s. two calues, 2l., ....... 15. 10. 00
Item, 1 yeare old horse colt, 4l. 4 sheepe, 5l. one blank-
it more, 10s. ................................................... 9. 10. 00

In wheat at Farmington, valued at 100 bush: out of which the family is to bee provided and some small debts paid.

Item, 6 hogs at 25s. p', and 3 piggs, ............................. 9. 00. 00
Item, 2 huese of bees, ............................................. 1. 10. 00
Item, the dwelling howse, home lott, and little meadow-
lott, and out housing, with uplands, ............................. 75. 00. 00
Item, 8 akers of meadow and swamp, in the northmeadow, .... 40. 00. 00
Item, 3 akers of meadow and some vpland on the east side of the great Riuer, .......................................................... 12. 00. 00

Item, land and howsing at Farmington, ........................... 40. 00. 00

Totall sum is 332. 18. 10

John Tailecoate, Will: Westwood,
Edward Stebbing, Thomas Standly.

The distribution of the estate by the Court, the 7th Decemb. 1648, is as followeth: To the two eldest daughters, 50l. out of the moueables. To the eldest soun, Calib, the howses and lands in Hartford, at the age of 21 yeares; hee paying to the youngest daughter, if shee liues, 30l. To the youngest soun, Isaack, after the decease of his mother, the land and howsing at Farmington.

These presents witnesse, that we Thomas Porter & Lois Porter haue fully receiued of o' brother Caleb Standly of Hartford, that portion that was alloted or distributed to Lois by the Honoured Court as her portion due to her of her father Timothy Standly his estate, and we doe by these presents fully acquitt, exoneratt and discharge our sayd brother Caleb Standly, his heires, executors and administrators of all debts, dues and demands whatsoever dew from him the sayd Caleb Standly, by vertue of any guift or distribution made of the estate of o' Honoured Father Timothy Standly deceased; as
witness o' hands this first day of December, in the the year of o' Lord, one thousand, six hundred and seuenty.
Witness, Samuel Cowles, Thomas Porter,
Abigail Cowles. Lois Porter.
This is a true copy of the originall, being examined & compared therewith, this 5th of January, 1670, p' me,
John Allyn, Secret'y.

[259] October 17th, 1648.
The Testament of Edward Chalkwell.

Imp' I doe bequeath vnto Nicholas Sension my gunn and sword and bandaleers and best hatt and forty shillings: Item, to John Moses, my best sute and coate and stockings and shoes: Item, to Mr. Warham, forty or fifty shillings, according as my goods doe hould out, after my debts bee paid: Item, to Georg Phelps, three pounds, and if any thing bee left, I giue it to the poore of the Church, and I doe make George Phelps executor to this my will and testament.

Wittnes, Henry Woollcott,
Nicholas Sension.

An Inventory of the goods of Edward Chalkwell, December 5th, Anno Domini: 1648.

Imp' A cotton sute, breeches and jackett, 00. 12. 00
Item, a cloth sute, breeches and jackett, 00. 12. 06
Item, a coate, jackett and breeches, 3. 00. 00
Item, a leather doublitt, 8s. a cloth doublitt, 5s., 0. 13. 00
Item, a red jackett, 16s. Item, worsted stockings, 6s. 6d., 1. 02. 06
Item, a chest lock, 1s. 6d. and 1 paire of gloues, 00. 04. 06
Item, a pece of trading cloth, 6s. 6d. 1 p' shoes, 3s. 8d.
1 p' stockings 3s., 00. 13. 02
Item, 2 old paire stockings, 1s. Item, 2 shirts, val'd 6s., 00. 07. 00
Item, a band and strings, 2s. Item, 7 yards of Lock-rum, 12s., 00. 14. 00
Item, a gunn 12s. a cuttllas, 24s. a belt, 2s., 1. 18. 00
Item, his best hatt, 14s. an old hatt, 1s., 0. 15. 00
Item, an axe howe, 6s, and chest, 2s. vid., 0. 08. 06
Item, bandeleers and powder horne, 0. 03. 00
Item, wheat, 2 bush: pease, 2 bush: 0. 14. 00
Item, p't of a pott, frying pann, old payles, bedstick & barrill, 0. 09. 00
Item, seed wheat, 3 bush: \(\frac{1}{2}\) and 1 day \(\frac{1}{2}\) worke, 0. 16. 00
Item, a bible, 0. 05. 06

Item, in flax, 13. 07. 08
March 20th, 1643.

Whereas by the Providence of God, I William Whiting doe intend a voyage presently vnto sea, mans life being all-waves incident to change, but so much the more in regard of my voyage, therfore, I did think, if God should not returne mee with safety, to leaue some lynes in generall, as my last Will and Testament. And whereas that estate I haue doth lye in such a manner as it is vnceriteine what it will bee, therfore my will is it should bee thus devided: I giue vnto my loving wife, halfe my houshold stuffe of all kinds, and one fourth parte of my two whole personall estate; and her widdowes estate in my now dwelling howse and lands at Hartford, vntill my sonne William bee the age of twenty and one yeares, and after, if shee continue a widdow, I giue her the one halfe of my said howse and land for her life. I bequeath vnto my sonne William, one hundred pound more then I giue vnto either my sonne John or my sonne Samuel. I bequeath vnto my sonne John one hundred pounds more, and my sonne Samuel, one hundred pounds more a piece, then I giue vnto my daughter Sarah or vnto my daughter Mary. The fourth parte of my estate being taken out for my wife, one hundred pound for my eldest sonne not being accounted with the rest, hee haueing an equall proportion with my two other sonns in the estate, my other two sons and hee taking one hundred a picee, I bequeath the rest of my estate thus; first, to haue 20l. paid vnto Mr Hooker, towards the furtherance of setting forth for the benefitt of the church his worke uppon the 17th of John,* with any else hee doth intend. I desire Mr. Stone may haue added vnto the 5l. I did promise him, 5l. more. Also, I bequeath 5l. towards the mending of the high wayes betwixt my howse and the meeting howse. Also, I giue 5l. to some godly poore in the Towne. These sums being taken out, I doe bequeath the rest of my estate vnto my fiue children to bee equally deuided amongst them, that is, euery one a like proportion; and this my said estate to bee improved vnto the best advantage for the breeding vpp of my children in learning, to

*This work of Mr. Hookers, so far as it was completed before his death, was first published in London, in 1657, under the title of "Christ's Prayer for Believers, a Series of Discourses founded on John xvii. 20-26."
schoole, and in the feare of God; and theire portions to bee paid before the age of twenty and one yeares, as the providence of God shall giue occasion. And my will is that if any of them dye before the said tearme of yeares, the portion should bee deuided among the rest of my children. And that this my will may bee performed, I doe earnestly intreat my much honored frends and beloued in the Lord, Mr. John Haynes, Mr. Edward Hopkins, Mr. John Webster, with or deare and louing Pastor, Mr. Thomas Hooker and Mr. Samuell Stone, to bee ourseers of this my last will and Testament, not doubting they will indeauor the performance of the same. In testimony of my loue to them, I doe bequeath, out of my whole personall estate, 10l. a peece. Allso, I doe bequeath vnsto my Father and Mother, 20l., and if they bee dead my minde is it should bee giuen vnsto my brother and his children. My meaning is, my land and howse shall bee accounted a parte of my sonne William, his portion. And my will is, if those my ourseers doe thinke my second sonne fitt to make a schollar, for his naturall parts, and allso in the gifts of his mind hopefull to keepe the fire vppon the Alltar, my will is hee should bee sett parte for that seruice.

This is my last will, as witnes my hand, the day and yeare aboue. William Whiting.

Aprill 2<sup>d</sup>, 1646. Whereas by the providence of God, I am intending a voyage, my will is that my sonne Joseph shall have an equall portion with my sonne John and my sonne Samuell, out of my whole personall estate. Allso, I giue my sonne William, 50l. more. I giue vnsto my daughter Mary, 10l. more. Allso, I giue vnsto my sister Wiggen, 5l. and vnsto her children, 3l. a peece. I giue vnsto Margery Parker, 10l. My former will, my mind is, it should bee in force; and these last legacies should bee paid at the age of 21. The rest to bee paid in one yeare after my decease. pr mee,

This was done in the presence William Whiting.
of Mr. Edward Hopkins.

[261] In a letter to Mr. Hopkins hee did further express himself, as folloth:
St, I left my last with you. God hath increased my number. My mind is that the last should have an equall proportion with the rest. And whereas I did referr some trust with Mr. Haynes, I doe now referr all vnto you, and the rest expressed therin.

William Whiting.

And vppon his death bed hee did declare, as follow**:

It is my minde, if the Lord take mee away at this present, before I can draw vp any further will, that the children wch God hath giuen mee since the will was made wch I haue in Mr. Hopkins his hands, shall haue an equall proportion in all my estate, together with the rest of my children, as I haue there deuised. Allso, I confirme ten pounds giuen to Mr. Hopkins, ten pounds giuen to Mr. Webster, ten pounds to Mr. Hookers children, ten pounds to Mr. Stones children, ten pounds to the pore, fiue to Hartford and fiue to theise other two townes Wyndson and Wethersfeild, and fiue pounds to Mr. Smiths children, of Wethersfeild.

July 24th 1647. William Whiting.*

In the presence of Henry Smith, James Cole.

APRIL 24th, 1649.

The Courte taking into serious consideration Mr. Whittings Will, and judging it necessary for the preuenting of future difference to express their judgements therevpon, doe conceiue that it was according to his true meaning and intent that the last sonne borne after his death should have an equall portion with the rest of his sonnes, except the eldest; And they doe conceiue that twenty pound should be paid to Mr. Hooker vpon a speciall consideration, viz: for the putting forth of his worke vpon the 17th of John; and the ten pound giuen in his last writing to Mr. Hookers children, to bee in leiw of the ten pound giuen in his first writing to Mr. Hooker as ouerseer. Allso, they doe conceiue that the fiue pounds giuen to Mr. Stone, in his first writing, should bee paid, and the ten pounds giuen in his last writing to Mr. Stones children, to bee in leiw of the ten pounds giuen Mr. Stone, in his first writing, as ouer-

* Administration granted to the widow of Mr. Whiting, Sept. 2, 1647. The estate distributed, Oct. 3d, 1654. See pages 157, 262.
seer. To his Father etc. twenty pounds, fiue pounds to his sister Wiggen, and three pounds a peece to her children. Ten pounds to Margery Parker; fiue pounds to Mr. Smiths children; fiue pounds to the mending of the highwayes, and fiue pounds to the pore of Hartford; fifty shillings to the pore of Wyndso, and fifty shillings to the pore of Wethersfeild.

That legacy giuen to Mr. Haynes is left to further consideration.

Theise are the apprehensions of the Courte for the present, till other and better lighte appeares.

It was further declared by the Courte, this 24th of March, 1649, that it is their apprehensions, according to their present lighte, that whereas Mr. Whiting giues his wife her widdowes estate in her howse & land in Hartford, vntill his sonne William comes to the age of 21 yeares, that it was his intent and meaning that his said wife should injoye his said howse and land vntill William bee of the age aforesaid of 21 yeares, though shee bee marryed before.

And whereas, hee giues her one fourth pr't of his whole personal estate, It is in like manner their apprehensions, the 24th March, 1649, that it was his intent & meaning that his said wife should not haue a fourth pr't of his hosing & lands.

[262]  

**April 20th, 1649.**

*An Inventory of the Estate of Mr. William Whiting, deceased.*

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the parlour;</td>
<td>A featherbed, 2 flock beds, 2 p' of sheets, blankitts, stoole, a clock, a safe, a bedstead,</td>
<td>£17</td>
<td>06</td>
</tr>
<tr>
<td></td>
<td>cradle, cobirons &amp;c. valued at,</td>
<td>17</td>
<td>06</td>
</tr>
<tr>
<td>In the Hall;</td>
<td>a table, a courte cuberd, 6 joint stools, 3 chaires, 6 cushions, and andirons &amp;c. valued at,</td>
<td>04</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>2 featherbeds, boulsters and pillowes,</td>
<td>14</td>
<td>00</td>
</tr>
<tr>
<td></td>
<td>6 blankitts, 1 p' sheets, 2 coverlitts &amp; a trundle bed,</td>
<td>07</td>
<td>01</td>
</tr>
<tr>
<td></td>
<td>a coverlitt, vallance, curtaille, cubbert cloth, 2 small carpets,</td>
<td>21</td>
<td>00</td>
</tr>
<tr>
<td></td>
<td>a bedstead, 2 chaires, and 4 stoole,</td>
<td>02</td>
<td>06</td>
</tr>
<tr>
<td></td>
<td>a cobberd, a window cushion, cobirons and 3 p' of bellowes,</td>
<td>02</td>
<td>02</td>
</tr>
<tr>
<td></td>
<td>8 paire of fine sheets, 6 large table cloaths, 12 pillow beers, 4 doz. fine napkins, and 6 shorte table cloaths,</td>
<td>19</td>
<td>06</td>
</tr>
<tr>
<td></td>
<td>a chest containing seuerall remnants of wollen and linnen, intended for the use of the family, valued at,</td>
<td>10</td>
<td>00</td>
</tr>
</tbody>
</table>
WILLS AND INVENTORIES.

It: a trunck and 4 window curteines, 00. 18. 00

In the Hall Chamber; It: 6 cushions, 2 greene carpetts, a coverlitt, a set of curtaines and valence of greene say, 5 old curtaines and valence, 07. 12. 00

It: a chest & 4 truncks 1l. 10s.; 2 remnants of Kithermast stuff, 2l., 03. 10. 00

In the clossett; It: seueral pewter dishes cont: 91lbs.; a flagon, 2 candlesticks & a chamber pott, valued at, 06. 10. 00

In the garrit; It: a fockbed, 2 boulsters, a blankett, 2 ruggs, 2 pillows and a bedstead, 05. 00. 00

It: 5 p’ of sheets and 5 doz: napkins, 05. 00. 00

In the kitching chamber; It: a bed, 2 couerings, a p’ of sheets, and two bedsteads, 03. 10. 00

In the Kitching; It: 2 brass pots, 5 iron pots and an iron kettle, 4 brass panss and 6 brass kettles and 9 skilletts, 14. 10. 04

It: a pott posnett, a brass mortar & chafing dish, 01. 00. 00

It: 12 old pewter dishes, 6 porringers, 2 quart potts, 1 pinte, 2 chamber potts & a roster, 02. 03. 04

It: a frying pan, gridiron, 3 spitts, a jack, racks and cobirons, 01. 17. 00

It: a furnace, 2 dripping panss, and a grater, 03. 04. 00

It: in tubbs and keelers &c., 02. 10. 00

It: a new iron kettle & a warming pann, 00. 13. 04

It: in plate and mony, 14. 10. 00

161. 06. 08

In the clossett, more; It: in wampum, 39. 09. 00

It: in howes and hatchets, shoes, nayles, pinns, paper, shott, fish hooks, and all blades, 16. 19. 00

It: in Beauer, 10l. 4s.; It: in Amunition & gunpowder, 7l. 10s., 17. 14. 00

It: in shagg cotton, stockings, Hollands, deare skinns & 9 yards stuff, 19. 03. 00

It: in hatts, capps, gilded looking glasses, 7 peeces tape, tinn cupps and dram cupps, 04. 13. 06

It: 25 yards greene tammy, 2l. 18s. 4d.; 13 peeces of duffles, 130l., 132. 18. 04

It: in looking glasses, pewter bottles, brass ladles, brushes, bells, thimble, boxes, kniues, sissors, combs, Jewes harps, 19. 06. 02

It: 4 small brass kettles, 01. 06. 08

It: 2 Racoonco coates, 1 Wolf skin coate, 4 Bear skinns, 3 Mooss, 06. 10. 00

It: one small heser, 2l.; It: 2 p’ of stilliaris, 1l. 10s., 03. 10. 00

It: Tobacco pipes, 1l. 10s.; It: in bookes and apparell, 25l. 26. 10. 00

It: in beauer, mooss and wampum, more, 250. 00. 00

It: in 2 great gunns, anker, a cable, & hides, vppon Cariso:* adventure, 61. 11. 06

Curacoa?
WILLS AND INVENTORIES.

It: in skinns, and debts, vppon a voyage to Verginia, in anno 1647, yet due, 67. 10. 00
It: in Tobacko, at Verginia, 65. 00. 00
It: in the proceed of corne and porke, sould in anno 1648, 48. 00. 00
It: in oyle, soape, vinegar and other goods from Delawar, ye last yeare, 30. 00. 00
It: in trade at Long Iland, 30. 00. 00
It: in stock for trade at Waranoco, 100. 00. 00
It: in goods sent from England, 65. 19. 03
It: in p't of a pinnace, 40. 00. 00
It: in debts in the book, whereof 1/3 is doubtful, 372. 00. 00
It: in debts at Dillaware, we're are harassing, 90. 00. 00
It: in debts heere, vppon Mr. Whitings last voyage to Dillawar, 15. 00. 00
It: a debt of Steph: Luxford, very doubtfull, 15. 12. 00
It: a hhd. of Beauer, very harserdous, at least in great ft, sent for England, in Trerice, valued at, 60. 00. 00
It: goods and debts at Piscataway, very harserdous, 150. 00. 00
It: 7 cowes, a bull stagg and a young bull, 5 calues, and 9 other cattle, at Warranoco, & I at the sea side, at 102. 00. 00
It: 2 mares, 3 horses and 3 colts, 77. 00. 00
It: 20 hoggs, small and great, that were killed, 45. 00. 00
It: 23 store hoggs, 20l.; It: beefe in the tubb, 10l., 30. 00. 00
It: howsing and land at Wyndor, at 300. 00. 00
It: howsing and land in Hartford bounds, 400. 00. 00

Debts owing by this estate, about 97l.

This aprizement was made the day and yeare before expressed, according to the best light that then appeared, by vs,

Nathaniel Warde,
John White.

The last Will and Testament of Mr. Thomas Hooker, late of Hartford, deceased.

I Thomas Hooker, of Hartford, vppon Connecticutt in New England, being weake in my body, through the tender visitation of the Lord, but of sound and perfect memory, doe dispose of that outward estate I haue beene betrusted withall by him, in manner following:—

I doe giue vnto my sonne John Hooker, my howsing and lands in Hartford, aforesaid, both that which is on the west, and allso that we're is on the east side of the River, to bee injoyed by him and his heires for euer, after the death of my wife, Susanna
Hooker, provided hee bee then at the age of one and twenty yeares, it being my will that my said deare wife shall inioye and possess my said howsing and lands during her naturall life: And if shee dye before my sonne John come to the age of one and twenty yeares, that the same bee improued by the ouerseers of this my will for the maintenance and education of my children not disposed of, according to their best discretion.

I doe allso giue vnto my sonne John, my library of printed bookes and manuscripts, vnder the limitations and provisos hereafter expressed. It is my will that my sonne John deliuer to my sonne Sañuell, so many of my bookes as shall bee valued by the ouerseers of this my will to bee worth fifty pounds sterling, or that hee pay him the same of fifty pounds sterling to buy such bookes as may bee vseful to him in the way of his studdyes, at such time as the ouerseers of this my will shall judge meete; but if my sonne John doe not goe on to the perfecting of his studdyes, or shall not giue vpp himselfe to the seruice of the Lord in the worke of the ministry, my will is that my sonne Sañuel inioye and possesse the whole library and manuscripts, to his proper vse for euer; onely, it is my will that whateuer manuscripts shall bee judged meete to bee printed, the disposall thereof and advantage that may come thereby I leaue wholly to my executrix; and in case shee departe this life before the same bee judged of and setled, then to my ouerseers to bee improued by them in their best discretion, for the good of myne, according to the trust reposed in them. And howeuer I do not forbid my sonne John from seeking and taking a wife in England, yet I doe forbid him from marrying and tarrying there.

I doe giue vnto my sonne Sañuell, in case the whole library come not to him, as is before expressed, the sume of seuenty pounds, to bee paid vnto him by my executrix at such time, and in such manner, as shall be judged meetest by the ouerseers of my will.

I doe allso giue vnto my daughter Sarah Hooker, the sume of one hundred pounds sterling, to bee paid vnto her by my executrix when she shall marry or come to the age of one and twenty yeares, wch shall first happen; the disposall and further educa-
tion of her and the rest, I leaue my wife, advising them to attend her counsell in the feare of the Lord.

I doe giue vnto the two children of my daughter Joannah Shepheard deceased, and the child of my daughter Mary Newton, to each of them the sum of ten pounds, to bee paid vnto them by my sonne John, within one yeare after hee shall come to the possession and enjoyment of my howsings and lands in Hartford, or my sonne Sannuell, if by the decease of John, hee come to enioye the same.

I doe make my beloved wife Susanna Hooker, executrix of this my last Will and Testament, and (my just debts being paid,) doe giue and bequeath vnto her all my estate and goods, moueable and imoueable, not formerly bequeathed by this my will. And I desire my beloved frends, Mr. Edward Hopkins and Mr. William Goodwyn, to affoord theire best assistance to my wife, and doe constitute and appoint them the ouerseers of this my will. And it hauing pleased the Lord now to visit my wife with a sicknes, and not knowing how it may please his Matie to dispose of her, my minde and will is, that in case shee departe this life before shee dispose the estate bequeathed her, my aforesaid beloved frends, Mr. Edward Hopkins and Mr. William Goodwyn, shall take care both of the education and dispose of my children (to whose loue and faithfullnes I commend them,) and of the estate left and bequeathed to my wife, and do committ it to theire best judgment and discretion to manage the said estate for the best good of mine, and to bestow [264] it vpon any or all of them in such a proportion || as shall bee most suitable to theire owne apprehensions; being willing onely to intimate my desire that they wch deserue best may haue most; but not to limmitt them, but leave them to the full scope and breadth of their owne judgments; in the dispose whereof, they may haue respect to the forementioned children of my two daughters, if they see meet. It being my full will that what trust I haue committ to my wife, either in matter of estate, or such manuscripts as shall bee judged fit to bee printed, in case shee liue not to order the same herselue, bee wholly transmitted and passed over from her to them, for the ends before specified. And for mortallity sake, I doe put power into the hands of the forementioned beloved freinds, to constitute and
appoint such other faithfull men as they shall judge meete, (in case they bee deprived of life or liberty to attend the same, in their own persons,) to manage, dispose and performe the estate and trust committed to them, in as full manner as I haue committed it to them for the same end.

This was declared to bee the last Thomas Hooker.

Will and Testament of Mr. Thomas Hooker, the seventh day of July, 1647,

In the presence of
Henry Smith,
Samuell Stone,
John White.

[265] *An Inventory of the estate of Mr. Thomas Hooker, deceased, taken the 21st April, 1649.*

In the new Parlour; It: 3 chaires, 2 stooles, 6 cushions, a clock, a safe, a table, window curtaines &c., 05. 00. 00

In the Hall; It: a chest of drawers, and in it, 2 dozen of dishes, a pewter flagon, basons, candlesticks, sawcers, &c., 06. 00. 00

It: in ammunition, 4l. It: in a table, & forme, and 4 wheeles, 1l., [05. 00. 00]

In the ould Parlour; It: 2 tables, a forme, 4 chaires, 4 stooles, 4 table carpetts, window curtaines, andirons and doggs &c. in the chimny, 09. 00. 00

In the Chamber over that; It: a featherbed and boulster, 2 pillowes, a strawbed, 2 blankitti, a rugg, and couerlitt, darnix hangings in 7 peeces, window curtaines, curtaines and valence to the bed, a bedstead, 2 chaires, and 3 stooles, andirons &c. in the chimny, & a courte cubberd, 14. 05. 00

It: curtaines and valence to the same bed, of greene say, and a rugg of the same, with window curtaines, 05. 00. 00

In the Hall Chamber; It: a trunck of linnen, cont: 20 p' sheets, 8 table cloaths, 5 doz. napkins, 6 p' of pillow beers, and towells, 27. 00. 00

It: a bedstead, two truncks, 2 boxes, a chest & a chaire, 03. 05. 00

In the Kittchin Chamber; It: a featherbed, a quilt bed, 2 blankitti, 2 couerlitts, 1 boulster, a flockbed and boulster, a rugg and blankitt, a chest & ould trunck, and a bedstead, 12. 00. 00

In the chamber over the new Parlour; It: 2 featherbeds, 2 boulsters, a p' of pillows, 5 blankitti and 2 ruggs, stript valence and curtaines for bed & windowes, a chest of drawers, an Alarum, 2 boxes, a small trunck, 2 cases of bottles, 1 p' of dogs, in the chimney, 21. 00 00
In the Garrıts; It: in corne and hoggsheads and other housshould lumber, 14. 15. 00
It: in apparrell and plate, 40. 00. 00

In the Kitchın; It: 2 brass kettles, 3 brass pots, 2 cha-fing dishes, 2 brass skilletts, a brass morter, a brass skimmer, and 2 ladles, 2 iron pots, 2 iron skiletts, a dripping pann, 2 kettles, 2 spitts & a jack, a p′ of cobirons, a p′ of andirons, a p′ of doggs, fire shouell and tongs, 2 frying panns, a warming pann, a grid-iron, 7 pewter dishes, 2 parrassers, 1 p′ of bellowes, a tinn dripping pan, a roster, & 2 tyn couers, pothooks and tramells; all valued at 12. 10. 00

In the Brew howse; It: a copper mash tubbs, payles, treyes, &c. 04. 10. 00

In the sellars; It: 2 oxen, 2 mares, 1 horse, 2 colts, 8 cowes, and 2 heifers, 3 two yeares oould and 6 yearlings, valued at 143. 00. 00
It: husbandry implements, 05. 00. 00
It: Housing and Lands within the bounds of Hartford, on both sides the Riuer, 450. 00. 00
It: Bookes in his studdy &c., valued at 300. 00. 00
It: an adventure in the Entrance, 50. 00. 00

1136. 15. 00

The foregoing perticulars were prised the day and yeare aboue written, according to such light as at p′sent appeared,

by Nathaniell Ward,
Edward Stebbing.

[266] The last Will and Testament of Mr. Henry Smith, late of Wethersfeld, deceased.

I Henry Smith, of Weathersfield, being at present in health of body and soundnes of minde, considering my mortallity, and knowing it to bee my duty to prouide for my family and settle my estate, that I may leaue no occasion of trouble to my children when I am gonn, and that I may free myselfe from distractions of this kinde, if it shall please God to visitt mee with sickness before I dye; I doe thercfore leaue this testimony vpon Record, as my last Will and Testament.

First, I doe professe my faith and hope to bee in the free grace aloane of God in Jesus Christe, whose I wholly am, and to whome I haue for euer giuen vpp my selfe, both soule and
body, being fully persuaded of his unchangeable love and goodwill, both in life and death to mee and mine, according to his covenant, viz: I am thy God, and the God of thy seed after thee.

Then for my owtward estate, which because it is but little, and I haue well prooued the difficulties of this Country, how hard a thing it will bee for a woman to manmage the affaires of so great a family as the Father of Mercyes hath blessed me withall; and haue had also experience of the prudence and faithfullnes of my deare wife, who shall, in parting with me, parte also with a great parte of her liuelihood; I do therefore bequeath and giue vnto her, the full power and dispose of all that estate which God hath giuen mee, in howses, lands, cottells and goods whatsoever, within dores and without; onely providing, that in case shee marry againe, or otherwise shee bee able comfortably to spare it from her owne necessary maintenance, that shee giue vnto my sonne Sainuell that parte of my howselott that was intended for my sonne Perrigrine, lyinge next to the burying place, and the land I haue beyond the great Riuier eastward; and also, to him and my second sonne Noah, five acres apeece of meadow, with vplands proportionable thereunto, and to the rest of my children unmarried twenty pounds apeece, at the age of one and twenty yeares, or at the time of her death, which shall come the sooner. And for my two daughters that bee married, my desire is, that they may haue twenty shillings a peece, and euery one of their children, fiue shillings a peece, either in bookes or such other thinges as my wife shall best please to parte withall. And I desire the Church, whose servaunt I now am, to take the care and ouersight of my family, that they may bee brought vp in the true feare of God; and to see that this my will bee faithfully performed. In witnesse hereof, I haue subscribed my name, the 8th May, 1648.

Henry Smith.

[207] The Inventory of Mr. Henry Smith of Weathersfeild, lately deceased.

Imp': wearing clothes, . . . . . . 20. 00. 00
It: Bookes, . . . . . .
It. 3 feather beds, with all thinges belonging to them, two sutes of linen, . . . . . . 40. 00. 00
WILLS AND INVENTORIES.

It: 2 flock beds, with two suotes of Linnen, and all things belonging to them, ........................................ 08. 00. 00
It: Table linnen, 4/.  It: one carpet, 1/.  It: chests and truncks, 1/. 10s., ........................................... 06. 10. 00
It: 4 cushion stooles, 15s.  It: 9 cushions, 1/. 10s., 02. 05. 00
It: Tables, chaires, stooles, and other things belonging to them, .............................................................. 01. 10. 00
It: Cob irons, trammells and other fire irons, ........................................................................................................ 02. 08. 00
It: Brass, iron potts, & pewter and such like, ........................................................................................................ 15. 00. 00
It: Beare vessells, tubbs, and other wooden vessells, ................................................................................................. 02. 00. 00
It: Axes, howes and other husbandry tooles, ............................................................................................................. 03. 10. 00
It: in Corne, 14/. 10s.  It: in Maulte, 2/. 8s., ............................................................................................................ 16. 18. 00
It: Meate and Bacon, 6/.  It: Bees, 8/. .......................................................................................................................... 14. 00. 00
It: Howses and lands, 180/.  It: a Horse and Mare, 23/., 203. 00. 00
It: 3 Cowes, 15/.  It: one last yeare heifer, 1/. 10s., 01. 10. 00
It: one sow and 2 piggs, ............................................................................................................................................. 40. 00. 00

Owing from the estate, ........................................................................................................................................ 026. 02. 06

The sum remaining is ............................................................................................................................................ 370. 18. 06

Jeames Boosy,
Sammuell Smith.

[268]. The last Will and Testament of GYLES GIBBS, of Wyndsor, deceased.

Know all men by these presents that I, Gyles Gibbs, of Wyndsor, on Connecticutt, yeoman, being weake in body but of perfect vnderstanding and memory, doe ordaine this my last will and Testament, as followth:

Impr: my will is, that my sonne Gregory bee put forth an Apprentice to some godly man, for the space of five yeares, at the discretion of my execut: and the overseers of this my last will; and if hee submitt therevnto and stay out his time to the likinge of my overseers, I doe then bequeath vnto him my lott ouer the great Riuers, to him and his heires foreuer, in case my said overseers haue any incouragement to judge him worthy; otherwise at theire discretion, I bequeath him 5/. to bee paid him at the age of 21 yeares. Allso, I giue to my two sonnes, Sammuell and Beniamin, 20/. a peece, and to my daughter Sarah, 20/, to bee paid them at the age of 21 yeares. And to
Jacob, my sonne, I giue my howse and lotts, meadow, homelotte and great lott and lottes whatsoeuer on this side the great Riuер, after his mothers life. And to my wife, I giue all my lottes, howses, all my househould goods, cattells and chattells, my debts being discharged; provided that in case my said ouerseers haue no good incouragement concerneing the disposition of my sonne Gregory, but doe judge him vnworthy a fathers blessing, ynuder theire hands, my will is that my execut: shall haue the said lotte towards the education of my children, vntill my sonne Jacob shall attaine the age of 21 yeares; and then my will is that my sonne Jacob shall haue it to him and his heires for euer. And Executrixe of this my last Will, I appointe Katherine, my wife. And ouerseers of this my Will and Testament, I appointe the Deacons of the Church of Wyndsor, at all times in being. Blessed bee God.

May 18th, 1641. Witness, Gyles Gibbs.
    John Warham,
    Ephraim Huitt.

Postscript: I giue to Elizaphatt Gregory, 10 bushells of Corne, in case hee discharge the debt I gaue my worde for him to Mr. Huitt. And to Richard Wellar, I giue 40s., by 20s. a yeare, begininge from September next.

Witness,
    John Warham,
    Ephraim Huitt.

[269] Wyndsor, 8th Septembр, 1648.
An Inventory of the estate of Samuell Allyn, late of Wyndsor, deceased.

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp: the howsing and homelottes, 11l.</td>
<td>18. 00. 00</td>
</tr>
<tr>
<td>It: 4 acres of meadow, 7l.</td>
<td>18. 00. 00</td>
</tr>
<tr>
<td>It: 15 acres over the great River,</td>
<td>15. 00. 00</td>
</tr>
<tr>
<td>It: 18 acres of upland,</td>
<td>04. 10. 00</td>
</tr>
<tr>
<td>It: in goods; one bed with his furniture,</td>
<td>05. 00. 00</td>
</tr>
<tr>
<td>It: two beds more, &amp;c.</td>
<td>02. 14. 00</td>
</tr>
<tr>
<td>It: one pillowbeere, one table cloath and napkins,</td>
<td>00. 10. 08</td>
</tr>
<tr>
<td>It: his wearing apparrell,</td>
<td>05. 05. 00</td>
</tr>
<tr>
<td>It: 3 iron potts, 2l. 5s. in brass, 1l. 10s. in pewter, 1l.</td>
<td>04. 15. 00</td>
</tr>
</tbody>
</table>
It: in hogsheads, payles, tubbs and earthen ware, 00. 19. 00
It: 2 spinning wheeles, . . . . . . 00. 07. 00
It: in crookes, Grid iron, fire pan and tongs, . . . . 00. 13. 00
It: his workeing tooles, 2l. 2s.; It: a muskitt and sworde, 13s., . . . . . . 02. 15. 00
It: a table, and forme, and other lumber, . . . . 00. 10. 00
It: in cattle; one cowe, one heifer, 1 yearling, . . . . 12. 00. 00
It: two swynes, . . . . . . . . . . . . 04. 00. 00

Henry Clarke, 76. 18. 08
Dauid Willton,


I Thomas Nowell, of Wyndsor on Connecticut, being righte in understanding and of perfect memory, in regard of my age and weaknes desiringe to sett my howse in order, as my last Will and Testament and a token of my loue and respect, doe bequeath vnto Robert Willson my kinsman, one steere and one cowe; and vnto Isable Phelps my kinswoman, one cowe. And in case my wife shall after my decease marry againe, then it is my will and Testament that at the time of marriage forespecked, the said Elizabeth, ouer and aboue my foresaid gifts, shall pay to the said Robert and Isable each of them, ten pownds a peece. Item, as a token of my loue, I bequeath vnto my wife Elizabeth all the rest of my estate in goods, debts or dues of what kinde soeuer, to her full and finall dispose as shee shall see best; as also I bequeath vnto her my dwelling howse, with all my lands thereto p'taininge in Wyndsor aforesaid, for and during the tearme of her life. And after her decease, as a token of my love, I bequeath my said howse and land vnto Christopher Nowell, son of Edward Nowell, of Wakefield, in Yorkshire in England, deceased, to him and his heires for euer. And to this my last Will and Testament, witnes my hand, subscribed this present November 3d, Anno Domini, 1648.

Wittnes, Isable Phelps, Thomas Nowell.
Bray Rosseter.
An Inventory of the Estate of Thomas Nowell, late of Wyndson deceased, prized by vs whose names are heere underwritten, Febr. 22\textsuperscript{a}, 1648.

£ s. d.

Imp': The dwelling howse, barne, outhouses, with the homelott, orchyard, with an addition of meadow adioining. 75. 00. 00

Item, 13 akers of meadow, 3l. 10s. p' acre. 45. 10. 00

Item, 66 akers of vpland, with some additions. 03. 00. 00

In the Parlour; Item, one standing bed, with its furniture. 17. 00. 00

Item, one trundle bed, with its furniture. 10. 00. 00

Item, one couerlitt, 4 p' of sheets, 3 p' pillow beers. 06. 12. 00

Item, 3 table cloaths, 15 table napkins. 02. 18. 00

Item, 14 yards \(\frac{3}{4}\) of new linnen, with some cotton cloath. 02. 03. 06

Item, more new cloath, 5 yards \(\frac{1}{2}\). 00. 13. 09

Item, a cubberd, a table, a chaire, a small box, 3 stooles. 02. 10. 00

Item, 2 trunks, one chest, 1l. 6s.; Item, 15 cushions, 2l. 6s. 03. 12. 00

Item, 2 Bibles, and some other bookes. 00. 14. 00

Item, a p' of gold weights. 00. 03. 00

Item, his wearing apparrell, 1l. 11s.; Item, 2 carrets, 2l.. 13. 11. 00

Item, in mony and plate. 34. 00. 00

[271] Item, a pewter flagon, 2 platters, 3 saltes, 2 pintes. 01. 00. 00

Item, a pr. of andirons, tonges and other things. 00. 13. 00

Item, 33 yards of kersy, 1l. 4s.; Item, 5 yards \(\frac{3}{4}\) of searge, 1l. 15s. 12. 19. 00

In the Kittchin; Item, in Pewter. 04. 00. 00

Item, in Brass. 04. 03. 04

Item, one iron pott, one fryinge pann. 00. 12. 00

Item, 2 pceces, a p' of bandleers. 01. 06. 00

Item, one broiling iron, one cleaver, 1 spittle iron, 2 spitts, one smoothing iron, one gridiron. 00. 18. 06

Item, 2 p' of andirons, fire shouell and tonges. 00. 18. 00

Item, 2 chaffing dishes, pottookes and hanging. 00. 05. 06

Item, one chaire, one p' of bellowes, 7s.; Item, 2 linnen wheeles, 6s. 00. 13. 00

In the sellar; Item, 2 bcare barrills, one butter churre, 2 Runletts. 00. 13. 00

Item, one case of bottles, one salting trough. 00. 08. 00

Item, in Porke, 2l. 10s.; Item, in tubbs and other lumber, 1l. 03. 10. 00

In the Parlour Loft; Item, one bed with its furniture. 05. 00. 00

Item, 7 bush: rye, 3 bush: maulte, 20 bush: pease. 04. 13. 00

Item, 22 bush: wheat. 04. 08. 00

Item, 2 sacks, 2 baggs, 1 hogshd., some old tooles. 00. 18. 06

Item, yearne, linnen and cotton. 01. 14. 00

Item, 12 yards of okam cloath. 00. 18. 00
In the Kitchin Lofts and Garritts; Item, 10 bush: Indian corne, . . . . . . . . . . 01. 05. 00
Item, in Bacon, . . . . . . . . . . 01. 00. 00
Item, 1 saddle, 1 cloakbag, 1 pillow, 1 sidesaddle and pillon cloath, . . . . . . . . . . 02. 06. 00
Item, 2 horse collars, and other geares, . . . . . . . . . . 00. 12. 00
Item, 3 pillowes, one blankitt, . . . . . . . . . . 01. 00. 00
Item, 3 hogshds, 2 sythes, flax, and other lumber, 02. 00. 00

In the yardes and outhouses; Item, 2 horses, one colte, 27. 00. 00
Item, 2 oxen, 2 steares, . . . . . . . . . . 23. 00. 00
Item, 3 cowes, one heifer, one young bull, 18. 05. 00
Item, 3 swyne, . . . . . . . . . . 02. 00. 00
Item, waine, wheeles, expinns, cops and pin, . . . . . . . . . . 01. 10. 00
Item, 2 yoakes with theire irons, 2 chaines, 2 p' yoake crooks, . . . . . . . . . . 01. 00. 00
Item, one plow, one harrow, one grynding stone, 01. 05. 00
Item, 4 stocks of Bees, . . . . . . . . . . 03. 00. 00
Item, (more abroad) 2 cowes, one steare, . . . . . . . . . . 15. 00. 00
Item, one iron crow, a saw, beetle and wedges, with some other things, . . . . . . . . . . 01. 10. 00

Henry Clarke, Totall sum is, 368. 11. 01
David Willton,
John Moore.
CODE OF LAWS,
ESTABLISHED BY THE GENERAL COURT, MAY, 1650.*

[Recorded in Vol. II.]

[6*] Forasmuch as the free fruition of such Liberties, Immunities, Privileges, as Humanity, Civillity and Christianity, call for, as due to every man in his place and proportion, without Impeachm't and infringement, hath euery beene and euery will bee the Tranquillity and Stability of Churches and Common wealths, and the denyall or deprivall thereof, the disturbance if not ruine of both:—

It is therefore ordered by this Courte and Authority thereof, that no mans life shall bee taken away, no mans honor or good name shall bee stained, no mans person shall be arrested, restrained, banished, dismembered nor any way punnished; no man shall bee deprived of his wife or children, no mans goods or estate shall bee taken away from him, nor any wayes indamaged, vnder colour of Law or countenance of Authority, vnless it bee by the vertue or equity of some express Law of the Country warranting the same, established by a Generall Courte, and sufficiently published, or in case of the defect of a Law in any particular case, by the word of God.

* In April, 1646, the General Court desired Mr. Ludlow "to take some paynes in drawing forth a body of lawses for the government of this Commonsweith, & present them to the next Generall Courte." (p. 138, ante.) The request does not appear to have been immediately complied with,—at least, the work was not completed in time to be presented for the action of the Court, before May, 1647; it was then ordered, that when the body of laws should be perfected, as the Court had desired, Mr. Ludlow "should, besides the paying the hyer of a man, be further considered for his paynes." (p. 154.) No further mention of the progress of the work, or of its completion, occurs upon the records, until Feb. 1651, when an order of the Court, granting extra-compensation to the Secretary for "drawing out and transcribing the country orders, concluded and established in May last," enables us to fix the date of its adoption.

This Code, (usually cited as 'Mr. Ludlow's code,' or 'the code of 1650,' ) is recorded at the end of Vol. II. of the Colony Records, and separately pag'd. The orders subsequently passed, were, from time to time, added at the end, or occasionally inserted under the appropriate title, by the Secretary. Prefixed to the Laws is a copy of the Fundamental Orders, or Constitution of 1639, already printed, on pages 20—25 of this volume.

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ABILITIES.

It is ordered by this Court, that all persons of [the age] of twenty one yeares and of right understanding, whether excommunicated, condemned or other, [shall] have full power and liberty to make their Wills and Testaments, and other lawful alienations of their lands and estates, and may be Plaintiffs in a civil case.

ACTIONS.

It is further ordered and decreed, that in all Actions brought to any Court, the Plaintiff shall have liberty to withdraw his Action, or to be non suited, before the Jury have given in their verdict, in which case he shall allways pay full costs and charges to the Defendant; and may afterward renew his suit at another Court, the former non suit being first recorded.

AGE.

It is ordered by this Court and the Authority thereof, that the Age for passing away of Lands or such kinde of Hereditaments, or for giving of voates, verdicts or sentences in any civil Courts or causes, shall be twenty and one yeares, but in case of chusing of Guardians, fourteene yeares.

ARRESTS.

It is ordered and decreed by this Court and Authority thereof, that no person shall be arrested or imprisoned for any debt or fyne, if Law can finde any competent means of satisfaction otherwise from his estate; and if not, his person may be arrested and imprisoned, where hee shall be kept at his owne charge, not the Plaintiffs, till satisfaction be made, unless the Court that had cognisance of the cause or some Superior Court shall otherwise determine; provided nevertheless, that no mans person shall be kept in prison for debt but when there appears some estate wch hee will not produce, to wch end any Court or Commissioners authorized by the Generall Court, may administer an oath to the party or any others suspected to be priuye in concealing his estate; [ ] shall satisfie by service, if the Creditor require [it,] but shall not be sould to any but of the English Nation.

ATTACHEMENTS.

It is ordered, sentenced and decreed, that the ordinary summons or process for the present within this Jurisdiction and untill other
provision made to the contrary, bee a warrant fairely written, vnder some magistrate or magistrates hand or hands, mentioning the time and place of appearance, and if the said party or parties doe not appeare according to the said warrant or summons vpon Affidavit first made of the serving of the said person or persons, the Courte shall graunt an Attachement against the person or persons delinquent to arrest or apprehend the said person or persons for his or their wilfull contempt; and in case no sufficient securitye or bayle bee tendred, to imprison the said party or parties, returneable the next Courte that is capabele to take cognisance of the said busines in question; and vpon returne of the said Attachement, the said Courte to doe therein as according to the Lawes and orders of this Jurissdiction; and in that case allso the party delinquent to beare his owne charge.

It is also ordered, that Attachements to seize vpon any mans Lands or estate bee onely graunted for, or against, such goods as are Forreigners and doe not dwell or inhabit within this Jurissdiction; or in any case vpon credible Information it appeare that any Inhabitant that is indebted, or ingaged, goe about to conuey away his estate to defraud his Creditors, or to conuey away his person out of this Jurissdiction, so as the process of this Jurissdiction may not bee servued vpon his person; in that or any other just causes there may bee Attachement or Attachements graunted vpon the Limmitations expressed; provided that in all cases of Attachements, all or any of the Creditors haue libberty to declare vpon the said Attachement, if hee come in at the returne of the said Attachement; provided allso that if any Attachement laid vpon any mans estate, vpon a pretence of a great sum, and if it bee not proved to bee due in some neare proportion to the sum challenged, and mentioned in the Attachement, then the security giuen shall bee lyable to such damages as are sustained therby.

It is further ordered and decreed by this Courte, that whosoeuer takes out an Attachement against any mans persons, goods, chattles, Lands or Hereditaments, sufficient security and caution shall bee [9*] giuen by him to prosecute his Action in C[ourte] and to answere the defendant such Costs as shall [be awarded] him by the Courte; and in all Attachements of g[oods or] lands, legall notice shall bee giuen vnto the P[arty] or left in writing at his howse or place of usuall [abode] if hee live within this Jurisssdiction, otherwise [his] sute shall not proceed. And it is further ordered and declared, that every man shall haue libberty to Repleuye his Cattle or goods impounded, distreined, seized or extended, (vnless it bee
vpon execution after Judgment and in payment of Fynes,) provided in like manner hee put in good security to prosecute his Repleyve and to satsifie such damage, demandes or dues as his Adversary shall recouer against him in Lawe.

BALLAST.

It is ordered by this Courte and Authority thereof, that no Ballast shall bee taken from any shoare in any Towne within this Jurisdiction, by any person whatsoeuer, without Allowance under the hands of those men that are to order the affairs in each Towne, vpon the Penalty of six pence for every shovell full so taken, unless such stones as they had laid there before. It is allso ordered by the Authority aforesaid, that no shipp nor other vessell shall cast out any Ballast in the Channell or other place inconvenient, in any harbor within this Jurisdiction; vpon the Penalty of ten pounds.

BARRATRY.

It is ordered, decreed and by this Courte declared, that if any man bee prooued and adiudged a Common Barrater, vexing others with vnjust, frequent and needless sutes, it shall bee in the power of Courtes both to reiect his Cause, and to punish him for his Barratry.

BILLS.

It is ordered by the Authority of this Courte, that any Debt or Debts due vpon Bill or other speciality, Assigned to another, shall bee as good a debt and estate to the Assignee as it was to the Assigner, at the time of its Assignation, and that it shall bee lawfull for the said Assignee to sue for and recouer the said Debt due vpon Bill and so assigned, as fully as the originall Creditor might haue done; provided the said Assignement bee made vpon the backside of the Bill or Speciality, not excluding any just or cleare interest any man may haue in any Bills or Specialties made ouer to them by Letters of Attornye or otherwise.

[10*] BOUNDS OF TOWNES AND PERTICULAR LANDS.

Forasmuch as the Bounds of Townes and of the Lands of perticuler persons are carefully to bee maintaine, and not without great danger to bee remoued by any; wth notwithstanding by deficiency and decay of markes may at vnawares bee done, whereby great jealousies of persons, trouble in Townes and incumbrances in Courtes doe often arise, wth by due care and meanes might bee prevented;
It is therefore ordered by this Courte and Authority thereof, that every Towne shall sett out their Bounds within twelue months after the publishing hereof, and after their Bounds are granted; and that when their Bounds are once sett out, once in the yeare three or more persons in the Towne, appointed by the Select men, shall appoint with the adiacent Townes to goe the bounds betwixt their said Townes and renew their markes, wth markes shall bee a great heape of stones or a trench of six foot long and two foot broad, the most Auncient Towne, (wth for the River is determined by the Courte to bee Wethersfield,) to give notice of the time and place of meeting for this perambulation, wth time shall bee in the first or second month, vpon paine of five pounds for every Towne that shall neglect the same; provided, that the three men appointed for perambulation shall goe in their several quarters, by order of the select men and at the charge of the severall Townes. And it is further ordered, that if any particular proprietor of Lands lying in Common with others shall refuse to goe by himselfe or his Assignee, the bounds betwixt his land and other mens, once a yeare, in the first or second month, being requested thereunto vpon one weekes warning, hee shall forfeit for every day so neglecting, ten shillings, halfe to the party mooving thereto, the other halfe to the Towne. And the owners of all impripriated grounds shall bound every particular parcell thereof with sufficient Meare stones, and shall preserve and keepe them so vpon the former penalty.

BURGLARY AND THEFT.

Forasmuch as many persons of late yeares haue beene and are apt to bee iniurious to the goods and liues of others, notwithstanding all care and meanes to prevent and punish the same;

It is therfore ordered by this Courte and Authority thereof, that if any person shall commit Burglary, by breaking vp any dwelling howse, or shall robb any person in the feild or high wayes, such a person so offending shall for the first offence bee branded on the forehead with the Letter (B): If hee shall offend in the same kind the second time, hee shall bee branded as before, and allso bee

* This early decision, by the General Court, of the question of priority of settlement of the River towns, seems to have been hitherto overlooked by writers on our colonial history. The clause within the parenthesis is, in the original record, interlined. As however the hand writing is that of Capt. Cullick, who ceased to be Secretary in 1658, the interlineation must have been made within a few years after the adoption of the code of 1650. The clause is retained in the first printed revision, of 1672–3, and in that of 1702; but is omitted in subsequent revisions.
[11*] severely whipped; and if hee shall fall [into the same offence] the third time, hee shall bee put to death [as being incorrigible. And if any person shall committ [such Burglary or] rob in the feilds or howse on the Lords day, beside the former punish- ments, hee shall for the first offence haue one of his eares cutt of, and for the second offence in the same kinde, hee shall looss his other eare in the same manner; and if hee fall into the same offence the third time, hee shall bee put to death.

2. Secondly, for the prevention of Pillfring and Theft, It is ordered by this Courte and Authority thereof, that if any person, whether Children, Servants or others, shall bee taken or knowne to Robb any orchyards or garden, that shall hurte or steale away any grafts or fruite trees, fruites, linnen, woollen, or any other gooods left out in orchyards, gardens, backsides, or other place in Howse or Feilds, or shall steale any wood or other goods from the Waterside, from mens dores or yards, hee shall forfeitt treble damage to the owners there- of, and such seveere punishment as the Courte shall thinke meete.

And forasmuch as many times it so falls out that small thefts and other offences of a criminal nature are committed, both by English and Indians, in Townes remoate from any prison or other fitt place to which such malefactors may bee committed till the next Courte; It is therefore hereby ordered, that any Magistrate, vpon complaint made to him, may heare and vpon due prove determine any such small offences of the aforesaid nature, according to the Lawes heere established, and giue warrant to the Constable of that Towne where the offender liues to leyue the same, provided the damage or fyne exceed not forty shillings; provided also it shall bee lawfull for either party to appeale to the next Courte to bee houlden in that Ju- risssdiction, giving sufficient caution to prosecute the same to effect at the said Courte. And every Magistrate shall make returne yearely to the Courte of the Jurisdiction wherin bee liueth, of what Cases he hath so ended. And also the Constable, of all such fynes as they haue receiued; And where the offender hath nothing to satisfy, such Magistrate may punish by Stocks or whipping, as the Cause shall deserue. It is also ordered that all servants or worke- men imbenzling the goods of their Masters, or such as sett them on worke, shall make restitution, and bee lyable to all Lawes and Pen- altyes as other men.
CAPITALL LAWS.

[Of the Capital Laws, fourteen in number, the first twelve agree, word for word, with those adopted in Dec. 1642, and recorded on page [92] of Vol. 1. (p. 77; ante.) It has not been thought necessary to repeat them here. The others follow:—]

[13*] 13. If any Childe or Children aboue sixteene yeares old and of sufficient vnderstanding, shall Curse or smite their naturall father or mother, bee or they shall bee put to death, vnless it can bee sufficiently testified that the Parents haue beene very vnchristianly negligent in the education of such Children, or so prouroake them by extreame and cruell correction that they haue beene forced thereunto to preserue themselves from death [or] maiming. Exo: xxii: 17; Levit: xx. [9]; Exo: xxi. 15.

14. If a man haue a stubborne and rebellious sonne of sufficient yeares and vnderstanding, viz: sixteene yeares of age, wch will not obey the voice of his father or the voice of his mother, and that when they haue chastened him, will not hearken vnto them, then may his Father and Mother, being his naturall parents, lay hold on him and bring him to the Magistrates assembled in Courte, and testifie vnto them that their Sonne is stubborne and rebellious and will not obey their voice and chastisement, but liues in sundry notorious crimes, such a Sonne shall bee put to death. Deut: xxi. 20, 21.

It is also ordered by this Courte and Authority thereof, that whatsoever Childe or Servant, within these Libberties, shall bee convict-ed of any Stubborne or Rebellious Carriage against their Parents [14*] or Governours, wch is a forerunner of the aforementioned euills, the Governor or any two Magistrates haue libberty and power from this Courte to commit such person or persons to the howse of Correction, and there to remaine vnder hard labour and severe punishm' so long as the Courte or the maior parte of the Magistrates shall judge meete.

And whereas frequent experience giues in sad evidence, &c.

[This provision is precisely as enacted in Dec. 1642, and follows immediately after the twelve capital laws recorded on page 78.]

CASCK AND COOPER.

It is ordered by this Courte and Authority thereof, that all Casck vsed for Tarr or other Comodityes to bee put to sale, shall bee Assized as followth, viz: every Casck commonly called Barrills or halfe hogsheads shall containe twenty eight gallons wine measure, and other vessells proportionable; and that fitt persons shall bee appointed from time to time, in all places needfull, to gage all such vessells or
Cascks and such as shall bee found of due Assize shall bee marked with the gagers marke and no other, who shall haue for his paines four pence for euery Tunn, and so proportionably.

And It is allso ordered, that euery Cooper shall haue a distinct Brandmarke on his owne Casck, vppon paine of forfeiture of twenty shillings in either case, and so proportionably for lesser vessells.

[15*] **CATTLE, CORNEFEILDS, FENCES.**

Forasmuch as complaints haue beene made [of] very euill practice of some disordered persons in the Country, who vse to take other mens Horses, sometimes vppon the Commons, sometimes out of their grounds, common feilds and Inclosures, and ride them at their pleasure, without a leaue or priuity of their owners:—

It is threfore ordered and enacted by the Authority of this Courte, that whosoeuer shall take any other mans Horse, Mare or drawing Beast, out of his Inclosure, vppon any Common, out of any common feild or elsewhere, except such bee taken damage faisant, and disposed of according to law, without leaue of the owners, and shall ride or vse the same, hee shall pay to the partyes wronged treble damages, or if the Complainant shall desire it, then to pay onely ten shillings, and such as haue not to make satisfaction shall bee punnished by whipping, imprisonment or otherwise, as by law shall bee adiudged, and any one Magistrate may heare and determine the same.

It is allso further ordered, that where Lands lye Common, vnfenced, if one shall improue his Lands by fencing in seuerall, and another shall not, hee whose shall so improue shall secure his land against other mens Cattle, and shall not compell such as joine vppon him to make any fence with him, except hee shall allso improue in severall, as the other doth; and where one man shall improue before his neighbour, and so make the whole fence, if after his said neighbor shall improue allso, hee shall then satisfie for halfe the others fence against him, according to the present value, and shall meinteine the same. And if either of them shall after lay open his said feilds, (wth none shall doe without three months warning,) hee shall haue lliberty to buy the devidend fence, payinge according to the present valuation to bee sett by two men, chosen by either party one. The like order shall bee [attended] where any man shall improue Land against any Towne Common, provided this order shall not extend to howse lots not exceeding ten acres: But if in such, one shall improue, his neighbour shall [bee] compellable to make and meinteine one halfe of the fence betweene them, whether hee improue [or not.]
[16*] Provided also, that no man shall be liable to satisfy for damage done in any ground not sufficiently fenced, except it shall be for damage done by Swyne under a yeare old, or vnruuly Cattle wth will not be restrained by ordinary fences, or where any man shall put his Cattle, or otherwise voluntarily trespass upon his neighbors ground. And if the partye damnified finde the Cattle damage faisant, hee may impound or otherwise dispose of them. 6th Octo: (52.) The Courte declares & explains this order doth not reach the Lands on ye east side of the Great River.

CATTLE TO BEE MARKED.

For the preventing of differences that may arise in the owning of Cattle that bee lost or stray away,

It is ordered by this Courte, that the owners of any Cattle within this Jurisdictions shall eare marke or brand all theire Cattle and Swyne that are above halfe a yeare old (except Horses,) and that they cause their several markes to bee registred in the Towne Booke, and whatsoever Cattle shall bee found vnmarked after the first of July next, shall forfeitt fiue shillings a head, whereof two shillings sixpence to him that discovers it, and the other to the Country.*

COMMON FIELDS.

Whereas the condition of these severall plantations in these beginnings wherein wee are, is such that necessity constraines to improve much of the ground belonging to the severall Townes in a Common way, and it is observed that the publique and generall good, (wth ought to bee attended in all such improouements as are most propper to them, and may best advance the same,) receiues much prejudice through want of a prudent ordering and disposing of those severall Common Lands so as may best effect the same ;—

It is ordered by this Courte and Authority thereof, that each Towne shall chuse from among themselues fiue able and discreet men, who by this order haue power giuen them, and are required, to take the Common Lands belonging to each of the severall Townes respectively into serious and sadd consideration, and after a through digesting of their thoughts, sett downe vnder their hands in what way the said Lands may, in their judgements, bee best improved for the common good. And whatsoever is so decreed and determined by the said fiue men in each Towne, or any three of

them, concerning the way of improuem' of any such Lands, shall bee attended by all such persons that have any propriety or interest in any such Lands so judged [by the said Committee.]

[17*] And whereas also, much dammage hath risen not onely from the vnruulines of some kinde of Cattle [but also] from the weaknes and insufficiency of many fences, whence much variance and difference hath followed, w'h if not prevented for the future may bee very preuditiiall to the publique peace;—

It is likewise therefore ordered, that the said fiue men so chosen or at least three of them shall set downe what fences shall bee made in any Common grounds, and after they are made to cause the same to bee veiwed, and to sett such fynes as they judge meete vpon any as shall neglect or not duely attend their order therein; and where fences are made and judged suffitient by them, whatsoeuer dammage is done by hoggs or any other Cattle, shall bee paid by the owners of the said Cattle. And the severall Townes shall haue libberty once euer yeare to alter any three of the former fiue, and to make choyce of others in their roome. It being provided that any particular man or men, shall haue libberty to inclose any of their particular grounds, and improve them according to their owne discretion by mutuall agreement, notwithstanding this order.* This service is committed to the Townsmen, as appears by an order of Courte, 5th of Feb', 1650, on the other side of this booke.†

C A V E A T S E N T R E D .

Whereas it appeares that diuers to defeate and defraude their Creditors may secretly and vnderhand make Bargaines and Contracts of their Lands, Lotts and Accomodations, by meanes whereof, when the Creditor thinkes hee hath a meanes in due order of Law to declare against the said Lands, Lotts and Accomodations, and so recouer satisfaction for his debt, hee is wholly deluded and frustrated, w'h is contrary to a righteous rule that every man should pay his debt with his estate, bee it in what it will bee, either reall or personall, this Courte taking it into consideracon doe order, sentence and decree, That if any Creditor for the future doe suspect any debtor, that hee may prooue non soluant in his personall estate, hee may repaire to the Register or Recorder of the plantation where the Lands, Lotts or Accomodacons lyes, and enter a Caveatt against

* Enacted Feb. 14th, 1643-4. (p. 101.) with an amendment authorizing the appointment of free men, in place of seven, Feb. 5th, 1644-5. (p. 118.) † Page 214.
the Lands, Lotts and Accomodacons of the said debtor, and shall giue to the said Register or Recorder four pence for the entry there-of: And the said Creditor or Creditors shall take out summons against the said debtor, and in due forme of Law, the next particular Courte, either for the whole Colony or for the particular plantation where the said Lands, Lotts or Accomodations lyes, or the next Courte ensuing, declare against the said debtors Lands, Lotts and Accomoda-

[18*]tions.|| And so if the Creditor recover, hee may enter a judgement vppon the said Lotts, Lands and Accomodations, and take out an extent against the said Land, directed to a knowne officer, whose may take two honest and sufficient men of the neighbours, to aprize the said Lands, Lotts and Accomodations, either to bee sould outright if the debt so require, or sett a reasonable rent vppon the same vntill the debt bee paid, and deliuer the possession thereof either to the Creditor or Creditors, his or thereir Assigne or Assignes, or any other; and what sale or sales, lease or leases, the said officer makes, being orderly recorded, according to former order of recording of Lands, shall bee as legall and binding to all intents and purposes as though the debtor himselfe had done the same; provided that if the said debtor can then presently procure a Chapman or Tennant that can giue to the Creditor or Creditors satisfaction to his or theirire content, hee shall haue the first refusing thereof. Allso it is declared, that hee wh ch first enters Caveatts as abouesaid, and his debt being due at his entring the said Caveatt, shall bee first paid; and so euer Creditor as hee enters his Caveatt and his debt becomes due, shall bee orderly satisfied, vntill it appeare at the next Courte, the debtors Lands, Lotts and Accomodacons proue insufficiant to pay all his Creditors, then euer man to haue a suatable proportion to his debt out of the same, and yet notwithstanding euer man to receive his parte according to the entry of his Caveatt. Yet this is not to seclude any Creditor to recover other satisfaction, either vppon the person or estate of the debtor according to Lawe and Custome of the Colony. As allso it is further decreed, that what sale or bargaine so euer the debtor shall make concerning the said Lotts, Lands and Accomodations, after the entring of the said Caveatt, shall bee voide, as to defraude the said Creditors.

It is also further explained and declared, that if the said debtor bee knowne to bee a non solvant man before the first Caveatt entred against the said Lotts, Lands and Accomodations, and the same appeare at the next particular Courte, then the Courte shall haue power
to call in all the Creditors in a shorte time, and sett an equall and indifferent way, how the creditors shall bee paid out of the said Lotts, Lands and Accomodations; otherwise, if the said Debtor prooue insolvant after ye first Caveatt entred, then this order to bee dulye observed, according to the premisses and true intent and meaning thereof.

It is also further declared and explained, that the said Recorder or Register of the said Caveatt, shall, the next particular Courte as aforesaid, returne the said Caveatts that are with him; at which time and Courte the enterers of the said Caveatts shall bee called forth to prosecute the same the next particular Courte following, and if the enterers of the said Caveatts faile to prosecute according to this order, the Register or Recorder of the said Caveatt or Caveatts shall putt a Vacatte upp[on the said Caveatt or Caveatts] which shall bee invalid or voide to [charge] the said Lotts, Lands and Accomodations aforesaid.*

Dissorder in Courte.

It is ordered by this Courte that whosoever doth disorderly speake privately during the sitting of the Courte, with his neighbo', or two or three together, shall presently pay twelue pence, if the Courte so thinke meete.†

Secrets in Courte.

It is ordered and decreed, that whatsoever member of the General Courte shall reveale any secret wth the Courte injoynes to bee kept secret, or shall make knowne to any person what any one member of the Courte speaks concerning any person or businesses that may come into agitation in the Courte, shall forfeitt for every such fault ten pounds, and bee otherwise dealt withall at the discretion of the Courte. And the Secretary is to read this order at the beginning of euery General Courte.‡

Children.

Forasmuch as the good Education of Children is of singular behoofe and benefit to any Common wealth, and whereas many parents and masters are too indulgent and negligent of their duty in that kinde;—

It is therefore ordered by this Courte and Authority thereof, that the Select men of euery Towne, in the seuerall precincts and quar-

ters where they dwell, shall have a vigilant eye over their brethren and neighbours, to see first, that none of them shall suffer so much Barbarisme in any of their familieas as not to indeauor to teach by themselves or others their Children and Apprentices so much Learning as may enable them perfectly to read the Inglish tongue, and knowledge of the Capitall Lawes, upon penalty of twenty shillings for each neglect therein; Allso, that all Masters of familieas doe once a weeke at least, catechise their children and servants in the grounds and principles of religion; and if any bee unable to doe so much, that then at the least they procure such Children or Apprentices to learne some shorte orthodox Catechisme, without booke, that they may bee able to answer to the questions that shall bee propounded to them out of such Catechismes by their parents or Masters or any of the Select men, when they shall call them to a tryall of what they have learned in this kinde. And further, that all Parents and Masters doe breed and bring vp their Children and Apprentices in some honest lawfull [calling.] [20*] labour or employment, either in husbandry, or some other trade profitable for themselves and the Common wealth, if they will not nor cannot traine them vp in Learning to fitt them for higher employments. And if any of the Select men, after Admonition by them giuen to such Masters of familieas, shall finde them still negligent of their duty in the particulars aforementioned, whereby Children and Servants become rude, stubborn and vnruuly, the said Select men with the helpe of two Magistrates shall take such Children or Apprentices from them, and place them with some masters for yeares, boyes till they come to twenty one and girles to eighteene yeares of age compleat, wch will more strictly looke vnto, and force them to submitt vnto gouernment; according to the rules of this order, if by faire meanes and former instructions they will not bee drawne vnto it.

**CONSTABLES.**

It is further ordered by the Authority aforesaid, that any person tendred to any Constable of this Jurisdiction by any Constable or other officer belonging to any Forreigne Jurisdiction in this Country, or by warrant from any such Authority, such shall presently bee receiued and conveyed forthwith from Constable to Constable, till they shall bee brought vnto the place to wch they are sent, or before some magistrate of this Jurisdiction, whoe shall dispose of them as the Justice of the Cause shall require; and that all Hue
and Cryes shall bee duey receiued and dilligently persued to full effect.

It is ordered by the Authority of this Courte, that euery Constable within our Jurisdiction shall henceforth haue full power to make, signe and put forth persuits or Hue and Cryes, after Murthers, Malefactors, Peacebreakers, Theeues, Robbers, Burglarers and other Capitall offendours, where no magistrate is neare hand. Allso, to apprehend without warrant such as are ouertaken with drinke, swearing, Saboath breaking, slighting of the ordinances, lying, vagrant persons, night wallkers, or any other that shall offend in any of these, provided they bee taken in the manner, either by sighte of the Constable or by present information from others: As allso to make search for all such persons either on the Saboath day or other, when theire shall bee occasion, in all howses lycenced to sell either Beare or Wyne, or in any other suspected or disorderd places, and those to apprehend and keepe in safe custody till oppertunity serues [21*] to bring them before one of the next Magistrates || for further examination; Provided, that when a[ny Consta]ble is imployed by any of the Magistrates for [apprehending of any person, hee shall not doe it [without] warrant in writing; And if any person shall refuse to assist any Constable in the execution of his office in any of the things aforementioned, being by him required thereto, they shall pay for neglect thereof ten shillings to the use of the Country, to bee leuyed by warrant from any Magistrate before whom any such offender shall bee brought; and if it appeare by good testimony that any shall willfully, obstinately or contemnuously refuse or neglecte to assiste any Constable, as is before expressed, hee shall pay to the vse of the Country forty shillings; and if any Magistrate or Constable, or any other vppon vrgent occasions shall refuse to doe their best indevauor in raising and prosecuting Hue and Cryes, by foott, and if need bee, by horse; after such as haue committed Capitall crimes, they shall forfeit to the vse aforesaid for euery such offence, forty shillings.

And it is allso ordered, that the Constables in each Towne shall bee chosen from yeare to yeare before the first of March, and sworne to that office the next Courte following, or by some Magistrate or Magistrates.

**CONVEYANCES FRAUDULENT.**

It is ordered by this Courte and Authority thereof, that all Covenons or fraudulent Alienations or Conveyances of Lands, tenements
or any hereditaments, shall bee of no validity to defeat any man from due debts or legaeyes, or from any just Title, clayme or possession of that w\(^{-}\) is so fraudulently conveyed, and that no conveyance, deed or promise whatsoever shall bee of validity, if it bee gotten by illegall violence, imprisonment, threatening or any kinde of forcible compulsion called Dures.

**Cruelty.**

It is ordered by this Courte and Authority thereof, that no man shall exercise any tyranny or cruelty towards any brute creatures w\(\text{ch}\) are usaually kept for the vse of man.

**Dammages pretended.**

It is ordered by this Courte, that no man in any Sute or Action against another shall falsely pretend great dammages or debts, to vexe his Adversary; and if it shall appeare any doth so, the Courte shall haue power to sett a reasonable fyne on his head.

**Death vntimely.**

It is ordered by this Courte and Authority thereof, that whenssoever any person shall come to any very sudden, vntimely or vnnatural death, some Magistrate or the Constable of that Towne shall forthwith summon a Jury of Jury of sixe or twelve discreet men to inquire of the cause and manner of their death, whoe shall present a true verdict thereof vnto some neare Magistrate vpon their oath.

**Delinquents.**

It is ordered, that all persons hereafter committed vpon Delinquency, shall beare the charges the Country shall bee at in the prosecution of them; And shall pay to the Ma\(\text{r}\) of the prison or Howse of Correction, two shillings six pence before hee bee freed therefrom. Vide Execution vpon Delinquents.

**Ecleseasticall.**

Forasmuch as the open contempt of Gods word, and messengers thereof, is the desolating sinne of Civill States and Churches, and that the preaching of the Word by those whom God doth send is the chiefe ordinary meanes ordained by God for the converting, edefying and sauing the soules of the elect, through the presence and power of the Holy Ghost therevnto promised; and that the ministry of the Word is sett vp by God in his Churches for those holy
ends, and according to the respect or contempt of the same and of those whom God hath set apart for his owne worke and imploy-
ment, the weale or woe of all Christian States it much furthered and promooted ;—

[23*] It is therefore ordered and decreed, that if any Christian (so called,) within this Jurisdiction shall contemtuously [behave] him-
himselfe towards the word preached or the messengers th[ereof,] called to dispence the same in any Congregation, when hee faith-
fully execute his service and office therein according to the will and word of God, either by interrupting him in his preaching, or by 
charging him falsely with an error wth hee hath not taught in the
open face of the Church, or like a sonne of Korah, cast vppon his 
true doctrine or himselfe any reproach, to the dishonor of the Lord 
Jesus whom hath sent him, and to the disparagement of that his 
holy ordinance, and making God’s wayes contemptible or ridiculous, 
that euery such person or persons, (whatsoever censure the Church 
may passe,) shall for the first scandal, bee conuerted and reproved 
openly by the Magistrate, at some Lecture, and bound to theire good 
behauiour: And if a second time they breake forth into the like 
contemtuous carriages, they shall either pay ffeue pounds to the pu-
ligue Treasure, or stand two houres openly vpon a block or stoole 
foote foot high, vpon a Lecture day, with a paper fixed on his 
breast written with Capital Letters, AN OPEN AND OBSTINATE CON-
TEMNER OF GODS HOLY ORDINANCES, that others may feare and bee 
ashamed of breaking out into the like wickedness.

It is ordered and decreed by this Court and Authority thereof, that 
wheresoeuer the ministry of the word is established according to the 
order of the Gospell throughout this Jurisdiction, every person shall 
duely resorte and attend thereunto respectiueely vpon the Lords day, 
and vpon such publique fast dayes and dayes of Thanksgiving as 
are to bee generally kept by the appointment of Authority. And if 
yany person within this Jurisdiction shall without just and necessary 
cause withdraw himselfe from hearing the publique ministry of the 
word, after due meanes of conviction vsed, he shall forfeit for his 
absence from euery such publique meeting, ffeue shillings : All such 
offences to bee heard and determined by any one Magistrate or more, 
from time to time.

Forasmuch as the peace and prosperity of Churches and members 
thereof, as well as Civill rights and Libberties are carefully to bee 
maintained,—It is ordered by this Courte and decreed, that the Civill 
Authority heere established hath power and libberty to see the peace,
ordinances and rules of Christe bee obserued in every Church according to his word; as also to deale with any Church member in a way of Cuill [justice] notwithstanding any Church relation, office or interest, so it bee done in a Cuill and not in an Eclesiasti-call way: nor shall any Church censure degrade or depose any man from any Cuill dignitye, office or authority hee shall haue in the Commonwealth.

ESCHEATS.

It is ordered by this Courte and Authority thereof, that where no heire or owner of howses, lands, tennements, goods or chattells can bee found, they shall bee seized to the publique Treasury till such heires or owners shall make due clayme therevnto, vnto whome they shall bee restored vppon just and reasonable termes.

EXECUTIONS.

Whereas by reason of the great scarcity of mony, Execution being taken of seuerall persons goods that haue beeone sould at very cheape rates, to the extreame dammage of the Debtor;

It is therfore ordered, that whatsoever Execution shall bee granted vppon any debts made after the publishing of this order, the Creditor shall make choyce of one partye, the Debtor of a second, and the Courte of a thirde, whose shall prise the goods so taken vppon Execution aforesaid, and deliuer them to the Creditor,

EXECUTION UPON DELINQUENTS.

It is ordered, that the Gouerno' or any other Magistrate in this Jurissdiction shall haue libberty and power to call forth any person that hath beeone publiquely corrected for any misbehauio', to doe execution vppon any person or persons by whipping or otherwise, and that at any time hereafter as occasion doth require; and in case of defect or want of such, any other person as hee or they shall thinke meete.

FENCES.

For the preventing of differences that may arise in making or setting downe of Fences as well in meadowes as vpland,—

It is ordered, that in the setting of posts and rayles or hedges in the meadow and homelotts, there shall bee a libberty for either partye of twelve inches from the dividend lyne, for breaking of the ground to sett the posts on, [or] for the laying on the hedge; but the stakes and postes are to bee sett in the devident lyne; and in vpland there is allowed a libberty of foure foott for a ditch from the devidend
lyne for either of the bordering partyes where the proportion of Fences belongs unto them.*

**FYNES.**

It is ordered by this Courte, that the Estreits [for] the levying of Fynes shall goe forth once euery yeare, both in the Townes on the Riuier and by [the] seaside, and that some officer in each place shall bee appointed to leve and receive the same, [and] the Acco* to bee giuen in by the several plantations of theire generall charge, at the Courte in September, for the perfecting of the Acco* betwixt them: Mr. Ludlow is desiered to graunt out Warrants for the Fynes by the seaside.†

**FYRE.**

It is ordered by this Courte and the Authority thereof, that whosoever shall kindle any fire, in woods [or] grounds lying in common or inclosed, so as the same shall runn into such Corne grounds or Inclosures, before the tenth of the first month, or after the last of the second month, or on the last day of the weeke, or on the Lords day, shall pay all damages, and halfe so much for a fyne; or if not able to pay, then to bee corporally punnished, by a warrant from one Magistrate or more, as the offence shall deserue, not exceeding twenty stripes for one offence; provided, that any man may kindle fyre vppon his owne ground at any time, so as no dammage come thereby, either to the Country or to any perticular person. And whosoever shall wittingly and willingly burne or destroy any frame, timber hewne, sawne, or riuene, heapes of wood, charcoale, corne, hay, strawe, hempe, flaxe, pitch or tarr, hee shall pay double dammages.

**FORGERIE.**

It is ordered by this Courte and Authority thereof, that if any person shall forge any Debt‡ or Conveyance, Testament, Bond, Bill, release, acquittance, Letter of Attorneye, or any writing to prevent equitye and justice, hee shall stand in the Pillorye three severall Lecture dayes, and render double damages to the partye wronged, and allso bee disabled to giue any evidence or verdict to any Courte or Magistrate.

*June 3d, 1644. (p. 105.) The accidental substitution of or, for or, was made in transcribing this order for the code of 1650, and is followed in the printed revision of 1673.
†May 25th, 1647.  p. 151.
‡ Deed?
FO RN I C A T I O N.

It is ordered by this Courte and Authority thereof, that if any man shall committ fornication with any single woman, they shall bee punished either by injoyning to marriage, or fyne, or corporall punishment, or all or any of these, as the Courte or Magistrates shall appoint, most agreeable to the word of God.

G A M I N G.

Vppon complaint of great disorder by the use of the Game called Shuffle Board, in howses of Common Interteinement, whereby much precious time is spent vnfruitfully and much waste of Wyne and Beare occasioned,—

It is therefore ordered and enacted by the Authority of this Courte, that no person shall henceforth use the said Game of Shuffle Board, in any such howse, nor in any other howse used as Common for such purpose, vppon payne for euery keeper of such howse to forfeitt for euery such offence twenty shillings; and for euery person playing at the said Game in any such howse to forfeitt for euery such offence fivee shillings. The like penalty shall bee for playing in any place at any vnlawfull game.

G U A R D S  A T  M E E T I N G.

It is ordered by this Courte, that there shall bee a Guard of twenty men, euery Saboath and Lecture day, compleat in theire Armes, in each severall Towne vppon the Riuere; and at Seabrooke and Farmington, eight a pece; each Towne vppon the seaside in this Jurisdiction, ten; and as the number of men increase in the Townes, theire Guards are to increase.*

And it is further ordered, that each man in the Guards aforesaid shall bee allowed halfe a pound of powder yearly, by their seuerall Townes.†

H I G H E  W A Y E S.

Whereas the mainteineing of high wayes in a fitt posture for passage according to the severall occassions that occurre, is not onely necessary for the comfort and safety of man and beast, but tends to the profitt and advantage of any people, in the issue,—

It is thought fitt and ordered, that each Towne within this Jurisdiction shall euery yeare chuse one or two of theire inhabitants as

* May 20th, 1647. p. 150.
† Oct. 9th, 1650. (p. 212.) This order was made subsequently to the adoption of the code, and inserted under its proper title by the Secretary.
Surveyors, to take care of, and oversee the mending and repairing of the High ways within theire severall Townes respectively, whose hereby power allowed them to call out the severall cartes or [27*] persons fitt for labour in each Towne, || two dayes at least in each yeare, and so many [more] as in his or theire judgements shall bee found necessary for the attaining of the aforementioned end, to bee directed in theire worke by the said surveyor or surveyors, and it is left to his or theire liberties either to require the labour of the severall persons in any famlye, or of a teame and one person, where such are, as hee finds most advantageous to the publique occasions, hee or they giuing at least three dayes notice or warning before hand of such impmployment; and if any refuse or neglect to attend the service in any manner aforesaid, hee shall forfeit for every dayes neglect of a mans worke, two shillings sixpence, and of a Teame, sixe shillings, which said fynes shall bee imploied by the Surveyors to hire others to worke in the said wayes; And the Surveyors shall within foure dayes after the severall dayes appointed for worke, deliuier in to some Magistrate a true presentment of all such as haue beene defective, with their severall neglects, who are immediately to graunt a distressse to the Marshall or Constable, for the levying of the incurred forfeiture, by them to bee deliuiered to the Surveyors for the vse aforesaid. And if the Surveyor neglect to perfoeme the service hereby committed to him, either in not calling out all the inhabitants in theire severall proportions as before, or shall not retorne the names of those that are deficient, hee shall incurr the same penaltie as those whomse hee so passes by are lyable to by vertue of this order, wch shall bee imploied to the vse aforesaid, and to bee levied allso by distress vppon information and proove before any one Magistrate.*

**IDLENES.**

It is ordered by this Courte and Authority thereof, that no person, householder or other, shall spend his time idlye or vnprofitably, vnder paine of such punishm't as the Courte shall thinke meet to inflict: and for this end, It is ordered, that the Constable of every place shall vse speciall care and dilligence to take knowledge of offenders in this kinde, especially of common Coastes, vnprofitable fowlers, and Tobacco takers, and present the same vnto any Magistrate, who shall haue power to heare and determine the case or transferr it to the [next] Courte.

*An order for the appointment of Surveyors of highways in the several towns, and impow'-erimg them to call out persons and teems, was passed July 5th, 1643. (p. 91)
INDIANS.

It is ordered and decreed, that where any company of Indians doe sitt downe neare any English plantations, that they shall declare whose is their Sachem or Cheife, and that the said Cheife or Sachem shall pay to the saide English such trespasses as shall be commited by any Indian in the said plantation adjoyning, either by spoyling or killing any Cattle or Swayne, either with trapps, doggs or arrowes: And they are not to pleade that it was done by strangers, vnless they can produce the partye and deliever him or his goods into the custody of the English: And they shall pay the double damaage if it were done voluntarily.* The like ingagement this Courte alson makes to them in case of wrong or injurye done to them by the English, wth shall bee paid by the partye by whome it was done, if hee can bee made to appeare, or otherwise by the Towne in whose limmets such facts are committed.

Forasmuch as o' lenity and gentlenes towards Indians hath made them growe bold and insolent, to enter into Englishmens howses, and vnadvisedly handle swords and peeces and other instruments, many times to the hazzard of limbs or liues of English or Indians, and also oft steale diuerse goods out of such howses where they resorte; for the preventing whereof, It is ordered, that whatsoeuer Indian shall hereafter meddle with or handle any English mans weapons, of any sorte, either in their howses or in the feilds, they shall forfeitt for every such defaultere halfe a fathom of wampum; and if any hurt or injurye shall therevppon follow to any persons life or limbe, (though accidentall,) they shall pay life for life, limbe for limbe, wound for wound, and shall pay for the healing such wounds and other damaages. And for anythinge they steale, they shall pay double, and suffer such further punishment as the Magistrates shall adiudge them. The Constable of any Towne may at-tache and arrest any Indian that shall transgress in any such kinde beforementioned; and bring them before some Magistrate, whoe may execute the penalty of this order vpon offenders in any kinde except life or limbe; and any person that doth see such defaults may [29*] prosecute, and || shall haue halfe the forfeiture.†

It is ordered by this Courte and Authority thereof, that no man within this Jurissdiction shall, directly or indirectly, amend, repairie, or cause to bee amended or repaired, any gunn, small or great, belonging to any Indian, nor shall indeauo' the same; nor

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* Thus far, ordered, Apr. 5th, 1638. p. 19.  † June 11th, 1640. p. 52.
shall sell nor glue to any Indian, directly or indirectly, any such gunn, nor any gunpowder, or shott, or lead, or shott mould, or any millitary weapon or weapons, armor, or arrowe heads; nor sell nor barter nor glue any dogg or dogges, small or great; vpon paine of ten pounds fyne for euery offence, at least, in any one of the aforementioned particulars; and the Courte shall haue power to increase the fyne, or to impose corporall punishement where a fyne cannott bee had, at theire discretion.*

And it is also ordered, that no person nor persons shall trade with them at or about theire wigwams, but in theire vessells or pinnaces, or at theire owne howses, vnder penalty of twenty shillings for each default.†

Whereas, It doth appeare that notwithstanding the former Lawes made against selling gunns and powder to Indians, they are yet supplied by indirect meanes, It is therefore ordered and declared, that if any person after publishing of this order shall sell, barter or transporte any gunns, powder, bullitts or lead to any person inhabiting out of this Jurisssdiction, without license of this Courte, or from some two Magistrates, hee shall forfeit for euery gunn ten pounds, for euery pound of gunpowder five pounds, for euery pound of bullitts or lead forty shillings, and so proportionably for any greater or lesser quantity‡; provided notwithstanding, that [it] is left to the judgment of the Courte, that where any offence is committed against the said order, either to aggravate or lessen the penalty, according as the naure of the offence shall require.

Whereas diverse persons departe from amongst vs, and take vp theire aboade with the Indians, in a prophane course of life; for the preventing whereof,

It is ordered that whatsoeuer person or persons that now inhabiteth, or shall inhabit within this Jurissdiction, and shall departe from vs and settle or joine with the Indians, that they shall suffer three yeares imprisomnet at least, in the Howse of Correction, and vndergoe such further censure, by fyne or corporall punishment, as the particular Courte shall judge meete to inflict in such cases.§

[30*] Whereas the French, Dutch and other Forraigne Nations

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* Dec. 18th, 1642.—except the clause “nor sell &c. any dogg or dogges, small or great,” which was added subsequently. pp. 79, 80.
† Oct. 12th, 1643. p.95.
‡ Dec. 18th, 1642. p. 80. The proviso was added subsequently.
§ Dec. 1642. p. 78.
doe ordinarily trade gunns, powder, shott etc. with the Indians, to o' great prejudice, and the strengthening and animating of the Indians against vs, as by dayly experience wee finde; and whereas the aforesaid French, Dutch etc. doe prohibitt all trade with the Indians within their respective Jurisdictions vnder penalty of confiscation;

It is therfore hereby ordered by this Courte and Authority thereof, that after due publication hereof, it shall not bee lawfull for any Frenchmen, Dutchmen, or person of any other forraigne nation, or any English lrieving amongst them or vnder the governmen' of them, or any of them, to trade with any Indian or Indians within the limmits of this Jurissdiction, either directly or indirectly, by themselues or others, vnder penalty of confiscation of all such goods and vessells as shall bee found so trading, or the due value thereof, vpon just proved made of any goods or any vessells so trading or traded: And it shall bee lawfull for any person or persons inhabiting within this Jurissdiction, to make seizure of any such goods or vessells trading with the Indians as by this law is prohibited, the one halfe whereof shall bee to the proper use and benefit of the partye seiz- ing, and the other to the publique.*

This Courte, judging it necessary that some meanes should bee vsed to conuey the lighte and knowledge of God and of his Worde to the Indians and Natiues amongst vs, doe order that one of the teaching Elders of the Churches in this Jurissdiction, with the helpe of Thomas Stanton, shall bee desired, twice at least in every yeare, to goe amongst the neighbouring Indians and indeauo' to make knowne to them the Councells of the Lord, and thereby to draw and stirr them vp to direct and order all their wayes and conversations according to the rule of his Worde: And Mr. Gouerno' and Mr. Deputy, and the other Magistrates are desired to take care to see the thinge attended, and with their owne presence so farr as may bee convenient, incourage the same.

This Courte hauing duly weighed the joint determination and argument of the Commissioners of the United English Colonyes at New Hauen, in Anno 1646, in reference to the Indians, and judging it to bee both according to rules of prudence and righteousness, doe fully assent therevnto, and order, that it bee recorded amongst the [31*] Acts of this Courte, || and attended in future practice as occasions may present and require: The said conclusion is as followeth:—

* Passed, Sept. 18th, 1649, upon the recommendation of the Comm'rs of the U. Colonies.

p. 197.
The Commissioners seriously considering the many willfull wrongs and hostile practices of the Indians against the English, together with their interteneing, protecting and rescuing of offenders, as late our experience sheweth, (wth if suffered, the peace of the Colonyes cannot bee secured,) It is therfore concluded, that in such cases the Magistrates of any of the Jurissdictions may, at the charge of the Plaintiff, send some convenient strength of English, and according to the nature and value of the offence and damage, seize and bring away any of that plantation of Indians that shall intertene, protect or rescue the offender, though it should bee in another Jurisdictions, when through distance of place, commission or direction cannott bee had, after notice and due warning giuen them, as actors, or at least accessory to the injurye and damage done to the English: onely women and children to bee sparingly seized, vnless knowne to bee some way guilty. And because it will bee chargeable keeping Indians in prison, and if they should escape they are like to prove more insolent and dangerous after, It was thought fitt that vpon such seizure, the delinquent or satisfaction bee againe demaunded of the Sagamore or plantation of Indians guilty or accessory as before; and if it bee denyed, that then the Magistrates of the Jurisdiction deliuer vp the Indian seized to the party or partyes endammaged, either to serve or to bee shipped out and exchanged for neagers, as the case will justly beare. And though the Commissioners foresee that such severe though just proceeding may provoke the Indians to an vnjust seizing of some of ours, yet they could not at present finde no better means to preserue the peace of the Colonyes, all the aforementioned outrages and insolences tending to an open warr: Onely they thought fitt that before any such seizure bee made in any plantation of Indians, the ensuing Declaration bee published, and a Coppye giuen to the particular Sagamores:

The Commissioners for the United Colonyes, considering how peace with rightousnes may bee preserued betwixt all the English and the severall plantations of the Indians, thought fitt to declare and publish, as they will doe no injurye to them, so if any Indian [32*] or Indians of what plantation so euer, doe any willfull dammage to any of the English Colonyes, vpon proofe, they will in a peaceable way require just satisfaction, according to the nature of the offence and dammage. But if any Sagamore or plantation of Indians, after notice and due warninge, intertene, hyde, protect, keepe, conuey away or further the escape of any such offender or offenders, the English will require satisfaction of such Indian and
Saggamore or Indian plantation; and if they deny it, they will right themselves as they may, upon such as so meinteine them that doe the wrong, keeping peace and all tearmes of Amity and Agreement with all other Indians.

**Inkeepers.**

Forasmuch as there is a necessary use of house of Common Interteinement in euery Common wealth, and of such as retaile wine, beare and victualls, yet because there are so many abuses of that lawfull libberty, both by persons interteining and persons interteined, there is also need of strict lawes and rules to regulate such an employment;

It is therefore ordered by this Courte and Authority thereof, that no person or persons licensed for Common Interteinement shall suffer any to bee drunken or drink excessively, viz: above halfe a pinte of wyne for one person at one time, or to continue tipling above the space of halfe an houre, or at vnseasonable times, or after nine of the clock at night, in or about any of theire howses, on penalty of five shillings for euery such offence. And euery person found drunken, viz: so that hee bee thereby bereaued or disabled in the use of his vnderstanding, appearing in his speech or gesture, in any of the saide howses or elsewhere, shall forfeitt ten shillings; and for excessive drinking, three shillings, foure pence; and for continuuing above halfe an houre tipling, two shillings six pence; and for tipling at vnseasonable times, or after nine a clock at night, five shillings, for euery offence in these particulars, being lawfully convicted thereof; and for want of payment, such shall bee imprisoned vntill they pay, or bee set in the stocks, one houre or more, in some open place, as the weather will permitt, not exceeding three houres at one time: Provided notwithstanding, such licensed persons may interteine seafaring men or land travellers in the night season when they come first on shoare, or from theire journye, for theire necessary [33*] refreshment, or when they prepare for their voyage or journye the next day early, [if there] bee no dissorterd amongst them; and also strangers and other persons in an orderly way may continue [in] such howses of Common Interteinement during meal times or upon lawfull buisines, what time their occassions shall require.*

And it is also ordered that if any person offend in drunkenes, ex-

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* Some of the provisions of this section are included, in substance, in the order of May 25th, 1647.

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cessiue or long drinking, the second time they shall pay double fyenes: And if they fall into the same offence the third time, they shall pay treble fyenes: And if the parties bee not able to pay their fyenes, then hee that is found drunke shall bee punished by whipping to the number of ten stripes, and hee that offends by excessive or long drinking, shall bee put into the stocks for three houres, when the weather may not hazzard his life or limbs; and if they offend the fourth time they shall bee imprisoned vntill they put in two sufficient sureties for their good behauour.

And It is further ordered, that the severall Townes vppon the Riuier within this Jurisssdiction, shall provide amongst themselves in each Towne, one sufficient Inhabitant to keepe an Ordinary, for provision and lodging in some comfortable manner, that passengers or strangers may know where to resorte. And such inhabitants as by the seuerall Townes shall bee chosen for the said service shall bee presented to two Magistrates, that they may bee judged meeete for that imployment. And this to bee effected by the severall Townes within one month, vnder the penalty of forty shillings a month for each month that either Towne shall neglect the same.*

And It is also further ordered, that euer Inkeeper or Victuailer shall provide for interteinemement of strangers horses, viz: one or more inclosures for summer, and hay or provender for winter, with convenient stable roome and attendance, vnder penalty of two shillings sixpence for euer dayes default and double dammage to the partye thereby wronged, except it bee by inevitable accident.

Lastly, It is ordered by the Authority aforesaid, that all Constables may and shall, from time to time, duely make search through [34*] out the limmits of their Townes, || vppon Lord's dayes and Lecture dayes, in times of exercise, and aliso at all other times so oft as they shall see cause, for all offences and offendours against this Law in any the perticulars thereof: And if vppon due information or complaint of any of their Inhabitants or other credible persons, whether Tauerner, Victualler, Tabler, or other, they shall refuse to make search as aforesaid, or shall not to their power performe all other things belonging to their place or office of Constableship, then vppon complaint and due proofe before any one Magistrate, within three months after such refusall or neglect, they shall bee fyned for euer such offence ten shillings, to bee levied by the Marshall as in other cases, by Warrant from such Magistrate before whome they

* June 3d, 1644. p. 103.
are convicted, or Warrant from the Treasurer upon notice from such Magistrate.

It is ordered by this Courte and Authority thereof, that no Inkeeper, Victualer, Wine drawer, or other, shall deliver any Wyne, nor suffer any to bee deliuered out of his howse, to any whose come for it, vnles they bring a noate vnder the hand of some one master of some familye and allowed Inhabitant of that Towne; neither shall any of them sell or draw any hott water to any but in case of necessitie, and in such moderation for quantity as they may have good grounds to conceaue it may not bee abused; and shall bee ready to giue an account of their doings herein, when they are called thereto, vnder censure of the Courte in case of delinquency.

**INDITIONS.**

If any person shall bee indicted of any Capital crime (whoe is not then in durance,) and shall refuse to render his person to some Magistrate within one month after three proclamations publiquely made in the Towne where hee usually abides, there being a month betwixt proclamation and proclamation, his lands and goods shall bee seized to the use of the Common Treasury, till hee make his lawfull appearance, and such withdrawing of himselfe shall stand in stead of one witnes to proue his crime, vnless hee can make it appeare to the Courte that hee was necessarily hindred.

**[35*] JURIES AND JURORS.**

*It is ordered by the Authority of this Courte, that in all cases whose are entred vnder forty shillings, the sute shall bee left to bee tried by the Courte of Magistrates as they shall judge most agreeable to equity and righteousnes. And in all cases that are tried by Juries, It is left to the Magistrates to impanell a Jury of sixe or twelue, as they shall judge the nature of the case shall require; and if four of sixe, or eight of twelve, agree, the verdict shall bee deemed to all intents and purposes sufficient and full; vpon whose judgement may bee entred and execution granted, as if they had all concurred; but if it fall out that there bee not such a concurrence as is before mentioned, the Jurors shall returne the case to the Courte with their reasons, and a speciall verdict is to bee drawne therevpon, and the voate of the greater number of Magistrates shall carrye the same; and the judgement to bee entred and other proceedings as in case of a verdict by a Jury.

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* [In margin.] "In old Book, Feb: 5, '44." See p. 118, ante.
And it is further ordered, that the Courte of Magistrates shall haue libbertye (if they doe not find in their judgements, the Jury to haue attended the evidence giuen in, and true issue of the case, in theire verdict,) to cause them to returne to a second consideration thereof; and if they still persist in theire former opinion, to the dissatisfaction of the Courte, it shall bee in the power of the Courte to impannell another Jurye, and committ the consideration of the case to them. And it is also left in the power of the Courte to varye and alter the dammages giuen in by any Jurye, as they shall judge most equall and righteous, provided, that what alteration shall at any time bee made in that kind, bee done in open Courte, before Plaintiff and Defendant, or Affidauitt made that they haue beene required to bee present, and that alteration w*th is made bee done either the same Courte, or provision made to secure the verdict of the Jury vntil the case bee fully issued. And whereas many persons, after theire seuerall causes in Courte haue beene tryed and issued, haue slipt away or otherwise neglected, if not refused, to pay the charges of the Courte, according to order; for preventing thereof for the future, It is ordered, that whosoeuer shall haue any action or sute in Courte, after the publishing hereof, shall, as soone as his cause is issued pay [36*] the whole charges of the Courte, that concernes either Jury or Secretary, before hee departes the same. And the like allso shall bee done by all those whose Actions are not taken vp, and withdrawe before the sitting of the Courte wherein they were to bee tryed; or otherwise, for neglect or non performance of either, bee committed to prison, there to remaine till hee or they haue satisfied the same.

**GRAND JURY.**

It is ordered and decreed, that there shall bee a Grand Jury of twelve or fourteene able men warned to appeare every Courte yearely in Septemb', or as many and oft as the Governo' or Courte shall thinke meete, to make presentment of the breaches of any Lawes or orders or any other misdemeanors they shall know of in this Jurissdiction.*

**LANDS; FREE LANDS.**

It is ordered, and by this Courte declared, that our Lands and Heritages shall bee free from all fynes and lycenses vppon Alienations, and from all Harriotts, Wardships, Liveries, Primer seizins,
yeare, day and waste, escheats and forfeitures vpon the death of parents or ancestors, bee they naturall, vnnaturall, casuall or judi-
tiall, and that for euer.*

LEVYES.

Forasmuch as the Marshalls and other officers haue complained
to this Courte that they are oftentimes in great doubt how to demeane
themselves in the execution of their offices;

It is ordered by the Authority of this Courte, that in case of fynes
and assessments to be levyed, and vpon execution in Civill Actions,
the officer shall demand the same of the party or at his howse and
place of vsuall abode; and vpon refusall or non payment, hee shall
haue power (calling the Constable, if hee see cause for his assist-
ance,) to breake open the dore of any howse, chest or place where
hee shall haue notice that any goods lyable to such Levy or Execu-
tion shall bee; and if hee bee to take the person, hee may doe the
like, if vpon demaund hee shall refuse to render himselfe; and
whatsoever charges the officer shall necessarily bee put vnto, vpon
[37*] any such occassion, || hee shall haue power to levye the same
as hee doth the debt, fyne or execution; and [if] the officer shall
levye any such goods vpon execution as cannott bee conuayed to
the place where the party dwells for whome such execution shall
bee levyed, without considerable charge, hee shall levye the said
charge also with the execution. The like order shall bee ob-
serued in levyng of fynes; provided, it shall not bee lawfull for
such officer to levye any mans necessa"ye bedding, apparrell, tooles
or armes, neither implements of houshold, wth are for the necessary
vpholding of his life; but in such cases hee shall levye his Land or
person, according to Law; and in no case shall the officer bee put
to seeke out any mans estate further then his place of aboade: But
if the party will not discover his goods or Land, the officer may
take his person. And it is also ordered and declared, that if any
officer shall doe iniurye to any, by colour of his office, in these or
any other cases, hee shall bee lyable vpon complaint of the party
wronged, by action or information, to make full restitution. See
MARSHALL.

LYING.

Whereas truth in words as well as in actions is required of all
men, especially of Christians whoe are the professed servants of the

* From the Massachusetts "Body of Liberties," of 1641.
God of Truth; and whereas all Lying is contrary to Truth, and some sortes of Lyes are not onely sinfull, as all Lyes are, but allso pernicious to the publique weale and injurious to particular persons;

It is therefor ordered by this Courte and Authority thereof, that euery person of the age of discretion, wth is accounted fourteene yeares, who shall wittingly and willingly make or publish any Lye wth may bee pernicious to the publique weale, or tending to the damage or injurye of any particular person, to deceive and abuse the people with false newes or reportes, and the same duey prooued in any Courte or before any one Magistrate, who hath hereby power graunted to heare and determine all offences against this Lawe, such persons shall bee fyned for the first offence ten shillings, or if the party bee vnable to pay the same, then to bee sett in the Stocks, so long as the said Courte or Magistrate shall appointe, in some open place, not exceeding three houres; for the second offence in that kind, whereof any shall bee legally convicted, the sum of twenty [38*] shillings, || or bee whipped vppon the naked body not exceeding twenty stripes: and for the third offence that way, forty shillings, or if the party bee vnable to pay, then to bee whipped with more stripes, not exceeding thirtye. And if yet all shall offend in like kinde and bee legally convicted thereof, such person, male or female shall bee fyned ten shillings at a time more then formerly, or if the party so offending bee vnable to pay, then to bee whipped with five or sise stripes more then formerly, not exceeding forty at any time. And for all such as being vnder age of discretion, that shall offend in Lying, contrary to this Order, theire Parents or Masters shall give them due correction, and that in the presence of some officer, if any Magistrate shall so appointe. Provided also, that no person shall bee barred of his just action of slander or otherwise, by any proceeding vppon this Order.

Masters; Servants; Sojourners.

It is ordered by this Courte and Authority thereof, that no Master of a Familye shall glue interteinment or habitation to any younge man to soiuorne in his familye, but by the allowance of the inhabit-ants of the Towne where hee dwelleth, vnder the penalty of twenty shillings p' weeke. And it is also ordered, that no young man that is neither married nor hath any servant, nor is a publique officer, shall keepe howse of himselfe without the consent of the
Towne for and vnnder paine or penalty of twenty shillings a weeke.*

It is allso ordered by the Authority aforesaid, that no servant, either man or maid, shall either giue, sell or truck, any commodity whatsoever, without license from their master, during the time of their service, vnnder paine of fyne or corporall punnishment at the discretion of the Courte, as the offence shall deserue. And that all workemen shall worke the whole day, allowing convenient time for food and rest.

It is allso ordered, that when any Servants shall runn from their Masters, or any other inhabitants shall priuately goe away with suspition of ill intentions, It shall bee lawfull for the next Magistrate, or the Constable and two of the chiefeest inhabitants, where no Magistrate is, to press men and boates or pinnaces, at the publique charge, to persue such persons by sea or land, and bring them back by force of armes.

And whereas many stubborne, refrectary and discontented Servants and Apprentices, withdraw themselves from their Masters services to improue their time to their owne advantage; for the preventing whereof, It is ordered, that whatsoever Servant [or] Apprentice shall hereafter offend in that kinde, before their Covenants or terme of service are expired, shall serve their said Masters, as they shall be apprehended or retained, the treble terme or threefold time of their absence in such kinde.†

**MANS LAUGHTER.**

It is ordered by this Courte and Authority thereof, that if any person in the just and necessary defence of his life, or the life of any other, shall kill any person attempting to rob or murther in the feild or highe way, or to breake into any dwelling bowse, if hee conceiue hee cannott with safety of his own person otherwise take the Felon or Assailant, or bring him to tryall, hee shall bee houlden blameless.

**MAGISTRATES.**

This Courte being sensible of the great disorder growing in this Common wealth, through the contempts cast vpon the Civill Authority, we willing to prevent, doe order and decree:

That whosoever shall henceforth openly or willingly defame any

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*Feb. 21st, 1637. p. 8. The words ‘for and,’ in the line before the last, were probably substituted for ‘first had,’ by an error of the compiler, or recorder, of the code of 1650.
†June, 1644. p. 105.
Courte of Justice, or the sentences and proceedings of the same, or any of the Magistrates or judges of any such Courte, in respect of any Act or sentence therein passed, and being thereof lawfully convicted in any Generall Courte or Courte [of] Magistrates, shall bee punished for the same by fyne, imprisonment, disfranchisement or bannishment, as the quality and measure of the offence shall deserve.

**MARRIAGE.**

Forasmuch as many persons intangle themselues [by] rashe and inconsiderate contracts for their future joininge in Marriage Covenant, to the great trouble and greife of themselues and their freinds; for the preventing thereof,

[40*] It is ordered by || the Authority of this Courte, that whosoever intends to joine themselues in Marriage Covenant shall cause their purpose of contract to bee published in some publique place, and at some publique meeting in the severall Townes where such persons dwell, at the least eight dayes before they enter into such contract whereby they ingage themselues each to other, and that they shall forbeare to joine in Marriage Covenant at least eight dayes after the said contract.*

And it is allso ordered and declared, that no person whatsoeuer, male or female, not being at his or her owne dispose, or that remaineth vnder the gouernement of parents, masters or guardians, or such like, shall either make, or gie interteinment to, any motion or sute in way of marriage without the knowledge and consent of those they stand in such relation to, vnder the severe censure of the Courte in case of delinquency, not attending this order; nor shall any third person or persons intermeddle in making any motion to any such, without the knowledge and consent of those vnder whose gouernment they are, vnder the same penalty.†

**MARRIAGES AND BIRTHS; See Records.**

**M A R S H A L L.**

It is ordered by this Courte, that the Marshall shall be allowed for euery Execution hee serues, wth is under the sum of five pounds, two shillings six pence, and foure pence for euery myle hee goes to serve the said Execution out of the Towne where hee liueth: And for euery Execution hee serues of or aboue five pounds and under the sum of ten pounds, hee shall be allowed three shillings foure

* Apr. 10th, 1640.  p. 47, 48.  † July 5th, 1643.  p. 92.
pence, and foure pence for euery myle, as before: And for euery Execution hee serues of or aboue the sum of ten pounds, hee shall bee allowed fiue shillings, and foure pence for euery myle as before. Allso hee is to bee allowed his other just and necessarie charges; onely it is provided that if hee bee excessiue therein, vpon due complaint and profe made, it shall bee redressed. And it is also further ordered that the Marshall shall bee allowed for euery Attachment hee serues halfe so much as is before allowed him for Executions, onely hee is to haue foure pence for euery myle hee goes to serue the Attachment as before.

It is further ordered by the Courte and Authority thereof, that euery Officer* that shall at any tyme bee fyned for the breach of any poenall lawe or other just cause, such person or persons so offende shall forthwith pay his or theiri fyne or penalty [or giue] in security speedily to doe it, or else shall bee imprisoned or kept to worke till it bee paid, that no loss may [come] to the Commonwealth; and what other fynes or debts allready due or shall bee for the Country, the Marshall for the time being, vpon warrant from the Treasurer, and according to his oath, shall bee faithfull in doing the duty of his place in levyinge and returning the same, vpon paine of forfeiting two shillings of his owne estate for euery pound, or else such fine as any Courte of Justice shall impose on him for neglect.

**M E A S U R E S A N D W E I G H T S.**

Forasmuch as it is observed that there are divers of Weights, Yardes and Measures amongst vs, whereby dammages many times ensueth by commerce with seuerall persons; for the preventing whereof,

It is now ordered, that no man within these liberties, shall, after the publishing of this order, sell any commodityes but by sealed weight or measure, under the penalty of twelue pence each default. The Clarke is to haue a penny for sealing a weight or measure each time; And no weight or measure is to bee accounted authentick that is not sealed or approoued by the Clarke, once euery yeare. The said Clarke is to breake or demolish such Weights, Yards or Measures as are defectiue.†

* In the (printed) revision of 1672-3, the word 'person' is substituted for 'officer.'
† The substance of this order is contained in an order of Feb. 14th, 1643-4. p. 100.
M I L L I T A R Y  A F F A I R E S.

It is ordered and by this Courte declared, that all persons that are above the age of sixeene yeares, except Magistrates and Church officers, shall beare Armes, vnless they haue, vppon just occassion, exception graunted by the Courte; and euery male person within this Jurissdiction above the said Age, shall haue in continuall readines, a good muskett or other gunn, fitt for service, and allowed by the Clark of the Band, with a sword, rest and bandaleers, or other serviceable provision in the roome thereof, where such cannot bee had; as also such other millitary provision of powder, match and bullitts as the lawe requires, and if any person whoe is to prouide Armes or Ammunition cannot purchase them by such meanes as hee hath, hee shall bring to the Clarke so much Corne or other merchantable goods as by aprizement of the said Clarke and two others of the Company (whereof one to be chosen by the partye) [as shall bee judged [42*] of a greater value by a fift part] then such Armes or Ammunition is of, hee shall bee excused of the penalty for want of Armes (but not for want of appearance) untill hee bee provided. And the Clarke shall indeauor to furnish him so soone as may bee by sale of such goods so deposited rendring the ouerplus to the partye. But if any person shall not bee able to provide himselfe Armes or Ammunition through meere poverty, if hee bee single hee shall bee put to service by some Magistrate, and the Constable shall appointe him Armes and Ammunition, and shall appointe him when and with whome to earne it out.

And it is ordered that all the Soulgers within this Jurissdiction shall bee trained at least six times yearly, in the months of March, Aprill, May, Septemb', Octob' or November, by the appointment of the Captaine or Cheife officer in the seuerall townes: And the times of theire meeting together shall be at eight of the clock in the mornings. And the Clarke of each Band shall, twise euery yeare at least, veiw the Armes and Ammunition of the Band, to see if they all bee according to Lawe; And shall vppon euery Traininge day giue his attendance in the feild, euery day, (except hee hath speciall leave from his Captaine or Cheife Officer) to call ouer the Roll of the Souldgers and take notice of any defect by theire absence or otherwise: And hee shall duly present to the Gouernor or some of the Magistrates, all defects in Armes or Ammunition, at least once in each yeare, and ofter if it bee required. And it is left to the judgement of the Magistrates to punnish all defects in that kind according to the nature of the offence, wherein due regard is to bee had of willfull
neglects in any, that such may not pass without a severe censure, and whosoever shall bee absent any of the dayes appointed for traininge, after the houre appointed, or shall not continue the whole time, shall forfeitt the sum of two shillings six pence for every default, except such as are licensed vnder the hand of two Magistrates. The Clarkes of the severall Bands are to distreine the delinquents, within fourteene dayes after the forfeiture; whereof six pence shall bee to himselfe and the remainder for the maintenance of Drums, Cullers &c. And if any of the said Clarkes shall omitte to distreine any delinquents, aboue the said terme of fourteene dayes, bee shall forfeitt and pay to the vse of the Publique, double the fyne so neglected by him.

[43*] It is ordered, that the Souldgers shall onely make choyce of their Millitary Officers, and present them to the Perticular Courte; but such onely shall bee deemed officers as the Courte shall confirme.

The state and condition of the place where [we] liue, by reason of the Indians and otherwise, requiring all due meanes to bee vsed for the preservation [of the] safety and peace of the same, this Courte judgeth necessary that there should bee a Magazine of Powder and Shott provided and maintaine in the Country, in each Towne within this Jurisdiction; And doe therefore order and decree, that there shall bee two barrills of Powder and six hundred weight of Lead provided by this Commonwealth, before the Generall Courte in Septemb' next, wch shall bee maintained and continued and accounted as the Country stock. And it is allso further ordered, that the severall Townes within this Jurisdiction shall provide and maintaine as followth, viz:—

Wyndsoor, one barrill and halfe of Powder, four hundred and fifty pound of Lead, one hundred fathom of m[atch,] nine Cotton Coates or Corseletts and suffient serviceable Pikes to either of them.

Hartford, two barrills of Powder, six hundred weight of Lead and six score fathom of Match, and twelue Cotton Coates or Corseletts with serviceable Pikes to either of them.

Wethersfeild, one barrill of Powder, three hundred weight of Lead, eighty fathom of Match, and eight Cotton Coates or Corseletts with serviceable Pikes to either of them.

Seabrooke, halfe a barrill of Powder, one hundred and fifty pound of Lead, forty fathom of Match, and three Cotton Coates or Corseletts with serviceable Pikes to either of them.
Farmington, the same in each particular with Seabrooke.

Faireseild and Strattford, in each Towne, one barrill of Powder three hundred weight of Lead, one hundred fathom of Match, and six Coates or Corseletts with serviceable Pikes to either of them.

South hampton and Pequett, in each Towne, halfe a barrill of Powder, one hundred and fifty pounds of Lead, forty fathom of Match, with three [Coates or Corseletts with serviceable Pikes to either of them.]

[44*] Each Towne also shall provide so many good firelocke muskitts and good backswords or Cutlasses, as the Corseletts are they are charged with by this order. All wcho shall bee provided by the seuerall Townes by the Courte in September next, and maintaine constantly for the future, vpon the penalty of ten shillings p' month for each Townes defect or neglect herein.

Also it is further ordered, That evey male person within this Jurisdiction, that is aboive the age of sixteene yeares, whether Magistrates, Ministers or any other, (though exempted from training, watching and warding,) shall bee allways provided with, and have in readiness by them, halfe a pound of Powder, two pound of serviceable Bullitts or shott, and two fathom of Match to every Machlock, vpon the penalty of five shillings a month for each persons default herein: provided notwithstanding, that if the proportions of powder laid vpon each Towne and person either doth not at present or shall not, (by reason of the increase of there numbers,) for the future, amount in all to three pound of powder for evey Souldger, then each Towne shall, vpon the former penaltye, provide so much more as shall bee three pound of powder for a Souldger, and other provision of Lead &c. increase in each Towne according to the same proportion.

Whereas many inconveniences doe appeare, by reason that the seuerall Souldgers of the Trained Bands in each Towne within this Jurisdiction haue not beene allowed some powder vpon their Training dayes, for their practice and exercise in their several firings:

It is ordered by the Authority of this Courte, that there shall bee allowed to evey Souldger in the seuerall Trained Bands in each Towne as aforesaid, halfe a pound of powder a pece for a yeare, and so from yeare to yeare for the future, to bee provided by and at the proper costs and charges of the Masters and Gouernors of each familye vnto wch the said Souldgers doe belong, to bee called forth,
improved and disposed of, at the discretion of the Captaine or other principall leaders in each Trained Band.

It is also ordered, that the Captaines, Leiftennants and Ensignes shall bee freed from watching and warding, and the Serieants from warding and halfe their watch.

[45*] MINISTERS MEINTENANCE.

Whereas the most considerable persons in [these Colonyes] came into these partes of America that they [might] enioye Christe in his ordinances, without dis[turbance ;] And whereas amongst many other preitius [mercies] the ordinances haue beeene and are dispensed amongst vs with much purity and power ; this[Courte] tooke it into theirie serious consideracon how due maintenance, according to God, might bee provided and setted, both for the present and [future,] for the incouragement of the Ministers who [labour] therein ; And doe order, that those who are [taught] in the word, in the several plantations bee [called] together, that every mann voluntarily sett downe what he is willing to allowe to that end and [vse :] And if any man refuse to pay a meet proportion, that then hee bee rated by Authority in some [just] and equall way ; and if after this any man with-hold or delay due payment, the Civill power to bee exercised, as in other just debts.*

OATHS.

[The oaths for the Governor, Magistrates, Constables, Freemen, and Jurymen, are the same as originally recorded, pages 25, 26 62, 57. Those which follow, were inserted after the adoption of the code, and are in the hand writing of Secretary Clark.]

[47*] Commissioners Oath.†

You doe sweare by the great and dredfull name of the euерlasting God, that for this yeare ensuing [and] vntill new bee chosen, you shall faithfully execute the place and office you are chosen unto, according to the extent of your Comission : So helpe you God, in the name of the Lord Jesus Christ. *

Secretaries Oath.

A. B. You being chosen Secretary for this Jurisdiction, during this year, doe sweare by y* great name of God, that you shall keep

* Ordered, Oct. 25th, 1644, upon the recommendation of the Commissioners of the U. Colonies. p. 112.
† This and the two following Oaths, were subsequently recorded, (as appears by the hand writing) by Secretary Clark.
the secrets of the Court and shall carefully execute the place of a Secretary, and shall truly and faithfully record all Orders of the Court; and (fixe the Seale vnto ye orders sent forth to ye respective Townes &*) shall deliver true copies and certificates when they shall be necessarily required. So help you God, in our Lord Jesus Christ.

Grand Juryes Oath.

You doe sweare, by the great and dreadful name of God, that you will with all due care and faithfulnes make presentment according to order, at ye Quarter Court in September next, such misdemeanours and transgressions of ye Lawes and Orders of this Commonwealth as shall come to your cognisance; as also to doe your indevour to find out such things as are contrary to religion and peace: So help you God, in o' Ld. Jesus Christ.

[48*]

P e a g e.

It is ordered by this Courte and decreed, that no Peage, white or black, bee paid or received, but what is strung and in some measure strung suitably, and not small and great, vncomely and disorderly mixt, as formerly it hath beene.†

P o o r e.

It is ordered by this Courte and Authority thereof, that the Courte of Magistrates shall have power to determine all differences about lawfull settling and providing for poore persons, and shall have power to dispose of all unsetled persons, into such Townes as they shall judge to bee most fitt for the maintenance and imployment of such persons and families for the ease of the Countrye.

P o u n d ; P o u n d b r e a c h.

For prevention and due recompense of dammage in Corne feilds and other inclosures done by Swyne and Cattle, It is ordered by this Courte and Authority thereof, that there shall bee one suffient Pound or more made and mainteined in every Towne and Village within this Jurisdiction, for the impounding of all such Swyne and Cattle as shall bee found in any Cornefeild or other Inclosure: And whosoever impounds any Swyne or Cattle shall giue present notice to the owners, if hee bee knowne, or otherwise they shall bee cryed.

* The words in the parenthesis are interlined.
† Recommended by the Commissioners of the U. Colonies; and approved by the Gen. Court, Mar. 1649; p. 179.
at the two next Lectures or Markitts. And if Swayne or Cattle escape out of the pound, the owner, if knowne, shall pay all dammages, according to lawe.

And whereas impounding of Cattle in case of Trespasses hath beene allwayes found both needfull and profitable, and all the breaches about the same very offensive and injurious:—It is therefore ordered by this Courte and Authority thereof, that if any person shall resiste or rescue any Cattle going to the Pound, or shall by any way or meanes conuey them out of Pound or custody of the law, whereby the party wronged may looss his dammage and the Lawe bee deluded, that in case of meere Rescues, the party offending shall forfeitt to the Treasure, forty shillings; and in case of Pound breach, five pounds; and shall also pay all damages to the party wronged: And if in the Rescue any bodily harms bee done to the person of any man or other, they shall haue remadye against the rescuers: And if either bee done by any not of abillitye to answer the dammage and forfeitt aforesaid, they shall bee [*] whipt, by [49*] warrant from any Magistrate || before whome the offender is convicted, in the Towne or Plantacon where the offence was committed, not exceeding twenty stripes, for the meere Rescue or Pound breach, and for all damages to the party they shall satisfie by service, as in case of theft: And if it appeare there were any procurement of the owners of the Cattle therevnto, (and that they were Abettors) they shall all pay forfeitures and damages as if themselues had done it.

**PROFANE SWEARING.**

It is ordered and by this Courte decreed, that if any person within this Jurisssdiction shall sweare rashly and vainely, either by the holy name of God, or any other oath; and shall sinfully and wickedly curse any; hee shall forfeitt to the Common Treasure, for every such severall offence, ten shillings: And it shall bee in the power of any Magistrate, by warrant to the Constable, to call such persons before him, and vpon just prove to pass a sentence, and leuye the said penalty, according to the vsuall order of Justice: And if such persons bee not able, or shall utterly refuse to pay the aforesaid fyne, hee shall bee committed to the Stocks, there to continue not exceeding three houres and not less than one houre.

**RATES.**

It is ordered by this Courte and Authority thereof, that euery Inhabitant shall henceforth contribute to all charges both in Church
and Common wealth whereof hee doth or may receive benefit, and every such Inhabitant who doth not voluntarily contribute proportionably to his ability with the rest of the same Towne to all common charges, both Ciull and Ecleseasticall, shall bee compelled thereunto by assessments and distress, to be leuyed by the Constable or other officer of the Towne as in other cases; And that the Lands and Estates of all men, whereever they dwell, shall bee rated for all Towne Charges, both Ciull and Ecleseasticall as aforesaid, where the Lands and Estates shall lye, and thire persons, where they dwell.

For a more equall and ready way of raising means [for] defraying of publique charges in time to come, and for preuentong such inconueniences as haue fallen out vpon former assessments;—It is [50*] ordered and acted by the Authority of this Courte, || That the Treasurer for the time being shall, from yeare to yeare, in the first month, without expecting any other order, send forth his Warrants to the Constables of every Towne within this Jurisdiction, requiring the Constable to call together the Inhabitants of the Towne, whoe being so assembled shall chuse three or foure of thire able Inhabitants, whereof one to bee a Commissioner for the Towne, whoe shall some time or times in the sixth month then next ensuing, make a list of all the male persons in the same Towne from sixtene yeares old and vpwards, and a true estimation of all personall and reall estates being (or reputed to bee,) the estate of all and euery the persons in the same Towne, or otherwise under thire custody or managing, according to just valuation, and to what persons the same belong, whether in thire owne Towne or other where, so neare as they can by all lawfull wayes and meanes with they may vse, viz: of howses, lands of all sortes, as well vnbroken vp as other (except such as doth or shall lye common, for free feed of Cattle, to the vse of the Inhabitants in generall, whether belonging to the Townes or particular persons, but not to bee kept or heard vp on it to the damage of the proprietors,) mills, shipps and all small vessells, merchantable goods, cranes, wharves, and all sortes of Cattle, and all other knowne estate whatsoever, as allso all visible estate either at sea or on shore; all with persons and estates are by the said Commissioners and select men to be assessed and rated as here followeth, viz: Euer person aforesaid, (except Magistrates and Elders of Churches) two shillings six pence by the head, and all estates both reall and personall, at one penny for euery twenty shillings, according to the rates of Cattle hereafter mentioned. And for a more certeine rule in rating of
Cattle, every Cowe of foure yeare old and vpward shall be valued at five pounds; every heifer and stear, betweene three and four yeare old, foure pounds, and betweene two and three yeare old, fifty shillings, and betweene one and two yeare old, thirty shillings; every Ox and Bull of foure yeare old and vpwards, six pounds; every Horse and Mare of foure yeare old and vpwards, twelve pounds; of three yeare old, eight pounds; betweene two and three yeare old, five pounds; of one yeare old, three pounds; every Sheepe of one yeare old, thirty shillings; every Goate above one yeare old, eight shillings; every Swyne above one yeare old, twenty shillings; and all Cattle of all sortes vneder a yeare old, are hereby exempted, as also all Hay and Corne in the husbandmans hand, because all meadow, earable ground and Cattle are rateable as aforesaid. And [51*] for all such persons as by the advantage of their Artes and Trades are more able to helpe bear the publique charge then Common Labourners and workemen, as Butchers, Bakers, Bruers, Victuailers, Smiths, Carpenters, Taylors, Shoemakers, Joiners, Barbers, Millers and Masons, with all other manuall persons and Artists, such are to bee rated for their returnes and gaines proportionably vnto other men for the produce of their estates. Provided that in the Rate by the Poll, such persons as are dissabled by sickness, lameness or other infirmities shall bee exempted; and for such servants and children as take not wages, thier parents and masters shall pay for them, but such as take wages shall pay for themselues.

And it is further ordered, that the Commissioners for the severall Townes vpon this Riuer shall yearely meet vpon the third Thursday in the sixth month at Hartford, and the Commissioners for the Townes of Fairefeild and Stratfford shall meett the same day in one of those Townes, (and two dayes before the Generall Courte in Sept: they shall meete y' Commissioners vpon y' Riuer in Hartford,*) and bring with them, fairely written, the just number of males listed as aforesaid, [and] the Assessment of estates made in their seuerall Townes according to the rules and directions in this present order expressed; And the said Commissioners being so assembled shall duly and carefully examine all the said Lists and Assessments of severall Townes, and shall correct and perfect the same, according to the true intent of this order, and the same so perfected they shall transmitt vneder thier hands to the Generall Courte, the second Thursday in September, and then, directions shall bee giuen to the Treasurer for gathering of the said Rate, and euery one shall pay

* The clause in parenthesis, is interlined.
theire Rate to the Constable of the Towne where it shall bee assessed; nor shall any land or estate bee rated in any other Towne but where the same shall lye, is or was improved to the owner's, reputed owner's, or other proprietor's vse or behoofe, if it bee within this Jurisdiction. And for all peculiars, viz: such places as are not yet laid within the bounds of any Towne, the same Lands, with the persons and estates therevpon, shall bee assessed by the Rates of the Towne next vnto it; the measure or estimacon shall bee by the distance of the meeting howses.

And if any of the said Comissioners or of the select men shall willingly faile or neglect to performe the trust committed to them by this order, in not making, correcting, perfecting or transmitting any of the said Lists or Assessments, according to the intent of this order, every such offender shall bee fyned forty shillings for every such offence, or so much as the Country shall bee damned thereby, so as it exceeds not forty shillings for one offence; provided that such offence or offences bee complained of and prosecuted, in due course of law, within six months.

And it is further ordered, that vpon all distresses to bee taken for any of the Rates and Assessments aforesaid, the officer shall distreine goods or Cattle, if they may bee had; and if no goods, then lands or howses; if neither goods nor lands can bee had within the Towne where such distresses are to bee taken, then vpon such returns to the Treasurer hee shall giue warrants to attache the Body of such persons to bee carried to prison, there to bee kept till the next Courte, except they put in security for theire appearance there, or that payment bee made in the meane time.

And it is further ordered, that the prises of all sorts of Corne to bee received vpon any Rate by vertue of this order, shall bee such as the Courte shall sett from yeare to yeare, and in default thereof they shall bee accepted at the price current, to bee judged by the said Comissioners.

And it is further ordered, that all Estates of land in England shall not bee rated in a publique assessment.

It is also provided and ordered, that all Towne Rates shall bee made after the same manner and by the same rule as the Country Rate.

Whereas much wrong hath beeene done to the Country by the negligence of Constables, in not gathering such Leuyes, as they haue received Warrants from the Treasurer, during theire office:—It is therfore ordered, that if any Constable shall not haue gathered the
Leuyes committed to his charge by the Treasurer then being, during the time of his office, that hee shall, notwithstanding [the] expiration of his office, haue power to leuye by distress all such Rates and Leuyes; and if hee bring them not in to the old Treasurer, according to his warrants, the Treasurer shall distreine such Constables goods for the same; and if the Treasurer shall not so distreine the Constable, hee shall bee answerable to the Country for the same. And if the Constable bee not able to make payment, it shall be lawfull for the Treasurer, old or new respectively, to distreine any man or men of that Towne where the Constables are vnable, for all Arrearages of Leuyes; and that man or men, vppon petition to the Generall Courie, shall haue order to collect the same againe, equal-[53*] ly, of y^e Towne, || with his just damages for the same.

It is further ordered by this Courie, that all Collectors and gatherers of Rates shall appoint a day and place and give reasonable warning to the Inhabitants to bring in their proportions, vppon w^e every man so warned shall duly attend to bring in his Rate, or vppon neglect thereof shall forfeitt two pence in the shilling for what hee falls shorte; and the said Collector shall haue authority hereby to distreine the delinquents, or bee accountable themselves for the Rates and penaltyes so neglected by them.

RECORDS.

It is ordered by this Courie and Authority thereof, that the Towne Clarke or Register, in the several Townes of this Jurisdiction, shall record all Births and Deaths of persons in their Towne: And that all parents, masters of servants, executors and administrators, respectively, shall bring in to the Register of their several Townes, the names of such persons belonging to them or any of them, as shall either be born or dye; and allso that every new married man shall likewise bring in a certificate of his Marriage, vnnder the hand of the Magistrate w^h married him, to the said Register; And for each neglect the person to whom it doth belong shall forfeitt as follow^b, viz: If any person shall neglect to bring in a note or certificate as aforesaid, together with three pence a name, to the said Registers, for all Births and Deaths, and six pence for each Marriage, to bee recorded, more then one month after such Birth, Death or Marriage, shall forfeitt for every default five shillings, and the penalty further increased vppon longer neglect, according to the judgement of the Courie. And the Register of each Towne shall yearly convey to the Secretary of the Courie a true transcript of the Births, Deaths and Marriages, giuen vnnder theirire hands, with a third parte
of the aforementioned fees, under the penalty of forty shillings for every such neglect, all w^th forfeitts shall bee returned in to the Treasury; Allso the Grand Jurors may present all neglects of this order.

It is ordered by the Authority aforesaid, that the severall Towns within this Jurisdiction shall each of them provide a Ledger Booke, with an Index or Alphabett, into the same: Allso shall chuse one [54*] whose shall bee a Towne Clarke or Register, || whose shall, before the Generall Courte in September next, record every mans house and lands already granted and measured out to him, with the bounds and quantity of the same. And whosoever shall neglect three months after notice giuen, to bring in to the said Towne Clarke or Register a noate of his house and land, with the bounds and quantity of the same by the nearest estimacon, shall forfeitt ten shillings; and so ten shillings a month, for every month hee shall so neglect; the like to bee done for all lands hereafter granted and measured to any. And if any such Graunter, being required by the Grauntee, his Heires or Assignes, to make an Acknowledgm' of any Graunt, Sale, Bargaine or Morgage by him made, shall refuse so to doe, it shall bee in the power of any Magistrate to send for the partye so refusing and commit him to prison without Bayle or Maineprise, untill hee shall acknowledge the same: And the Grauntee is to Enter his Caution with the Recorder, and this shall saue his interest in the meanе time. And all Bargaines or Morgages of lands wha'tsoever shall bee accounted of no value untill they bee recorded, for w^th Entry the Register shall receive six pence for every percell, deliuering every owner a Copy of the same under his hand, wherof foure pence shall bee for himselfe and two pence for the Secretary of the Courte. And the said Register shall, every Generall Courte in May and September, deliuer into the same a Transcript fairly written of all such Graunts, Bargaines or Ingage-ments recorded by him in the Towne Booke; And the Secretary of the Courte shall record it in a Booke fairly written, prouided for that purpose, and shall preserve the Copy brought in under the hand of the Towne Clarke. Allso the said Towne Clarke shall have for every search of a percell, one penny, and for every Copy of a percell, two pence; and a Copy of the same under the hand of the said Register or Towne Clarke and two of the men chosen to gouerne the Towne, shall bee a sufficient euidence to all that have the same.*

* Oct. 10th, 1639. p. 37.
For the better keeping in minde those passages of Gods Providence wth haue beene remarkeable since of first vndertaking of these Plantacons, Mr. Deputy, Capt. Mason, Mr. Stone, with Mr. Goodwyn, are desired to take the paines seuerally in theire seuerall Townes, and then jointly together, to gather vp the same and deliver them in to the Generall Courte in September next, and if it bee judged then fitt, they may bee recorded, and for future times, whatsoever remarkeable passages shall bee, and if they bee publique, the said parties are desired to deliver in the same to the Generall [55*] Courte: || But if any particular person doe bring in any thinge, hee shall bring it vnder the hands of two of the aforementioned parties, that it is true, then present it to the Generall Courte, that if it bee there judged requisitt it may bee recorded: provided that any Generall Courte for the future may alter any of the parties before mentioned or add to them, as they shall judge meett.*

It is also ordered by this Courte and decreed, that after the death and decease of any person possessed of any estate, bee it more or less, and whoe maketh a will in writing or by word of mouth, those men wth are appointed to order the affaires of the Towne where any such person deceaseth, shall within one month after the same at furthest, cause a true Inventory to bee taken of the said estate in writing; as also take a Coppy of the said Will or Testament and enter it into a Booke or keepe the Coppy in safe custody; as also enter the names vpon record of the Children and Legatces of the Testator or deceased person. And the said orderers of the affaires of the Towne are to see euery such Will and Inventory to bee exhibited into the publique Courte, within one quarter of a yeare, where the same is to bee registred. And the said orderers of the affaires of the Towne shall doe theirie indeaoures in seeing that the estate of the Testator bee not wasted nor spoiled, but improued for the best advantage of the Children or Legates of the Testator, according to the minde of the Testator, for theire and euery of theire vse, and by theire and euery of theire allowance and approbation. But when any person dyeth Intestate, the said orderers of the affaires of the Towne shall cause an Inventory to bee taken, and then the publique Courte may graunt the Administracoon of the goods and chattles to the next of kinn, jointly or seuerally, and devide the estate to wife (if any bee,) children or kindred, as in equity they shall see meett. And if no kindred bee found, the Courte to administer for the publique good of the Common: provided ther

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* Oct. 10th, 1639. p. 39, 40.
bee an Inventory registred, that if any of the kindred in future
time appeare, they may haue justice and equity done vnto them.
And all charges that the publique Courte or the orderers of the
affaires of the Towne are at, about the trust committed to them,
either for writing or otherwise, is to bee paid out of the estate.*

Whereas allso, It was recomended by the Commissioners, that for
[56*] the more free and speedy passage of Justice || in each Juris-
diction, to all the Confederates, If the last Will and Testament of
any person bee duely prooued in, and duely certified from any one
of the Colonyes, it bee without delay accepted and allowed in
the rest of the Colonyes, vnless some just exception bee made against
such will or the proouing of it, wch exception to bee forthwith duely
certified back to the Colony where the said Will was prooued, that
some just course may bee taken to gather in and dispose the estate
without delay or damage. And allso that if any knowne planters
or settled inhabitants dye Intestate, Administracon bee grunted by
that Colony vnto wch the deceased belong, though dying in another
Colony. And the Administracon being duely certified, to bee of
force for the gathering in of the estate in the rest of the Colonyes,
as in the case of Wills prooued, where no just exception is returned.
But if any person possessed of an estate, who is neither planter nor
settled inhabitant in any of the Colonyes, dye Intestate, the Admin-
istracon (if just cause bee found to giue Administracon,) bee graunt-
ed by that Colony where the person shall dye and departe this life,
and that care bee taken by that Gouvernment to gather in and se-
cure the estate, vntill it bee demaunded and may bee deliuered ac-
cording to rules of justice:—Which vpon due consideracon was
confirmed by this Courte, in the behalfe of this Colonye, and or-
dered to bee attended in all such occasions for the future: provided
the Generall Courtes of the the other Colonyes yeild the like assent
therevnto.†

S C H O O L E S.

It being one chiefe project of that old deluder Sathan, to keepe
men from the knowledge of the Scriptures, as in former times keep-
ing them in an vknowne tongue, so in these latter times by per-
swading them from the vse of Tongues, so that at least the true
sence and meaning of the originall might bee clouded with false
glosses of saint seeming deceiuers; and that Learning may not bee

† Recommended by Comm'n of the U. Colonies, Sept. 1648, and confirmed by the General
Court, Mar. 14th, 1648-9. p. 179.
buried in the Graue of o" Forefathers, in Church and Common
wealth, the Lord assisting our indeauors,—It is thence ordered by
this Courte and Authority thereof, that euery Towneshipp within
this Jurisdiction, after the Lord hath increased them to the number
of fifty houshoulders, shall then forthwith appoint one within theire
[57*] Towne to teach || all such children as shall resorte to him, to
write and read, whose wages shall bee paid either by the parents or
masters of such children, or by the Inhabitants in generall by way
of supplye, as the maior parte of those who order the prudentials
of the Towne shall appointe; provided that those who send theire
children bee not oppressed by more then they can haue them taught
for in other Townes. And it is further ordered, that where any
Towne shall increase to the number of one hundred families or
housholders, they shall sett vp a Grammer Schoole, the masters
thereof being able to instruct youths so farr as they may bee fitted
for the University. And if any Towne neglect the performance
hereof above one yeare, then euery such Towne shall pay five
pounds p" Annû, to the next such Schoole, till they shall performe
this order.

The propositions concerning the maintenance of Schollars at
Cambridge, made by the Comissioners, is confirmed. And it is or-
dered, that two men shall bee appointed in euery Towne, within
this Jurisdiction, whoe shall demand what euery familye will
give, and the same to bee gathered and brought into some roome,
in March, and this to continue yearly as it shall bee considered by
the Comissioners.*

S E C R E T A R Y.

It is ordered and decreed, that within twenty dayes after the ses-
sion of euery Generall Courte, the Secretary thereof shall send forth
Coppies of such Lawes and orders as are or shall bee made at either
of them, w'ch are of generall concernement for the gouernement
of this Commonwealth, to the Constables of each Towne within this
Jurisdiction, for them to publish within fouerteene dayes more, at
at some publique meeting in theire seuerall Townes, and cause to
bee written into a Booke and kept for the vse of the Towne. And
once euery yeare the Constables in each Towne shall read or cause
to bee read in some publique meeting all the Capitall Lawes, and
give notice to all the Inhabitants where they may at any time see
the rest of the Lawes and orders and acquaint themselues there-

* Confirmed by the General Court, Oct. 25th, 1644. p. 112; Note.
with: And the Secretary of the Courte shall haue twelue pence for the Coppy of the orders of each Session aforesaid, from each of the Townes. *

[58*] And it is further ordered that the Secretary of the Courte shall record such Wills and Inventories as are exhibited into the said Courte, and shall fyle the original of them, and giue a Coppy thereof to such as desire it, for wth hee shall haue for euer Record of any Will or Inventory, or both, wth is aboue the sum of forty pounds, three shillings foure pence; and for every coppy of them or either of them, one shilling eight pence: And for every search or supervising of them six pence: also for recording of euer Will or Inventory, or both, wth is aboue the sum of thirty pounds and vnder the sum of forty pounds, two shillings six pence; and for every coppy of them, or either of them, fifteene pence; and for every search or supervising of them foure pence: Allso for euer Attachem, twelue pence, and for every Bond or Recogniscance in or about the same, six pence: Allso for every Execution above fiue pounds, the Secretary shall haue twelue pence, and for every Execution vnder fiue pounds, six pence: Allso for the entry of euer or any Recogniscance in Courte, six pence, and for the withdrawing of it twelue pence, wth shall bee paise before the boun-den bee freed from his said Recogniscance.

It is alalso ordered, that whosoeuer shall take out any Warrant from the Secretary of the Courte, that concernes an Action, shall, before hee hath a Warrant, enter his Action with the Secretary, and then take out his Warrant for summons to answer the same; for wth they shall pay for every entry twelue pence, and for every Warrant, foure pence, though they agree with theire defend before the Courte. Also if any other Magistrate shall graunt a Warrant wth concernes an Action, they shall enter the Action in a small Booke for that purpose, before they graunt the Warrant, and shall make a due returne at every Courte to the Secretary thereof, what such Warrants and to whome they haue graunted; and all such persons shall bee as lyable to pay twelue pence for every such Action to the Secretary of the Courte as if they should haue had theire Warrants of him.

STRAYES.

It is ordered by this Courte and Authority thereof, that whosoeuer shall take vp any straye beast or find any goods lost, whereof the owner is not knowne hee shall giue notice thereof to the Constable

* Oct. 16th, 1639; (p. 39;) amended.
of the same Towne, within six dayes, whoe shall enter the same in an [59*] booke, and take order that it bee cryed || at theire next Lecture day or generall meeting, vpon three seuerall dayes, and if it bee aboue twenty shillings value, at the next Markitt, or two next Townes publique meetings, where no Markitt is within ten miles, vpon paine that the partye so finding and the said Constable hauing such notice and failing to doe as is here appointed, to forfeitt, either of them, for such default one thirde parte of the value of such straye or lost goods.

And if the finder shall not give notice as aforesaid, within one month, or if hee keepe it more then three months, and shall not aprize it by sufficient men, and allso record it with the Register of the Towne where it is found, hee shall then forfeitt the full value thereof. And if the owner appeare within one yeare after such publication hee shall haue restitution of the same or the value thereof, hee paying all necessary charges, and to the Constable for his care and pains, as one of the next Magistrates or one of the Townesmen shall adiudge; and if no owner appeare within the time prefixed, the said straye or lost goods shall bee thus devided, one fourth parte thereof with his reasonable charge shall bee to the finder, one fifth parte thereof or ten shillings to the Constable, at the choyce of the Courte, and the rest to the Common wealth; provided there bee three streakes clipt in the haire of the neare buttock six inches long, that they may bee knowne.

SWYNE.

It is ordered by this Courte, that all the swyne, either hoggs or shoates, in the severall plantations that are kept at home within the Towne, shall by September next bee ringed or yoaked, or kept vp in theire yards vnder the penalty of foure pence for euery such swyne, to bee paid by the owner to the party that shall take the swyne so defectuie and impound them; allso all such as are kept by heards in the woods, shall not bee suffered to abide aboue one nighte in the Towne, but that it shall bee lawfull to impound them, in case they come at any time home from the middle of March to the middle of November. Fairefeild and Stratford desires to bee included in this order.

For the better preserving Corne and meadow on the east side of the great Riuers, It is ordered by this Courte, that there shall no hoggs nor swyne of any sorte bee put ouer thither or kept there at [60*] any time, after the || publishing of this order, except they
bee kept out of the bounds of the severall Townes or in theire yardes vnder the penalty of two shillings a head for euery hogg or swyne, for euery time they shall bee found there contrary to this order.

TIMBER.

It is ordered by this Courte, that no Timber shall bee felled within three myles of the mouth of Mattabeseck Riuier, nor at unseasonable times, viz: from the beginning of Aprill to the end of September, and that it bee improued into pipestaues or some other merchantable comodity, within one month after the felling thereof, or carted together: and that the Timber so improued shall not bee transported from the Riuier but for discharge of debts or fetching in some necessary provision.

TOBACCO.

Forasmuch as it is obserued that many abuses are crept in and committed by frequent taking of Tobacko, It is ordered by the Authority of this Courte, that no person vnder the age of twenty yeares, nor any other that hath not allready accustomed himselfe to the vse thereof, shall take any Tobacko, vntill hee hath brought a certificate vnder the hands of some who are approued for knowledge and skill in phisick, that it is vsefull for him, and allso that hee hath receiued a lycense from the Court for the same. And for the regulating of those whoe either by theire former taking it haue to theire owne apprehensions made it necessary to them, or vpon due advice are perswaded to the vse thereof, It is ordered, that no man within this Colonye, after the publication hereof, shall take any Tobacko publiquely in the street, high wayes, or any barne yards, or vpon training dayes in any open places, vnder the penalty of six pence for each offence against this order in any the particulars thereof, to bee paid without gainsaying vpon conviction, by the testimony of one witness that is without just exception, before any one Magistrate. And the Constables in the severall Townes are required to make presentment to each particular Courte of such as they doe understand and euict to bee transgressors of this order.

TRESPASSES.

It is ordered by this Courte and Authority thereof, that if any horse, or other beast, trespass in Corne or other Inclosure, being fenced in such sorte as secures against Cowes, oxen, small calues,
and such like orderly cattle, the party or parties trespassed shall procure two able men of good reporte and credit to view and adjudge the harms, w^th the owner of the beast shall satisfie (when knowne,) vpon reasonable demand, whether the beast were impounded or not; but if the owner bee knowne and neare residing, as in the same Towne, or the like, notice shall bee left at the vsual place of his aboad, of the Trespass, before an estimacon bee made thereof, to the end hee, or any others appointed by him, may bee present when the judgement is made; the like notice allso shall bee left for for him of the damage charged vpon him, that if hee approue not thereof hee may repaire to the select Townsmen, or some of them, whose shall in such case nominate and appointe two able and indiffer­ent men, to reveiw and adiudge the said harms, w^th being discharged, together with the charge of the notice, former and latter view, and determination of damages, the first judgement to bee void, or else to stand in lawe.

T R E A S U R E R.

It is ordered, that the Treasurer shall deliver no mony out of his hands to any person, without the hands of two Magistrates, if the sum bee aboue twenty shillings; if it bee vnder, then the Treasurer is to accept of the hand of one; but if it bee for the payment of some bills to bee allowed, w^th are referred to some Comittees to consider of, whether allowed or not, that such bills as they allowe and sett theire hands unto, the Treasurer shall accept and giue satisfaction.*

V O A T E S.

It is ordered by this Courte and de creed, that if any person within these Libberties haue beene or shall bee fyned or whipped for any scandalous offence, hee shall not bee admitted after such time to haue any voate in Towne or Common wealth, nor to serue on the Jury vntill the Courte shall manifest theire satisfaction.

V E R D I C T S.

That loue and peace, with truth and righteousness may continue and [62*] flourish in these confederated Colonyes, || It was, vpon the recommendation of the Commissioners, ordered, that any Verdict or sentence of any Courte within the Colonyes, presented vnder authentique testimony, shall haue a due respect in the severall Courtes of this Jurisdiction, where there may bee occasion to make vse hereof, and

shall bee accounted good evidence for the partye, untill better evidence or other just cause appeare to alter or make the same voide: And that in such case, the issueing of the cause in question bee respited for some convenient time, that the Courte may bee advised with where the verdict or sentence first passed. Provided notwithstanding, that this order shall bee accounted valid and improved onely for the advantage of such as liue within some of the confederated Colonyes; and where the verdicts in the Courts of this Colony may receive reciprocall respect by a like order established by the Generall Courte of that Colonye.*

**WYNE AND STRONG WATER.**

Whereas many complaints are brought into the Courte, by reason of dierse abuses that fall out by severall persons that sell wyne and strong water, as well in vessells on the Riuere as alse in severall howses; for the preventing hereof, It is now ordered by the Authority of this Courte, that no person or persons, after the publishing of this Order, shall neither sell Wyne nor strong water by retaile, in any place within these Libberties, without lycence from the particular Courte or any two Magistrates,† or where there is but one Magistrate, by a Magistrate and one of those appointed to order the affaires of the Towne.

**WATCHES.**

It is ordered by this Courte and decreed, that there shall bee a sufficient Watch maintained in every Towne, and that the Constable of each Towne shall duly warme the same and see that the inhabitants or residents doe severally in their turnes obserue the same, according as the inhabitants doe agree.‡ And this Courte doth explaine themselves and order that whosoever within this Jurissdiction, that is lyable to watch, shall take a journeye out of the Towne wherein hee liueth after hee hath had timely notice and warninge to watch, hee shall provide a watchman for that turne, though himselfe bee absent; and if any man that takes a journeye, or goes out of the Towne wherein hee liueth, if hee returne home within a weeke after the Watch is past his howse, hee shall bee called back to watch that turne past a weeke before.§

[63*] And for the better keeping Watches and Wards by the Con-
stables in time of peace, It is ordered by this Courte and Authority thereof, that every Constable shall present to one of the next Magistrates the name of every person whoe shall vppon lawfull warninge refuse or neglect to watch or warde, either in person or some other fitt for that service: And if, being convented, hee cannott giue a just excuse, such Magistrate shall graunt warrant to leyve fiue shillings on every such offender, for every such default: the same to be imploayed for the use of the Watch of the same Towne. And it is the intent of the lawe that every person of able body (not exempted by lawe,) or of estate to hire another, shall bee lyable to watch and warde, or to supply it by some other, when they shall bee therevnto required. And if there bee in the same howse diuerse such persons, whether sonnes, servuants or soiourners, they shall all bee compellable to watch as aforesaid. Provided that all such as keepe families at their farms, being remoate from any Towne, shall not bee compellable to send their servuants or sons from their farms to watch and warde in the Townes.

**WOLUES.**

Whereas great loss and dammage doth befall the Common wealth by reason of Wolues, whch destroy great numbers of our Cattle, notwithstanding provision formerly made by this Courte for suppressing of them; threfore, for the better incouragement of any to sett about a worke of so great concernement, It is ordered by this Courte and Authority thereof, that any person, either English or Indian, that shall kill any Wolfe or Wolues, within ten myles of any plantacon within this Jurisdiction, shall haue for every Wolfe by him or them so killed, ten shillings paid out of the Treasurye of the Country: provided, that due provfe bee made thereof vnto the plantacon next adjoyning where such wolfe or wolues were killed, and also bring a certificate under some Magistrates hand, or the Constable of that place, vnto the Treasurer.

**WRECKS OF THE SEA.**

It is ordered and decreed and by this Courte declared, that if any shippes, or other vessells, bee it freind or enemye, shall suffer shipwreck vppon o' Coasts, there shall bee no violence or wrong offered to their persons or goods, but their persons shall bee harboured and releiued, and their goods preserved in safety, till Authority may [64*] bee certifyed and shall take further order therein.
V E S S E L L S.

It is ordered by this Courte and Authority thereof, that no Vessell nor Boate shall have liberty to goe from any Porte in any Towne within this Jurisdiction, before they have entred with the Register or Recorder in each Towne what quantity of powder and shott they carry forth with them in theire said vessells, and shall take a Certificate vnder the said Registers or Recorders hand, of the same, paying to him for every Certificate, foure pence: And if any vessell shall attempt to goe from the said Towne or Porte, or Townes and Portes, before hee hath entred as aforesaid, or shall bee found with any more or greater quantity of powder and shott aboard the vessell or vessells then they had a Certificate to shew they had entred, shall forfeitt and pay for each default the true value of all such powder and shott as they should have entred as aforesaid. And all such persons or Ma\textsuperscript{r} of such Vessells shall giue a true account, vpon their returne, to the said Recorder where they have entred the premises, how they have disposed thereof, vpon the former penalty: And if the said Towne Register or Recorder shall haue just cause to conceiue that hee or they carry forth more of the premises than in an ordinary way is requisitt for theire necessary defence and safety in theire intended voyage, then the said persons or Ma\textsuperscript{r} of Vessells shall giue in security vnto the said Recorder, (if by him required thereunto,) that hee shall giue a due account to this Commonwealth of the same, vpon his returne.

F O R R E I G N E R S.

It is ordered by this Courte, that no Foreigners, after the twenty ninth day of September next shall retaile any goods by themselues in any place within this Jurisdiction, nor shall any Inhabitant retayle any goods which belongs to any Forreigner, for the space of one whole yeare after the said twenty ninth of September next, vpon penalty of confiscation of the value of one halfe of the goods so retailed, to bee paid by the seller of them.

[65*]

H O M E L O T T S.

Whereas there is creeping in, in several Townes and plantations within this Jurisdiction, a great abuse of buying and purchasing Home Lotts and laying them together, by meanes whereof great depopulations are like to follow, It is ordered that all dwelling or mansion howses that are or shall bee allowed in any plantation or Towne within this Jurisdiction, shall bee vpheld, repaired and maintained
sufficiently in a comely way: As also, whosoever shall possess and
enjoy any homelotts within any such plantation or Towne, that is
not yet built vpon, shall, within twelve months after the making of
this order, erect and build a howse there, fit for an inhabitant to
dwell in, unless the Courte, vpon knowledge of the case, finde cause
to abate, or giue longer time for building.

It is ordered, that the prises of Corne for the yeare ensuing, for all
Country Rates, (except where engagements to the contrary are ex-
pressed,) shall bee as followeth:

- Wheat, four shillings six pence p' bush:
- Pease, three shillings six pence p' bush:
- Rye, three shillings six pence p' bush:
- Indian, three shillings p' bush:

And that there shall bee libberty for all men to pay one thirde parte
of such Rates, in good Wampum.
State of Connecticut, ss.

Office of Secretary of State.

I hereby certify, that I have caused the printed matter contained in the foregoing pages of this volume, to be diligently compared with the original Records of the Colony of Connecticut, prior to its union with New Haven; and that I find the same to be (except where otherwise indicated and expressed,) a true, full, and literal copy of the said Records.

In testimony whereof, I have hereunto set my hand
L. S. and affixed the Seal of the said State, at Hartford, this 29th day of January, A. D. 1850.

ROGER H. MILLS,
Secretary of State.
APPENDIX.

No. I. (p. 68.)

LETTER FROM SIR WILLIAM BOSWELL, RELATING TO THE ENCROACHMENTS OF THE DUTCH.

[In 'Colonial Boundaries,' Vol. II. Doc. No. 1.]

HAGHE, 22 Jan: 164\ 2, st. vet.

Worthy Doct' Wright,

You cannot but imagine of how small effect any instructions [to me] or motions of myne heer are like to be, vntil our aff"" shall be better setteld at home; yet is it vnfit wee should forbeare to keep any right wee haue on foot, or to set forth in due manner to the States th' encrochem of their West-Ind" Comp^, (vnder whose wing the traders vpon Connecticut & Planters in New Netherl, if any be, doe shelter themselves,) vpon his Mat"" sub'ts th''abouts. Wherfor my aduise (the best I can offre for present,) is,—

1. That the Parties interested, (by whom the Mem'' enclosed hath been drawne) procure some Declaracon or Act, from the Parlem', at least from the Howse of Commons, or their Comittee for these buisinesses; wherby it may appeare, that they take notice & care of our people & plantacons in those p'ts.

2. That they procure lettres likewise, from the Lords of the Con^ into mee, w'' this Mem'' or the like enclosed, requiring mee to represent the same, in wholle or p't, as I shall see requisit, to the States G'rall, & West-India Comp^, or others, whom I shall think propre. As also, to doe what else I shall judge necessary, for atteyning the end, & quiett correspond'' between the English & Dutch desired: And to make report.

3. They acquaint the States Amb'' in London with the summe of these l'res, Mem^, & Act. And to make him sensible of the inconueniences & harms w'' may & certainly will befall the West India Comp^, &c., if any quarrells should arise & spread from those quarters. This to be done by p'sons of qu[ality.]

4. That in the mean tyme, th' English there doe not forbeare to put forward their plantacons, and crowd on, crowding the Dutch out of those places where they haue [occupied,] but without hostility or any act of violence. I will not doubt but they are so wise as to stand vp, on their guard, with sufficient caution, and force to resist any suddaine attempt by frends or foes vpon them.

49
I shall heartily contribute the best of my powre vnto their & your content; praying you to pardon mee for not answering yo' l're sooner, hauing indeed hoped to haue learned something more to purpose, by the time I haue taken, I rest

Yo' assured ould frend & seru,

Willm Boswell.

Dr. Laurce Wright &c. At Chartrehowse.

For yourself.

[Sir William Boswell, was at this time English ambassador to the States General. How this letter found its way to the Colonial files, does not appear. It is probable, however, that the 'Memorial' to which it refers, was one drawn by Gov. Hopkins, (at that time in England,) and transmitted through the agency of his friend, Dr. Wright, to the English ambassador; and that the letter itself (indicating a course of policy which seems to have been closely adhered to by the Colony, in their subsequent dealings with the Dutch,) was brought to Connecticut, by Gov. Hopkins, on his return, some months afterward. The Dr. Wright to whom it is addressed, is probably the same to whom Mr. Hopkins, in his will, bequeathed a piece of plate of the value of £20, desiring "his honored friend Dr. Wright, to whom he owed much more than that, being much engaged, to accept it only as a testimony of his respect."]

No. II. (p. 112.)

A COPPIE OF y' COMBINATION OF SOUTHAMPTON wth HARFORD.

[From 'Towns & Lands,' Vol. I. Doc. No. 7.]

Whereas formerly some Ouerturs haue by letters paste betwixt sum deputed by the Jurisdiction of Conectecote and others of y' plantation of Southampton vpon Long Iland, concerning vnnion into one boddy and gouvemment, whereby y' said Towne might be interested in y' general combination of y' united Collonies, for prossecution and issuing wherof, Edward Hopkins & John Haines being authorised wth power from y's Generall Corte for y's Jurisdiction of Conecticute, & Edward Howell, John Gosmore and John More deputed by y's Towne of Southampton, It was by the said parties concluded & agreed, And y's said Towne of Southampton doe by their said deputies, for themselves and their successors, assoiate and joyne themselues to y's Jurisdiction of Conecticute, to be subject to all the lawes there established, according to y's word of God and right reson, wth such exceptions & limittations as are hereafter expressed.

The Towne of Southampton, by reson of ther passage by sea being vnder more difficulties and vncertainties of repayreing to y' severall Corts held for y' Jurisdiction of Conectecote vpon y' mayne land, whereby they may be constrained to be absent both at y' times of election of Magistrats and other ocations, wth may prove prejudicial to them; for preventing wherof, it is agreed, y' for y's present untill more plantations be settled neere to y' Towne of Southampton wth may be helpful each to other in publike ocations, (and y' by mutual agreemt betwixt y's said Towne and y's Generall Corte for y's Jurisdiction of Conectecote it be otherwise ordered,) there shalbe yearly chosen
two Magistrates inhabbiting wthin ye said Towne or liberties of Southampton, who shall haue ye same power wth ye Piculer Courts vpon ye River of Conectecote, though no other Magistrates of ye Jurisdiction be psent, for ye Administration of Justice and other ocasions wth may concern the welfare of ye said Towne, offences only wth concerne life excepted, or limbe, wth always shalbe tryed by a Courte of Magistrates to be held at ye Riuers mouth, wth said Magistrates for ye Towne aforesaid, shalbe chosen in manner following:

The Towne of Southampton, by ye freemen thereof shall yerely psent to some Generall Courte for ye Jurisdiction of Conectecote or to ye Gouernor thereof, before ye Court of Election, wth is ye second Thursday in Aprill, the names of three of their members of their said Towne, and such as are freemen thereof, whome they nominate for Magistrates the yeare ensuing, out of wth ye Generall Courte for ye Jurisdiction shall choose two, who vpon oath taken before one or both of ye Magistrates for ye p'cedent yeare at Southampton, for ye due execution of their place, shal haue as full power to procede therin as if they had beene sworne before ye Gouernor at Conectecote. It is also provided ye freemen of ye said Towne of Southampton, shal haue libertie to voat in ye Courts of Election for ye Jurisdiction of Conectecote, in regard of ye distance of ye place, by proxie. But in case the Towne of Southampton shal, by any extroordinarie hand of Providence, be hindred from sending ye names of ye three p'sons to be in Election for Magistrates, vnto ye Generall Court in Aprill, or hauing sent, ye same doe miscarrie, it is in such case then prouided & agreed, ye two Magistrates for ye precedent yeare shal supply ye place vntill ye next Generall Court for election.

It [is] agreed and concluded, ye if vpon vewe of such orders as are alreddy established by ye General Court for ye Jurisdiction of Conectecote, there be found any difference therin from such as are also for ye present settled in ye Towne of Southampton, the said Towne shal haue libertie to regulate themselues acording as may be most suatable to their owne comforts and conveinences in their own judgment, provided those orders made by them concernne themselues only and intrence not vpon ye intereses of others or ye Generall Combination of ye united Collonies, and are not cross to ye rule of riteousness. The like powre is also reserued vnto themselues for the future, for making of such orders as may concerne their Towne ocations.

It is agreed & concluded, ye if any party find himselfe agreed by any sentence or judgment passed by ye Magistrates, residing at Southampton, he may appeale to sum p'ticuler or General Court vpon [the] Riuer, p'vided he put in securitie to ye satisfaction of one or both of ye Magistrates at Southampton speedily to prosecute his said appeale, and to answer such costs and dammages as shalbe thought meete by ye Court to which he appeals, in case there be found no just cause for his appeale.

It is agreed & concluded, ye said Towne of Southampton shal only beare their owne charges in such Fortifications as are necessarie for their owne defence, maintaining their owne officers and al
other things that concerne themselues, not being lyable to be taxed for fortifications or other expences y\textsuperscript{e} only apertaine to the plantations upon the Riuier, or elswhere. But in such expences as are of mutuall & common concernment, both y\textsuperscript{e} one and the other shall beare an equall share in such proportion as is agreed by the vnited Collonies, vizt. according to the number of males in each plantation, from 16 to 60 years of age.

The oath to be taken at Southampton.

I, A. B. being an Inhabitant of Southampton, by y\textsuperscript{e} P\textsuperscript{r}vidence of God, combined w\textsuperscript{th} y\textsuperscript{e} Jurisdiction of Conectecote, doe acknowledg myself to be subject to y\textsuperscript{e} Gouernment therof & do sweare by the greate and dreadfulfull name of the everliling God to be true & faithfull to the same, and to submit both my person & estate therunto, according to al the wholesum lawes and orders y\textsuperscript{e} are or hereafter shalbe made and established by lawful Authority, w\textsuperscript{th} such lmitations & exceptions as are expressed in y\textsuperscript{e} Comblynation of this Towne w\textsuperscript{th} y\textsuperscript{e} aforesaid Jurisdiction, & that I wil nether plot nor practice any euil against y\textsuperscript{e} same, nor consent to any that shal so doe, but wil timely discover it to lawful authority there established; and y\textsuperscript{e} I wil as I am in duty bound maintaine the honner of the same and of y\textsuperscript{e} lawfull Magistrats therof, promoteing y\textsuperscript{e} publike good of it, whilst I shal continue an Inhabitant there; & whenssoever I shal giue my voate or suffrage touching any matter w\textsuperscript{th} concerns this Common Wealth, bein cald therunto, I wil giue it as in my consience I shal judg may conduce to y\textsuperscript{e} best good of y\textsuperscript{e} same, w\textsuperscript{th}out respect [of] p\textsuperscript{r}sons, or fauor of any man; soe help me God in y\textsuperscript{e} Lord Jesus Christ.

The forementioned agreements wear concluded y\textsuperscript{e} day & yeare aboue written, betwene y\textsuperscript{e} parties aboue mentioned in behalf of y\textsuperscript{e} Jurisdiction of Conectecott and y\textsuperscript{e} Towne of Southampton, w\textsuperscript{th} reference to y\textsuperscript{e} aprobation of y\textsuperscript{e} Commissioners for y\textsuperscript{e} vnited Collonies, w\textsuperscript{th} being obtayned the said agrements are to be attened and obserued, according to y\textsuperscript{e} true intent and purpose thereof, or otherwise to be voyde and of noe effect; and in testimonie thereof have interchangably [ ] put to their hands.

[Endorsed, in the hand writing of Secretary Clark.] A copy of ye Combination with Southamptton.

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No. III. (p. 119, 266.)

THE AGREEMENT WITH MR. FENWICK.

Writers upon our colonial history, almost without exception, have referred to the contract with Mr. Fenwick, as a purchase by Connecticut of the jurisdiction right to the territory included in the Earl of Warwick's grant to Lord Say & Sele and his associates,—or in
other words, as an assignment to the Colony, of the 'Old Patent' of 1632, held by Mr. Fenwick and his co-proprietors. Dr. Trumbull has given authority to this version, by stating that "the Colony, on the whole, paid Mr. Fenwick £1600, merely for the jurisdiction right, or for the old Patent of Connecticut;" (H. of Conn. 1. 150.) elsewhere, that the settlers of Connecticut and N. Haven were the patentees of Viscount Say and Seal, &c., to whom the patent was originally given;" (p. 28.) and again, (p. 118,) that "as the colonists, both in Connecticut and New Haven, were the patentees of Lord Say & Seal, Lord Brook and the other gentlemen interested in the old Connecticut patent, and as that patent covered a large tract of country, both colonies were desirous of securing the native title to the lands." Mr. Dwight, (who seems rarely, if ever, to have questioned the authority of Dr. Trumbull, in matters connected with the early history of the colony,) repeats the statement, that the colony paid Mr. F. £1600, "merely for the jurisdiction right, or for the old patent." (H. of Conn. p. 109.)

It will be seen, however, on referring to the agreement itself, that it is merely a contract of sale, of the fort at Saybrook and its appurtenances, and the land upon the River,—with a pledge on the part of Mr. F., to convey to the Colony 'if it come into his power,' all the land between Saybrook and Narragansett River, included in the old patent. Such conveyance does not appear ever to have been made; on the contrary, repeated admissions of the General Court, show that it was not made, and that so far from receiving any legal assignment or transfer of the old patent, the Colony was (so late as 1661,) without even a copy of it, and not fully informed as to the rights and privileges which it was supposed to confer. In the Instructions to Gov. Winthrop,* the agent of the Colony for procuring the charter of 1662, the General Court desire him "to use all due means to procure a copy of the Patent referring to these parts, granted unto those Nobles and Gentlemen whom Mr. Fenwick did represent in his sale to this Colony;" and in case the copy could be obtained, Gov. F. was "to consider both what privileges, rights and immunities are therein granted, and to compare it with the Bay Patent," &c. In the letter to the Earl of Manchester,† the General Court represent the Colony as "having neither Patent or copy of it, nor aught else that may ensure us of future continuance of our present privileges." And if further evidence is necessary that the conditional engagement of Mr. Fenwick, to procure an assignment of the patent, was never performed, it is furnished in the conditions of the settlement between the Colony and Capt. Cullick, (Mr. F.'s brother-in-law and executor,) and in the admissions of Mrs. Cullick, in her petition to the General Court in 1663, (after a copy of the old patent had been found by Gov. Winthrop, among the papers of Mr. Hopkins.)‡

The settlers of the River towns had not,—before or after the agreement with Mr. Fenwick,—any right of jurisdiction except such as grew out of occupation, purchase from the native proprietors, or (in

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* See Appendix, No. X, (1.) † App. No. X, (3.) ‡ Pages 327-329, ante; and App. Nos. VI. and XL 49*
the case of the Pequot territory,) of conquest. Their policy seems to have been to dispose as quietly and as cheaply as possible of the claims of such as challenged their title,—into the exact nature of which they were not disposed to provoke too close an investigation; assenting to the conditions of settlement imposed by Mr. Fenwick, (as the agent of the Patentees,) until they were enabled by the purchase of Saybrook, to relieve themselves from present or possible exactions made in the name of his employers, and to conciliate the only rival claimant to jurisdiction whom they had then reason to fear; waiting patiently for some favorable turn in the affairs of the mother country, which should enable them to obtain from the Sovereign, a recognition and confirmation of the right to self-government, which they had from the first asserted and maintained.

No. IV. (pp. 311, 389.)

CLAIMS OF MASSACHUSETTS TO THE PEQUOT COUNTRY.

The right of jurisdiction to that portion of the Pequot territory lying between Pequot (Mystic) River, on the West, and Wecapaug, (a brook about four miles east of Pawcatuck River,) was, for many years, warmly contested by Massachusetts and Connecticut. In 1646, the question being referred to the decision of the Commissioners, as to which Colony the jurisdiction of Mr. Winthrop’s new plantation at Pequot rightfully appertained, “The Commissioners for the Massathusets p’pounded an intrest by conquest; the Commissioners for Connecticott by Patent, purchase and conquest. It was remembred that in a treaty betwixt them at Cambridge, 1638, not p’fected, a p’position was made that Pequot River in reference to the conquest should be the bounds betwixt them.” As the new plantation was upon “the west syde of Pequott, & see within the bounds at first p’pounded for Connecticott,” the Commissioners decided that “unlesse the Massathusets hereafter shewe better title, the Jurisdiction should belong to Connecticott.”

The next year, the question again came up for review, when the decision of the former year was confirmed and established in relation to the new plantation; Mr. Winthrop “expressing himselfe as more indifferent,” having probably effected some satisfactory arrangement with the General Court of Connecticut, (by whom he was shortly after commissioned as a Magistrate, at Pequot.)

Some ten years later, a considerable number of settlers who had located themselves farther to the eastward, (within the limits of the present town of Stonington,) under grants from Massachusetts, were invested by the General Court of that Colony, Oct. 1658, with town privileges, by the name of Souhertown. To this settlement, or rather, to the whole of the territory which it in part occupied, the General
Court of Connecticut had given the name of 'Mystic and Pawcatuck,' and claimed over it exclusive jurisdiction right, as embraced within the limits of their purchase from Mr. Fenwick, as well as by right of conquest. Massachusetts did not, however, abandon her claims, until after the charter of 1662 had confirmed to Connecticut the eastern boundary claimed under their "old patent," the Earl of Warwick's grant,—'Narragansett River, commonly called Narragansett Bay.'

The following documents relating to this controversy are preserved among the files, in the State Department:—

1. A certified copy of an order of the Gen. Court of Massachusetts, May 6th, 1646, empowering Mr. Winthrop, to appoint some place "on the other side, that is on the east side of the great River of the Pequot Country," "for the convenient planting and subsistence" of such Indians as should be willing to remove thither, from within the limits of the new plantation; and to set out lots, and to govern the people of the plantation; "associating with him, Mr. Thomas Peters, "for the better carrying on of the worke." [Towns & Lands, 1. 39.]

2. Letter from Massachusetts, (by Edward Rawson, Secretary,) to the General Court of Connecticut, dated October 21st, 1657; complaining of the exercise of jurisdiction by Connecticut, over the territory east of Pequot River, which had been established by the Commissioners in 1646 and 1647, as the boundary between the two Colonies; and desiring Connecticut to "friendly yield up those aforesaid lands on the east side of Pequot river," and to forbear further exercise of authority there, without the consent of the inhabitants, until the matter should be determined by the Commissioners. A petition which had been recently presented by the inhabitants of the disputed territory, is referred to, as giving occasion for the letter. [Ibid. No. 40.]

3. Copy of a letter from the General Court of Connecticut, in reply to the foregoing, (dated, May 10th, 1658,) denying that Massachusetts had ever "challenged an interest" in the Pequot country, "either by protest or letters, or so much as the least intimation by word, or any act whatsoever, since that case was fully & clearly determined by the Commissioners in the year 1647, at which time they declared that Jurisdiction goeth constantly with the Patent;" claiming to have hitherto enjoyed uninterrupted possession of the territory in question, and to have exercised authority there, with the consent of the inhabitants, most of whom had "by oath of fidelity submitted thereto;" expressing surprise that Massachusetts should pretend a claim to those parts, and impair persons to lay out lands there. An assent is given "in a friendly manner," to the proposition of Massachusetts to refer the question to the Commissioners, with the understanding that that colony should meanwhile forbear to exercise jurisdiction or authority, until their better right by conquest should be made to appear. [Ibid. No. 41.]

4. A letter from the Commissioners of the United Colonies, to Connecticut, (dated Sept. 18th, 1658,) in reply to one received from
the General Court, dated Aug. 2d, (a copy of which has not been
preserved,) "intimating a difference between the Government of the
Massachusetts and them, concerning the division of the Pequot
country;" accompanying which was sent a copy of the decision of
the Commissioners, in the premises. By this decision Mystic River
is made the boundary between the colonies "soe far as the Pond by
Lanthorne hill, and thence from the middle of the said pond, to run
away upon a north line." [The letter is filed in 'Indians,' Vol. 1.
No. 3. The decision may be found in the Records of the U. Coloni-
ues. Both are printed (with some errors,) in Hazzard's S. Papers,
2. 395-397.]

5. Proceedings of the Commissioners, in September, 1659, upon
the application of Connecticut for a "review of the case respecting
Mystic and Pawcatuck." [Rec. of U. Colonies. A part of the
original minutes of the Commissioners, (with their signatures,) are
in 'Miscellanies,' Vol. 1. No. 88. See Hazzard, 2. 415.]

The General Court in May, had ordered letters to be sent to Mas-
achusetts, 'to inform them that it is our desire and resolution to
bring the case respecting Mystic and Pawcatuck, unto a review, or
second consideration, at the meeting of the Commissioners,' and ap-
pointed Major John Mason, 'to act in behalf of the Colony, in the
business.' (page 335, ante.) Accordingly, in September follow-
ing, Major Mason presented to the Commissioners the plea of Conne-
ticut, claiming right to exclusive jurisdiction 'by patent, conquest,
possession and allowance.' The Commissioners having 'duly
weighed and considered' the application, with the reply of the Com-
missoners of Massachusetts, and the ensuing replication and rejoin-
der, decided that they "saw no cause to vary from the determina-
given, in the last year.'

No. V. (p. 316.)

LETTER TO EASTHAMPTON.

[In 'Towns & Lands,' Vol. I. Doc. No. 8.]

Gen: & Lovinge Friends,

We haveinge receiue your Letter and findinge recorded a Court
order of 1649, wherein y° Court declared their acceptance of your
Towne vnder this Government; a coppy whereof we have herewith
sent you; and haveinge received a full resignacion of your Towne
vnder this governement, by your Agents, Life Gardner etc: we shall
present y° same to our next Gen: Court for a further and full con-
firmation thereof: And in y° meane tyme did take y° case wh° was
presented from you into serious consideration; and there hath passed
a legall tryall therevpon; wherevpon, tho there did not appeare
sufficient evidence to proue her guilty yet we cannot but well ap-
prue and commend the Christian care & prudence of those in Authority with you, in searchinge into y' case, accordinge to such just suspicion as appeared.

Also we thinke good to certify y' it is desired & expected by this Court, y' you should carry neighbourly & peaceably, without just offence, to Jos: Garlick & his wife, & y' y' should doe y' like to you. And y' charge wee conceive & advise may be justly borne as followeth: 1. y' Jos: Garlick should beare y' charge of his wives dyete & ward at home, with y' charge of her trancéportation hither & returne home; 2ly, y' your Towne should beare all their owne charges at home & the charge of their messengers & witnesses in bringinge the case to tryall here & their returne home; the Court beinge content to put y' charge of the tryall here, vpon y' Country's account.

[The copy of this letter preserved on file, is believed to be in the hand writing of Gov. Winthrop. It is not dated, but must have been written sometime in the spring of 1658. The reference to the case of Jos. Garlick and his wife is important, as furnishing evidence of the action of the General Court upon the first case of witchcraft (an imported case, by the way,) brought before them for trial. At a town meeting in Easthampton, Mar. 19th, 1657-8, it was ordered, and by a major vote of the inhabitants of this Towne agreed upon, that Thomas Baker and John Hand [should] go into Keolicut for to bring us under their government according to the terms as Southamptoon is; and also to carry Goodwife Garlick, that she may be delivered up unto the authorities there for the triall of the cause of Witchcraft which she is suspected,"* "This poor woman," says Mr. Gardiner, "had had a trial in Easthampton, for witchcraft, but nothing was done. It was referred to the General Court at Hartford." The grounds of the accusation and further particulars of the case, may be seen in Woods, Thompson's, and Prime's Histories of Long Island.]

No. VI. (p. 238.)

THE SETTLEMENT WITH MR. CULICK.

Dr. Trumbull, referring to the final adjustments of accounts with Capt. Cullick, remarks, that "it appeared that Mr. Cullick and the heirs of Mr. Fenwick were indebted five hundred pounds sterling to the colony, which had been paid them, more than what was due according to the original agreements with Mr. Fenwick." (Hist. of Conn. 1. 238.) This statement is not strictly correct,—as reference to the terms of settlement, and to the previous action of the General Court, will show. Mr. Cullick, (as the agent of his brother in law, Mr. Fenwick, after the return of the latter to England,) had received from the several towns their annual payment to the 'Fort rate,' stipulated for in the agreement between Mr. F. and the colony, in 1644. By one of the articles of this agreement, Mr. Fenwick had engaged to secure to the Colony, 'if it came into his power,' the right of jurisdiction to the territory embraced in the Earl of Warwick's grant to Lord Say & Sele and his associates. This engagement remaining

unfulfilled at the death of Mr. Fenwick, the General Court sought to recover from his agent, a portion of the monies which had been paid, as was alleged, without valid consideration. They therefore refused to surrender Mr. Fenwick's estate, which by his will had been devised to his sister, (Mrs. Cullick,) or to grant administration thereon, until an equitable settlement of accounts should be effected. By the conditions of this settlement, Capt. Cullick compromised with the colony, by the repayment of £500, and an acquittance of all claims against the colony growing out of the agreement for the purchase of the River: and the Court released the estate of Mr. Fenwick from the restraint formerly imposed, and discharged Mr. and Mrs. Cullick from all existing liabilities, ' so far and no further, as the estate bequeathed to them had any reference to the agreement.' [See pages 318, 329, 338, 341, 345, 357; Petition of Mrs. Cullick, App. No. XI; Agreement with Mr. Fenwick, App. No. III. The ' repay- ing of £500' of 'the monies expended in our agreement with Mr. Fenwick,' is alluded to in the Instructions to Gov. Winthrop, App. No. X.]

No. VII. (p. 341.)

GEORGE FENWICK'S WILL.

A certified copy of Mr. Fenwick's Will, (probably the same that was exhibited to the General Court, October, 1659,) is preserved in Vol. I. of 'Private Controversies,' Doc. No. 9. The introduction is as follows:

"The counsell which the Prophett gave to King Hezekiah, upon y' Lord's message to him that hee should dye and not live, is seasonable for all, it being as true of all others as of him that they must dye and not live, the truth of which is not more certain then y' time uncertain; whereof by mercy being present in good health, I make this my last Will and Testament, as followeth:"

First he gives to his "dearely beloved wife Katherine,"* the remainder of his term of years in Woringhurst, in lieu of that part of her jointure in Morton, (Co. of Durham,) which was yet in lease for five or six years; several articles of furniture and household stuff, two suits of hangings 'one of Cesar, the other of Diana,' 'a green embroidered bed,' & all the plate and pewter marked with their arms; all the pictures, and such books as she might choose to take; with the coach and horses, &c.

To his "most naturall and deare mother, Mrs. Dorothy Clay- ing," an annuity of £10. during her life.

* Mr. Fenwick's first wife died before his return to England, and was buried at Saybrook. The second was probably the daughter of Sir Arthur Haslerigge, (who is subsequently referred to as the 'father in law' of the testator.)
APPENDIX.

To his brother Claudius, and his heirs male, lands in Brenckborne and Nether Frawlington, in Northumberland.

To his nephew Thomas Ledgard, and his heirs male, lands in Thriston and Tillington, Northumberland.

To his sister Ledgard and his sister Cullick, each £50, and to their husbands, £10 each: and to his sister Cullick's children, £100 a piece.

To his "niece Clifton," and to his "niece Bootflower's boy," each £50.

To his daughter Elizabeth, "the suit of Landscape hangings," and to his daughter Dorothy, "that of Susanna;" the remainder of the household stuff to be divided between them. Elizabeth, he made sole executrix of his will, and gave to her the remainder of his personal estate and chattels. A hundred pounds per annum to be paid Dorothy, "out of [his] lease of the lands in Sussex."

To Ralph Fenwick; "now scholar of Christ Church in Oxford," £10 per annum, for six years.

To every servant 20' shillings, for each year they had been in his service.

Lands in Sussex, which descended to his daughters from their uncle Edward Apsley Esq. deceased, some houses in Hartshorne, land in Middlesex, and some salt marsh in Kent, near Upchurch, after the lease expired, his daughters were advised to divide equally between them, Elizabeth, the elder, being allowed the first choice.

This will was executed Mar. 8th, 1656–7, in presence of Robert Leeues, Moses Fryer.

A codicil added, the next day, revokes £50 per annum given his daughter Dorothy, from the lands in Sussex;—and "all gifts of sum or sums of money, by will, to Sister Cullick and her children," bequeathing, in lieu thereof, "all lands, chattels, real & personal, that are in New England, and my debts that are oweing there unto mee, to bee divided amongst them and in such manner as y' her eldest sonne may have a double portion; and likewise, that out of itt may bee had five hundred pound, which I doe hereby give to ye publique use of that country of New England, if my loueing friend Mr. Edward Hopkins think it fitt: And to bee imployed and used to that end as my said loueing friend Mr. Edw. Hopkins shall order and direct."

To his "deare and loueing wife Katherine," £500.

To his "loving friend Mr. Robert Leeues," £20, to buy books; and desires him to assist his executrix, in managing her estates in Sussex, Middlesex and Kent.

To "Dame Eleanor Selby, of Barwick," £10; with the request that his "much honored good friend" would undertake the care and education of his daughter Dorothy.

To his "deare friend and father in law Sir Arthur Haslerigge," and to each of his children; to his "very good friend" his "cousin Lawrence & his wife," and to his "cousin Strickland & his lady," "as the remembrance of an affectionate friend;" to his "dear & good friend, Mr. Edward Hopkins, late warden of the Fleece;" and
to his "father in law, Mr. Clavering & to Thomas Burrell, Brinkebarne" (Northumberland,) 40 shillings each, to buy rings:

To his "ancient acquaintance & dearely beloved friend, Sir Thomas Widdrington," £5, for the same purpose.

To his good friend, "Aron Gourdon, Doctor of Phisick, £10.

To his "good friend Mr. Tempest Milner, Alderman of London, and to his kinsman, Mr. Robert Key," £5, each.

£6 per annum, to Tristram Fenwicke, for life; 40 shillings per annum, to "Mrs. Ogle, of Leith, Scotland," and 20 shillings per annum, to "Widdow Clarke, of Weldon," for life.

The codicil witnessed by John Stratford, Ro: Leeues and George Hargripe.

The will was proved at London, and administration committed to the executrix, his daughter Elizabeth, April 27th, 1657.


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No. VIII. (p. 353.)

LETTER TO THE COMMISSIONERS OF THE U. COLONIES, COMPLAINING OF AFFRONTS RECEIVED FROM THE NARRAGANSETTS.

[Indians, Vol. I. Doc. No. 4.]

Hono^rd Gen:

The former insolent and proud cariage and manifold abuses that o' people in this Colony haue (as yo' Wor^e wel vnd'stand,) haue sustained from the Vncircumcised Heathens round about vs, haue bin noe small exercise to o' spirits quietly, though not contentedly, to beare. Yet hopeing after soe much paines taken by the Wor^ship^ Com^n at y^ last sess^ at Hartford, both by Messuages sent to severall of them, and impositions and injunctions vpon them, for wrongs done, and y^ intimations of yo' minds in reference to such carriages manifest and declared vnto them, that it might haue p'vayed to haue curbed their proud humors and in issue haue accomplished a peaceable correspondence in point [of] neighbourly carriage towards the English for y^ future. But all candidnes and clemency towards these beastly minded and mannered Creatures seems rather to embolden them in (not only vnciuiil and inhumane) but in tendency to bloody practices; for not many weeks now past, wee are by sufficient information certified, that one night at y^ New Plantat^ at Monheage, some Indians, (as wil appeare, of the Narragansets,) shott 11 Bullets into a house of o' English there, in hopes, as they boasted, to haue slaine him whose we haue cause to hono', whose safety we cannot but take o' selues bound to promote, o' Deputy Go; Maior Mason; as also, slew another at Rob' Layes, to y^
great affrightment and terror of Goodwife Lay. Wch outrages, tho' we cannot but judge cals vnto vs to be awakened and to take some speedy course for distribution of justice to those y' haue thus carried towards vs, in o'^, yet bearing due respect to o' neere union to and confederation with y' other Collonies, to whom o' liues and comforts are (we hope,) p'cious, we thought meet to acquaint your Worsh^ w* the p'misses, desiring if it may be, some speedy redress of the wrongs done vnto vs in this Collony, and provision for o' indemnity and security, w'ch if yo' Worships, after yo' serious consideration on what hath now as an addition to former matters bene p'sented to yo' Worsh^, see not cause to stir or act on o' behalfe, we cannot but take y* best advice y' God shall direct vs vnto what God requires and calls for at o' hands, to provide for o' peoples safety, not onely in inande-ouring to discover the guilty but alsoe to vse just and lawful means to p'vent such abuses and affronts for y' future. O' earnest desire is that yo' Worsh^ would be pleased to expedite a returne to o' Gover-nor Winthrop or Deputy Governor, Maior Mason, what your Worsh^ doe judge in y* p'misses. We intreat you to consider how incongruous and cross it would haue bin 20 yeares agoe to an English spirit, to beare svch things as now we are forct to beare, or whether y' Indians would not haue expected a visitation upon less occasions then these that haue of late bene met with by several of ours. We cannot but conceive it is high time to renew vpon the memory of these Pagans the obliterate memorials of y^ English. We desire not vnnecessarily to enlarge, but rather refer yo' thoughts to a reduplic-ate animadversion on y* p'cedent lines; hoping for a speedy inti- nation of yo' advice therin; wherein we commend you to y* Infinite Wisdom of y* wond'full Counsellor, to guide and direct you; and subscribe, Gent:

Yo* in a ready discharge of relative obligations.

The p'misses ordered to be sent to ye Com^ of y* other Collonies, June 9th, '60.

[The copy of this letter, preserved on file, is in the handwriting of the Secretary, Mr. Clark.
The Commissioners, at their next meeting, (Sept. 6-17th, 1660,) upon consideration of the premises, and of similar complaints preferred by the English residents of the new plantation at Monhegan, resolved "to require and force the Narraganetts to a just satisfaction;" and for that end, commissioned Capt. Geo. Denison, Thomas Stanton, Thomas Mynor and others, to repair to Ninigret and the Narraganset sachems and require of them the punishment of the offenders and full reparatiion of injuries done to the English; that "at least fouro of the chiefe of them that shot into the English house at Monhegan should be proceeded with and punished, according to justice; and in case they cannot be drawn thereunto," that five hundred fathoms of wampum should be exacted, in expiation of the offence; and that speedy payment should be made of a quantity of wampum, which the Commissioners, the year before, had required of the Narragan-setts, "for insendences committed at Mr. Brewster's, in killing an Indian servant at Mrs. Brewster's feet, to her great affrightment, and stealing corn, and other affronts." [Rec. of Com'mrs; in Hazzard. ii. 433.]

The General Court, in October following, (p. 355, ante,) allowed the Narragansets "two months longer than the time agreed on. according to their desire, to bring in the wampum that they are asessed by the Commissioners to pay to this Jurisdiction." The payment appears to have been made not long afterwards—as, at the next session of the Court, in March, 1661, it was or-dered that "the wampum that the Commissioners ordered to be paid to Mr. Brewster, shall be delivered unto him out of that which came from Narragansett." (p. 362.)]
APPENDIX.

No. IX. (p. 374.)

LETTERS FROM MR. GOODWIN, RESPECTING GOV. HOPKINS' LEGACY.

[Colleges & Schools, Vol. I. Doc. Nos. 2 & 3.]

To ye Honored Courte that is to be held at Hartford, in March next following ye date heerofe.

Much Honored,

We receaued wrytings from you, sygned by ye Secretary, wherein you desire ye trustees to appoint a tyme & place to meete with a Comittee which you have chosen to treate with them, and to put a fynall issue to ye busines respecting ye Legacy. I am desired in ye name of all ye trustees, to informe ye Courte, ye we cannot entertaine ye motion, both for ye we are not able to vnertake such travell, nor do we see any vse at all of it (if we were able;) for we have ordered Three hundred & fifty pounds, sett out of Mr. Hopkins estate committed to our trust, to be allowed to Hartford, vpon these conditions & termes following:

(1.) That it be by them improued, according to ye minde of ye donor, exprest in his will. (2.) That ye Court do also engage to remoue all obstructions out of our way, that we may not be disturbed, nor any way hindred, from, by, or vnder them, in ye managem of ye rest of ye estate, according to o'truth: that so loute & peace may be settled & established between vs. (3.) That you will deliuer us back ye attested copy of ye Will sent vs from England, or els a true Copy of it, vnder ye Seale of ye Collony.

Now if it please the Honored Courte (or there Commity) to accept of this Tendry of 350L., as is abouesaid, and shall deliuer vnto vs, or to our atturnys, an instrum drawe vp in wryting, & sealed with ye Seale of ye Collony, whearin all ye conditions of ye Tendry abouesaid shalbe fully & plainly exprest and confirmed by the Courte as abouesaid, before ye last of March next ensuing ye date heerofe, that then this grante of 350L. to Hartford, as abouesaid, shalbe setted vpon them, to be improued by them, according as is exprest in ye will of the doner. But if ye Courte do not fully & plainely declare ther acceptance, according as is aboue exprest, then we heerby declare our grante to them heer inserted to be a nullty & voyde; and thus I humbly take leave of you,

Subscribing myselfe, yo' Worshipps' in all due observance,

Hadley, February 24th, 1661. Will: Goodwin, in ye name of ye rest of ye Trustees.

[The General Court did not, at this time, decide to accept the conditions imposed by the Trustees; and the order of Feb. 23d, 1659-60, (p. 345.) that the estate of Mr. Hopkins should be secured within this Colony until the said estates be inventoried, and the inventories presented, and administration granted by this Court, remained in force. Oct. 8th, 1663, Gov. Winthrop, Mr. Allyn, Mr. Willys & Capt. Talcott, were appointed by the General Court, to consider what is meest to be attended in reference to Mr. Hopkins estate by him bequeathed for to be improved]
for the promoting of learning, and to make report of their thoughts the next Court." (p. 412.)
The following letter appears to have been written in reply to some communication addressed by
this Committee to the Trustees. At the next session of the General Court after its receipt,
(Mar. 10th, 1663—4,) the restraint laid upon Mr. Hopkins’ estate was removed, and administra-
tion seems to have been surrendered to the Trustees.]

To the Honoured Court at Hartford.

Much Honoured,

Yours of Novemb: 16, 1663, I received, and not to trouble you
with my answer unto your severall motives to induce us to be of
youre minde, my finall returne to all is this, That as I haue noe cause,
se I doe in noe sort consent to that which you were pleased to move
me unto, but doe desire that your selves would returne the estate
unto us, who only haue right to dispose therof, with due satisfaction
for all damage that shall appeare to be done unto it, since it hath
been taken out of our hands; which being timely performed, I doubt
not but the three hundred and fifty pound tendred unto you in Feb:
1661, may yet be setled upon Hartford, on such like conditions as be
therein expressd, tending to the securing of the estate from any far-
ther obstructions by your means, and ordering of the improvement of
it according to the Doners end, expressed in his will, as our duty
bindeth us to doe. Now herunto I doe humbly desire the Honoured
Court speedily and plainly to declare themselves to me (or to our
Attourneys) whither they doe now accept of this tendery or noe, with-
out any farther agitations about the disposall of it, which hath al-
ready been a great wrong to the estate and Doner therof, as also to
us, the Trustees, and whole Country besides; the which if you shall
decline to doe betwixt this and the end of March next ensueing the
date hereof, this tendery also is to be judged a nullity, and we shall
forthwith endeavour the freeing of the estate elsewhere, as the great
betrustment committed to us, in all respects considered, in duty bind-
eth us to doe thus. Hoping and heartily wishing that you would ac-
cept of my motion, though I cannot accept of yours, I rest,

Hadley, Feb: 1st, 63. Yours to love & serve you as I may,

Will: Goodwin.

No. X. (p. 370.)

THE CHARTER OF 1662.

[For. Correspondence, Vol. II. Nos. 1—3.]

Instructions for or Wor^t Gou^, Agent for and in behalf of the
Generall Couri at Conect, both for presenting or Address and Peti-
tion to ye Kings Matie, and also for procureing a Patteu for this
Colony.

Imp’; For advice and counsell, it is desired that you would be
pleased to address vnto these noble and gentlemen, The Right Hon-
erable Lord Sea,* Earle of Manchester, Lord Brooke, and alsoe Mr. Nathan ii Fines, Mr. Sam ii Peck, Doct of Phisick, and Mr. Floid, of y Corporation; vnto whose advice and counsell the Committee doth refer you, according to y ord of y Generall Court, to act or to desist.

2d. It is desired that you would be pleased to vse all due meanes to procure a Copy of the Pattent referring to these parts, granted vnto those Nobles and Gent: whom Mr. Fenwick did represent in his act of sale to this Collyony. And in case the Copy of this Pattent can by noe meanes vse'd be obtained, then you are desired to advise wth y Counsell forementioned, what to doe in reference to y heires of Mr. Fenwick for y regaining such sums as haue bine disbursed for y purchase of Jurisdiction Right.

And in case the forementioned Pattent can be procured, our desire is, that you would be pleased to consid'r both what privildges, rights and imunities are therein granted, and to compare it wth y Copy of y Bay Pattent; and what is conduceable in both to y welbeing and future comfort of this Collyony, our desire is may be inserted and comp'ended in the Pattent granted and confirmed to this Collyony. [But in case vpon rep'sentation of our Purchase and moneys expended vpon it, the heires of Mr. Fenwick, or any other y Pattentees, doe tender the confirmation of the Pattent, (y we conceiue we bought,) we shall rest satisfied wth that Pattent, provided it may be compleated and y confirmation finished wthout further expense to this Collyony.

But in case a Pattent be yet to be procured for the Collyony, our desire is, that it may comp'end all y rights, privildges, authority and imunities that are granted in y Massachuset Colonyes Pattent. And that, respecting the Pattent, it may be granted and confirmed to severall Pattentees, together with their Associates and such [as] may be adjoyned to them, their heires and successors, for euer.

The Extent of y bounds to bee; from y limits or bounds of y Massachuset and Plimouth, vnto y Delliway River south, or as far as may be granted that way. And that, respecting the qualifi-catif: of such as may be added as Freemen to this Company of Pattentees and associates, who only shall haue power to choose any officers that are requisite and necessary to carry on the Affaires of the Colony—

Those who are desired to be Patentees are the p'sent Gouvourn, Dep: Gouvourn, Mr. Henry Clark, Mr Sam ii Willis, Mr. Mathew

* Lord Say & Sele, who had done much to promote the restoration of Charles II, was, shortly after the king's return, made Lord Privy Seal. In a letter to Gov. Winthrop, (printed in Appendix to Trumbull's Hist. of Conn. No. IX,) he professes himself desirous of doing his good friends in New England, the best service he could, and regrets that the state of his health was such as to prevent his going to London, in person, to aid in procuring the charter; but informs Gov. W. that he had written to the Earl of Manchester (at that time Lord Chamberlain of the household,) "to give the best assistance he may." Lord Say & Sele died April 14th, 1662. His son, Nathaniel Fiences (Fines) had been one of the Commissioners of the great seal, under the Parliament, and subsequently, a member of Cromwell's privy council and lord privy seal. After the restoration, he retired to his estates in Wilts, where he died Dec. 16th, 1669. (Wood's Ath. Oxon. II. 454.) The Lord Brooke, here mentioned, was Robert, son of Robert (second Lord Brooke,) one of the original proprietors of Connecticut, under 'the old Patent,' or the Earl of Warwick's grant.
Appendix.

Allyn, Mr. Richard Treat, Mr. William Phelps, Nathan Gold, together with their Associates hereafter named, Mr. John Warham, Sam'l Stone, John Whiting, Sam'l Hooker, James Fitch, Rich: Lord, Henry Woolcot, John Steele, Edw: Stebbin, John Talcot, Benjamin Nubery, Dan'l Clarke, Mathew Campfield, Will'm Wadsworth, John Hawley, John Allyn.]*

The p's sons whom we desire to be nominated in ye Pattent, to whom it should be granted and confirmed are, John Winthrop Esq', and Maior John Mason Esq', Sam'll Willis, Henry Clark, Math: Allyn, William Phelps, Richard Treat, Nathan Gould, John Talcot, DanIEL Clark, John Deming Sen', Anthony Howkins, Robert Warner, John Clark Sen', Robert Royce, Phillip Groues, Jehu Burr, Mathew Campfield; to them and their Associates and successors.

The Bounds y' we doe p'sent to be inserted in o' Pattent, if it may be obtained, are, eastward to Plimouth line, northward to y's limits of y's Massathusets Collony, and westward to y's Bay of Delloway, if it may bee.†

And respecting liberties and privilidges inserted in the Pattent, not to be inferiour or short to what is granted to y's Massachuset.

And respecting Customs, that if it may be obtained, we, in regard of our meane and low condition, may be freed for w' may be exported from hence to England, and from thence to vs, for y's space of 21 yeares or as long as can be procured.

And also y's y's Islands adjacent, y's are not already granted to any other, may be included in o' Patent.

And likewise respecting the moneys expended by o' agreement with Mr. Fenwick, to take y's best advice you can meet w' from the Noblemen mentioned or others whom you think meet to address vnto, what is requisite to bee done for to regaine y's money if it may bee; declaring, as cause requires, the repaying of 500£.‡

Our desire is, that if it can be procured there may be a resolution of y' p'ticular in y' Bay Pattent, where they are to begin to run their line twixt themselves and vs.

We desire as opportunity tends itself, that there may be a declaration of the carriage of Capt. Fernes, both respecting Hartford shipp taken by Rupert and Fernes, as also his stealing away the Indians.

Respecting the Dutch, we desire that his Ma'te may be informed of their setting upon the Maine, and stil incroaching upon the English.

* The whole of the portion here included in brackets, (from "But in case," &c. on the preceding page,) is, in the original draught, marked across, with lines,—and what follows appears to have been substituted on a subsequent revision.

† Next follow three lines, which were afterwards partially erased, by lines drawn across them; "But if it cannot be granted that the bounds may extend at least to Hudsons Riuer, we doe not judge it requisite to expend money upon a Pattent."³

‡ By Capt. Cullick, as Mr. Fenwick's executor. See pages, 329, 573, ante.
APPENDIX.

[The Address to the King.*]

Most Dread Soveraigne,

It was far from our purpose to be of the latest of yo' Ma'tis subjects, in these o' humble aproaches vnto yo' Royal presence. We are not only seperated by soe vast an Ocean from our deare English Brethren that [have a] place vnder y* immediate influence and splendor of soe great a Monarch, in y princely Pallace of his reknowned imperial City, the glory of y whole earth, but also, by a lone tract of a dismal wildness, are very remote from o' other English Americans of y parts of y ordinary recourse of shipping; whereby we were depriued by the too soon approaching Winter, together with some other impediments, of the timely effecting of y which was long since concluded o' duty and desire, namely to prostrate o'selues by an humble Address at our soueraigne Princes feet.

Our Fathers & some few yet alieue of their associates in so great an vnd'taking, of transporting themselues, their wives and children, into this westerne world, had certainly very pious and publique ends, the propagation of the blessed Gospell of the Lord Jesus amongst the Heathen, who til then had never heard the sound thereof, as also the the honour and further extent of the British monarchy; And thervpon came ouer, vpon the full and free consent, allowance and spetiall favouer of his Highnes, our euer lamented late Soveraigne Lord, your Royal father of glorious memory, expressly declared in his gratious L's Patents granted to y' vndertakers of y Plantation of y Massachusetts Bay, in New England. In y' part of the Coun- trey, neer the port of their first arrival they settled for a time, till vpon experience they found that place would be too straignt for soe great a number if they should continue all there long together. They therefore vndertooke a troublesome, hazardous and chargeable discovery of the more inland parts of y' Countrey; where coming to y' great faire Riuer of Connecticut, hauing opportunity by the free tender of y' sale of some larg tracts of lands fit for y' settling of diuers Plantations or Townes, profered unto them by y' Sachems or Heathen Princes and with y' concurrence of y other natuues vnd't them, the then proprietors of those places, they thought it very convenient to purchase those lands of them who appeared to be the owners and possessors of y same; which could not but tend to y enlargement of his Ma'tis Dominions, and be a good step towards y yet further extent thereof, and y' benefit of y English people. And thereupon transplanted themselues and vs to this place, where we were but now in a manner vpon our very beginnings of taking possession and inhabiting y places w' we had brought at noe smal expences, when those sad and vnhappy times of troubles and wars begun in England, which we could only bewaile w' sighes and

* Dr. Trumbull seems to have overlooked this document, and to have confounded the Address and Petition. He speaks of the latter as having been presented by the Governor to the Court, in May. (II. of Conn. L 240.) It will be seen, on reference to the Records, that the Address was 'drawen vp and formed and presented' by Governor Winthrop to the Court, and referred by them to a Committee, subsequently appointed, 'to peruse and compleat the Address and draw vp the Petition.' (page 307, ante.)
mournfull teares: And haue euer since hid our selues behind the Mountains, in this desolate desert, as a people forsaken, choosing rather to sit solitary and wait only vpon the Divine Providence for protection than to apply ourselves to any of those many changes of powers, o' hearts as well as o' stations stil remaining free from illegal ingagments and intire to yo' Ma" intrests, even now at y' returne of o' Lord y' King to his Crowne and dignities. The beames of whose soveraignty (like y' admired star y' appeared at nooneday at his happy nativity,) haue filled the worlds hemisphere and appeared also ouer y' great deeps in this our Horizon; whereby we are newly animated and encouraged to take vpon vs this boldnes to implore yo' Ma' fauour and gratious protection, y' you would be pleased to accept this Collony, your owne Colony, a little branch of yo' mighty Empire; y' as we haue hitherto (by y' great goodnes of y' Almighty,) since y' ouerpassed difficulties and hardships of our beginnings, enjoyed peace and prosperous proceedings, we might yet be made more happy in y' fruition and continuance of y' same, through yo' Ma' goodnes and bounty in granting o' humble Petition, when we shall haue liberty to p'sent y' same by a person here-with sent from amongst vs, to attend yo' highnes pleasure, that ther-by you may haue a more ful account of whateuer concerns yo' poor Pilgrims here.

That we p' sumed publiquely and solemnly to proclaime and declare for yo' Ma" here, before we had a forme and express order for y' same, we humbly craue yo' gratious pardon. The expectation of y' Royall Comand therein, caused vs a while to defer, but not receaueing it by y' ships before winter, it made vs thus presume vpon yo' fauourable acceptance of o' publisheing to y' world o' true allegiance to o' Lord the King.

Most illustrious S', be please to excuse o' poverty, that haue nothing to p'sent yo' Ma' from this Wildnes but o' hearts and loyall affections, w'th stir vs vp to supplicate y' Eternall Ma", the King of Heauen and Earth, for all happiness and blessings both temporall and spirituall to be plentifully and abundantly powred downe from Heauen vpon yo' Royal Throne, that soe we therby, together w'th all those numberles members of yo' Ma' subjects, may liue vnder yo' protection a quiet and peaceable life in all Godlines and honesty.

With all humble acknowledgm' of o' Loyalty, real and due subjection and allegiance to yo' Ma", we craue leaue in all submission to subscribe o'selues,

Yo' Ma' most faythful and loyall subjects & servants.

[Letter to the Earl of Manchester.]

[The draught of this letter preserved on file, is without address. There can, however, be no doubt that it was designed for the Earl of Manchester, to whom Gov. Winthrop had been referred for 'advice and counsel'; whose 'gracious inclination, and spirit towards the sons of Zion' were well known to the petitioners; and whose position and influence were such as to make it highly important to the Colony to secure his good offices in their behalf. The Earl of Man-
Right Honble:

O'psent station and condition being by the wise step-ordering Providence of ye Almighty settled in this remote wildness, strang's in a strange land, far distant from such opportunities that might be advantageous to vs and of posterity in a familiar access by o'selues or representatiues vnto his Highnes' gracious Sovereigne, for ye obtaininge such favours as may tend to o'safety and settlement, we are necessitated to embrace opportunities to implore the aid and countenance of such as ye Lord may stir vp to be favourers of the work of God amongst vs. And the abundance and plenary test, yt we haue soe frequently bene furnished with, not only respecting ye gracious inclination and disposition of yo' Honours spirit towards the sons of Sion, but also doth not a little incourage vs in o' owne behalf and as representing the whole Colony, humbly to p'sent o' desires and earnest requests vnto yo' Lordship, to afford vs yo' favour in countenancing and vshering into ye Kings Majesty audience o' Address and Petition, if yo' Honour judge it seasonable; and o' further request is that we may obtaine yo' counsell and advice to o' Agent, in such p'ticulers as may be by him p'sented to yo' Honours consideration, either respecting monies disbursed by this Colony to Mr. Fenwick for Jurisdiction Power etc., and also respecting the obtaining of a Pattent for this Colony. For although ye Honerable Committee of Lords and Commons did owne this a distinct Colony, and soe we haue euer stood since our begin: in administracon and confederation w'ha o' Brethren of ye Massachusett, yet we want a Pattent to secure o' standing and to confirme o' privilidges, and to strengthen vs against such as may oppose o' p'sent interstes in civil policy. Honerable Sir, wee can thus far excuse o' boldnes in p'senting o' humble requests at this time to yo'self, together w'ha some others of noble quallity, whose intercession if we can obtaine we hope wilbe of great availle on o' behalfe. The great disappointment yt we meet w'ha about an Agreeem' yt was made by this Colony w'ha ye forementioned Mr. Fenwick, doth necessitate vs therunto. We disbursed a considerable sum of estate, to ye value of 1600L., vnto Mr. Fenwick. He p'tending power and authority, as a Pattentee, ouer ye Riuer and the lands adjacent, when he intended to returne to England, pronounced to this Court at Connecticut, the sale of Sea Brook Fort, w'ha ye lands vpon ye Riuer and other lands more remote; w'ha, if refused by ye Colo: or Court, he would (as it was reported, frequently,) otherwise dispose of, either by imposing taxes, customes etc., or else (as was feared,) sell it to ye Dutch, w'ha as was conceaued would haue bene very destructive to o' comforts, occasioning broyles and contests twixt them and vs. We therefore, conceauing it would tend to o' peace and settlement, were willing to attend his propositions; and out of desires to lay a good foundation of enjoying the
advantage both of Civil and Ecclesiastick rights, privilidges and
imunities, for o'selues and posterity, vnder y's shadow of Patent
Right, (by vertue whereof, he pretended, and could haue noe other
way, power or authority to make sale vnfo vs of w' he agreed to
confirme vnfo this Jurisdiction,) we willingly disbursed (tho' much
disabled, by reason of o' meanes and pouerty,) the sum foremen-
tioned; w' tho' it hath much oppressed vs, yet could we but haue
enjoyed what we expected, it would haue satisfied; but now we see
o'selues as naked as before, haueing neither Pattent or Copy of it,
nor ought elce y' may ensure vs of future continuance of o' p'sent
privilidges. And therfore are necessitated from several other res-
pcts, to lay out o'selues, and to improve all the interest y' we can
raise in o' naute soyle, for obtaineing reliefe in this o' state and con-
dition, w' humane frailty hath in a great measure cast vs into.
Had we not bene too credulous and confident of y' goodnes and faith-
fulnes of that Gent: we might possibly haue bin at a better pass.
But we shal craue leaue to refer further enlargm' to o' Agent, only
reduplicating o' earnest request that yo' Hon' would be pleased to
afford vs the great fauour of yo' aduice and counsell, as need re-
quires, and occasion offers itself.

If this poor people may find such acceptance, and o' request such
entertainment, w' yo'self, as that throw yo' Hon' help and media-
tion we may find grace and audience w' o' Gratious Soueraigne, we
shall therby be refreshed, as w' the sweet smiles of o' father, and
be excited to returne the tribute of daily prayer for yo' Lordships
prosperity; and humbly subscribe, &c.

No. XI. (p. 404.)

MRS. CULICK'S PETITION, TO THE GENERAL COURT, IN MAY, 1663.

[Towns & Lands, Vol. I. No. 68.]

To the Hon'd Generall Court of Connecticut Jurisdiction, now
assembled, the humble petition of Elizabeth Culicke, relict to
Captayne John-Cullick, deceased,

Humbly sheweth:

That whereas there weare entred into (by yo' Petitioner's hus-
band,) certayne obligations for the makeing of paym' the sum of fiue
hundred pounds vnfo this hono'd Co't, according to the tymes speci-
fified in the twoe obligations given for the same, together w' the
paym' of interest in case of failure in poyn't of tyme, one of w' obli-
gations hath beene satisfied & taken vp, & the other in p't satisfied,
viz.: one hundred pounds, foure shillings, tenpence, being payde, so
that there remaynes one hundred fourty & nine pounds, fiftene shil-
lings, twoe pence, by the sayd obligation, for yo' petitioner to pay, as
executrix vnfo her late husband. And forasmuch that the ground
of those obligations given by yo' petitioner's husband, was vpon the
apprehention that there had beene a totall falu' in the brother of
yo' petitioner, George Fenwicke Esq', respecting his procuring of a Patent for the Collony, since which it hath appeared that there was a mistake therin, for that there was found wth the Executor of Mr. Edward Hopkins some such writing, wth was delivered to the Hon'd John Winthrop Esq', Governor and Agent for the Collony, whereby he was advantaged in the soliciting the Kyngs most excellent Majesty for, and in the procuring of, those Letters Patent now ob-tayned,—

Wherefore yo' Petitioner doth pray this Hon'o'd Gen'rall Co't, that they will please to accept of what hath beene already payde; and that you would remit the one hundred forty nine pounds, fiftene shillings twoe pence, by obligation remaininge; which wilbe an ac-ceptable clemency before the Lord towards yo' petitioner, and noe stratening to the Treasury of this Hon'o'd Court. And yo' petitioner shal pray.

Elizabeth Cullick.

[The petitioner was Mr. Fenwick's sister, and married Capt. John Cullick, May 20th, 1643. This document is of historical interest, as exhibiting the nature of the settlement with Capt. Cullick, and as an admission of the fact (elsewhere sufficiently established, but which our historians have very generally lost sight of,) that no transfer of jurisdiction right or assignment of the Earl of Warwick's grant, was ever made by Mr. Fenwick to the Collony,—the latter not being in possession even of a copy of the "old Patent" until after Gov. Winthrop's return from England, where he had procured from Mr. Daffey, the executor of Mr. Hopkins, a copy found among that gentleman's papers after his death. This copy, the writer has been so fortunate as to discover among the old files in the State Department, and satisfactorily to identify. It is informal, having no certificate of authentication; but at the top of the first page is written, in the hand writing (as believed,) of Gov. Winthrop. "The copy of the Patent for Connecticut, being the copy of that copy which was shewed to the people here by Mr. George Fenwick. Found amongst Mr. Hopkins' papers." A copy of this document made by Capt. John Talcot, not long after Gov. Winthrop's return, and attested as "Vera Copia of that copy which was in Mr. Hopkins' custody;"—with a subsequent copy made from this latter, by Secretary Allyn,—have been often referred to and cited. The omission of two or three words, and some other slight errors, made by Capt. Talcot, have been closely followed by every subsequent transcriber, whence it appears that the copy "which was in Mr. Hopkins' custody" has hitherto escaped observation.]

No. XII. (p. 441.)

THE UNION.

The correspondence between the General Courts of the two colo-
nies, the committees appointed by each, orders of the Council, and such other documents relating to the union, as have been preserved on file in the State Department of Connecticut, are to be found in the first volume of "Miscellaneous" papers, Nos. 67 to 87. The proposed limits of this volume not admitting of their insertion here, (sev-eral of them, especially, "New Haven's Case stated," and the reply of Connecticut, being of great length,) a list is subjoined, for the purpose of facilitating reference.

[Doc. No. 67.] A letter from the Committee of the General Court, appointed at the October session, 1662, "To our much Hon-ored and Reverend Friends of New Haven, Milford, &c. to be com-municated to all whom it may concern."
Announcing the receipt of the Charter, (a copy of which accompanied the letter,) and expressing the desire of the General Court for "a happy and comfortable union" between the two colonies; "that inconveniences and dangers may be prevented, and peace and truth strengthened and established, through our suitable subjection to the terms of the Patent, and the good blessings of God upon us." Without date,—but written between Oct. 9th and 17th, 1662.

[No. 68.] Letter from the New Haven, in reply to the foregoing, dated Oct. 17th, 1662.

The Committee do not find the Colony of New Haven to be expressly included in the Patent, (a copy of which had been read to them,) but "to shew [their] desire that matters may be issued in the conserving of peace and amity, with righteousness," they promise to communicate the copy of the Patent and the letter of the Committee to the freemen of the colony, & with all convenient speed, return their answer. They wish the issuing of the matter deferred until they have opportunity of receiving fuller information from Gov. Winthrop (who had not yet returned,) "or satisfaction otherwise,"—the Colony of N. Haven to remain meanwhile "distinct, entire and uninterrupted." Signed by Gov. Leete, Mathew Gilbert, Benjamin Penn, Jasper Crane, Robert Treat, Wm. Jones, and Rev. Messrs. Davenport, Steele, Pierson and Newton. [Copies of these two letters are in Trumbull's H. of Conn., 1. 252.]

[No. 69.] "Some proposals to the Gentlemen of N. Haven &c., in reference to their firm settlement and incorporation with us of Connecticutt."

By the Committee appointed by the General Court, Mar. 11th, 1663, (see page 396, ante,) to treat with New Haven. These proposals are in the hand writing of Mr. Allyn, who was one of the Committee. Dated, New Haven, Mar. 20th, 1662-3.

[No 70.] Reply of the New Haven Committee (by Gov. Leete,) to the propositions of Connecticut. March 20th, 1662-3.

"Our answer in general is, that we are not in a capacity" to "conclude the matter, at this present meeting," 1st. Because having appealed to the king, they were unwilling to proceed further, "until his Royal determination be known, in the question depending between us." 2d. Because the consent of the other confederate colonies must be first obtained. 3d. Because they were prohibited by the freemen from "concluding any thing for altering their distinct colony state and government, without their consent." They promise, however, to consider further of the propositions and communicate them to the Freemen. They complain that Stamford is not named in the propositions of Connecticut, "as if it were no member of vs," and profess themselves "unsatisfied with that omission."

[No. 71.] Queries proposed by the N. Haven Committee, "to the Honored Committee from the General Assembly of Connecticut, Mr. Willis, Mr. Clark & Mr. Allyn." Aug. 26th, 1663.
For the appointment of, and instructions to, the Connecticut Committee, see page 407, ante. The propositions made in March, were now repeated; (as appears by an endorsement of Mr. Allyn's thereon, dated Aug. 26th;) and this gave occasion for the committee of N. Haven to propound certain inquiries, "in order to a friendly treaty, and amicable composure of matters in difference;" with the express stipulation, however, that no treaty shall be binding without the assent of their General Court of Freemen, and of the confederate Colonies.

[No. 72.] Reply of the Connecticut Committee to the foregoing; Aug. 27th, 1663.
They "declare the propensity and readiness of their spirits fully and finally to obliterate the memorial of all former occasions administered to us as matters of grievance or offence respecting any of you," referring especially to alleged grounds of offence given to New Haven, by proceedings at Stamford and Guilford. The queries proposed by N. Haven, are replied to, in order, and at considerable length.

[No. 73.] "At a meeting of the Council of ye Colony of Connecticut the 28th of December, 1663.
The Council did nominate & appoynt Mr. Willys, John Allyn & Mr. Wayt Winthorpe to goe to Guilford, and treat with Mr. Leet (and any others whom Mr. Leet shall desire to joyne with himselfe) about indemnity of the persons and estates of those whoe haue actually joyned to o' Gouernment according to these following instructions.

Extracted out of the records of ye Council, p° me
Mr. James Richards is John Allyn, Secret'y.
desired to attend ye service also."

Following this, is a certified copy of the "instructions for ye aforesaid Committee."
1. If Mr. Leete will give security (by his word,) for the indemnity of the aforesaid persons, the Committee were to propose terms of union. But if not,
2. They were to appoint a meeting at Middletown, for concluding a treaty with New Haven and the rest.
3. If neither proposition were acceded to, then to forbid all proceedings against those persons who had united themselves to the government of Connecticut; and to administer an oath to a Constable.

[No. 75.] A note from the Committee to Mr. Leete, requesting a meeting at Guilford. Dated Dec. 30th, 1663.

[No. 74.] A brief reply from Gov. Leete, (of the same date,) referring the Committee to some former communication, which was 'in earnest,' and 'from which he cannot recede.'

[No. 76.] Extract from Records of Council, of the appointment of another Committee to treat with N. Haven, (Feb. 6th, 1663-4;)

A P P E N D I X.
who are instructed to tender to New Haven the enjoyment of all privileges not repugnant to the tenor of the Charter. If these terms are not acceded to, the Committee are "ordered to read the Charter at a public meeting, if they can attayne it, and to declare that we expect their submission to his Majesties order therein contained," &c.

[No. 78.] A letter from the New Haven committee, (Feb. 24th, 1663-4,) requiring, as a preliminary to further treaty, that Connecticut should "reintegrate the Colony, by restoring our members at Stamford and Guilford."

[No. 77.] Reply of Connecticut committee,—agreeing, in order "to prevent divisions," that "divers persons of Guilford and Stamford" "be ordered to submit to the same authority with their neighbours in these places:" and making further propositions for union. Same date, with preceding.

[No. 79.] Feb. 25th. The New Haven committee inquire if the concession (as to Stamford & Guilford,) is "an authentic act," unless confirmed by the General Court of Connecticut. On which, Mr. Allyn, for the Connecticut Committee, endorses an assurance that, "we are ready to make authentick what we have proposed to you."

[No. 80.] "New Haven's Case stated." Mar. 9th, 1663-4. "From the Committee, By order of the General Court of New Haven Colony. James Bishop, Secretary." The New Haven Court, Jan. 7th, 1663-4, desired "Mr. Davenport and Mr. Street to draw up in writing all our grievances, and then, with the approbation of as many of the committee as could come together, to send it to Connecticut, unto their General Assembly,—which accordingly was done in March next." (N. Haven Rec.) A brief abstract of this document, is given by Dr. Trumbull, (Hist. of Conn., i. 264,) and a part of it, (three of the seven pages of the original,) has been published by Dr. Bacon, in the Appendix to his Historical Discourses, pp. 359-365. Dr. B. had been informed that "the original is not found, among the archives of the State, at Hartford," and supposed the partial transcript, upon the New Haven Records, to be all that had been preserved.

[No. 81.] Reply of Connecticut; (seven pages, in hand writing of Mr. Allyn;) Mar. 1663-4.

[Nos. 82-84.] Petitions of Bray Rossetter, (Mar. 19th, & May 20th, 1664,) and of sundry inhabitants of Guilford, (Mar. 29th,) asking protection and support from the General Court of Connecticut.

[No. 85.] Letter from the General Court of Massachusetts, to Connecticut, (May 28th,) proposing to settle the differences between the latter colony and New Haven, by arbitration, &c.

[No. 86.] Letter from Connecticut to the Commissioners of the U. Colonies, (Sept. 2d,) protesting against their recognition of Commissioners from New Haven colony.
[No. 87.] Warning to the inhabitants of Milford (Nov. 17th, 1664,) to meet, "to attend such occasions with Mr. Sherman" and Mr. Allyn, as had been given them in charge by the General Court of Connecticut. Following which, is recorded the submission of the town of Milford to Connecticut government, "by a general vote," "no one person voting against it."
INDEX OF NAMES.

* * * Names of localities, of Indian tribes and their sachems, and of a few individuals who are most frequently referred to in the pages of this volume, and whose history is inseparable from that of the colony, have been included in the General Index. Special references to the names of magistrates and deputies prefixed to each session of the Court, would have swelled the Index to an inconvenient bulk, and, as there seemed no absolute necessity of their insertion, have been omitted. Reference to names occurring in the list of jurors, has been made only in cases where no previous mention of the individual had appeared on the pages of the record.

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ERRATA.

Page 9, 12th line from bottom, for only, read any.
12, 15th line from top, for John, read Jehu.
67, in list of deputies, for John Burr, read Jehu Burr.
75, 7th line from bottom, for [49] read [91].
144, 17th line from bottom, for Finke, read Finke.
151, 16th line from bottom, for [169] read [164].
207, in list of deputies, for Nath: Griswold read Math: Griswold.
280, in list of magistrates, John Clarke; the first name is partially erased, in the original.
343, 3d line from top, for 50, read 59.
472, 2d line from bottom, (in note,) for page 122, read page 136.
487, 19th line from top, for 1848, read 1648.