said English parte, All former wronges whatsoever are remitted on both sides and the said Soheage is againe receiued in Amytie to the saide English, & Mr. Stone, Mr. Goodwin & Tho: Staunton are desired to goe to the saide Soheage & to treate with him according to the best of their discretion & to compose matters betwenee the saide English and the saide Soheage, and vpon their reporte there shalbe som settled course in the thinge.

It is ordered there shalbe 1s. p' 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 beaur but those that are hereafter named (vizt) For Agawam Mr. Pyncheon, for Windsor Mr. Ludlowe, Mr. Hull; for Harteford Mr. Whytinge, Tho: Staunton; Wythersfeld Geo: Hubberd & Rich: Lawes; and if any trade for beauer other then are fornamed they shall forfeit 5s. p' pounde to be paide p' eury pounde they soe trade.

The Fundamental Orders

[220] Forasmuch as it hath pleased the Allmighty God by the wise disposition of his diuyn 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 union 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 assoatiate and conioyne our selues to be as one Publike State or Commonwelth; and doe, for our selues and our Successors and such as shall be adioyned to vs at any tyme hereafter, enter into Combination and Confederation together, to mayntayne and preserve the liberty and purity of the gospell of our Lord Jesus which we now profess, as also the discipline of the Churches, which according to the truth of the said gospell is now practised amongst vs; As also in all 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 from time to time soemany Magestrats and other publike Officers as shall be found requisite: Whereof one to be chosen Gouernour for the yeare ensueing and untill another be chosen, and noe other Magestrate to be chosen for more then one yeare; provided allayes there be sixe chosen besides the Gouernour; which being chosen and sworn 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; which choice shall be made by all that are admitted freemen and haue taken the Oath of Fidelility, and doe cohabitte within this Jurisdiction, (having beene admitted Inhabitants by the mayor of the Towne wherein they liue,*) or the mayor of such as shall be then sent.

[222] 2. It is Ordered, sentenced and decreed, that the Election of the aforesaid Magestrats shall be on this manner: every person sent and qualified for choyse shall bring in (to the persons deputed to receave the) one single paper with 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 Gouvernor for
that yeare. And the rest of the Magestrats or publike Officers
to be chosen in this manner: The Secretary for the tyme be-
ing shall first read the names of all that are to be put to choice
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 upon, and he that would not
have him chosen shall bring in a blank: and every one that
hath more written papers then blanks shall be a Magestrat for
that yeare; wch 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 Gouvernor, out of those wch are nomi-
inated, then he or they wch haue the most written pap's 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 wch was not pownded 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 who 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 Gouvernor aboue once in two yeares, and that the Gou-
ernor be alwayes a meber of some approved congregation, and
formerly of the Magestracy within this Jurisdiction; and all the
Magestrats Freemen of this Commonwealth: and that no Mage-
strate or other publike officer shall execute any of his or
their Office before they are severally sworne, wch shall be done
in the face of the Courte if they be present, and in case of ab-

[224] 5. It is Ordered, sentenced and decreed, that to the
aforesaid Courte of Election the several Townes shall send their
deputies, 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 occation, wch concerns the good of the Coñonwelt.

6. It is Ordered, sentenced and decreed, that the Gournor shall, ether by himselfe or by the secretary, send out sumons to the Constables of eu'r Towne for the cauleing of these two standing Courts, on month at lest before their seu'ral tymes: And also if the Gournor and the gretest pr'te of the Magestrats see cause vpon any spetiall ocation to call a generall Courte, they may giue order to the secretary soo to doe wth in lower-teenye dayes warneing: and if vrgent necessity so require, vpon a shorter notice, giueing sufficient grounds for yt to the depu-tyes when they meeete, or els be questioning for the same; And if the Gournor and Mayor pr'te of Magestrats shall ether neglect or refuse to call the two Generall standing Courts or ether of the, as also at other tymes when the occations of the Coñonwelt require, the Freemen thereof, or the Mayor pr'te of them, shall petition to them soo to doe: if then yt be ether denied or neglected the said Freemen or the Mayor pr'te of them shall have power to giue order to the Constables of the seuerall Townes to doe the same, and so may meeete togather, and chuse to themselues a Moderator, and may proceed to do any Acte of power, wch 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 forthwth give no- tice distinctly to the inhabitants of the same, in some Publike Assembly or by going or sending fro howse to howse, that at a place and tyme by him or them lymited and sett, they meet and assemble the selues togather to elect and chuse certen de-pu-tyes to be att the Generall Courte then following to agitate the afayres of the coñonwelt; wch said Deputyes shall be chosen by all that are admitted Inhabitants in the seu'rall Townes and haue taken the oath of fidelility; pr'ueded that non be chosen a Deputy for any Generall Courte wch is not a Freeman of this Coñonwelt.

[226] The foresaid deputyes shall be chosen in manner fol-lowing: euery pr'son that is pr'sent and quallified as before ex-p'ssed, shall bring the names of such, written in seu'rall papers, as they desire to haue chosen for that Imployment, and these 3
or 4, more or lesse, being the nuber agreed on to be chosen for that tymne, that haue greatest nuber of papers written for the shall be deputyes for that Courte; whose names shall be endorsed on the backe side of the warrant and returned into the Courte, wth the Constable or Constables hand vnto the same.

8. It is Ordered, sentenced and decreed, that Wyndso, Hartford and Wethersfield shall haue power, ech Towne, to send fower of their freemen as their deputyes to euery 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 portion to the nuber of Freemen that are in the said Townes being to be attended therein; wch deputyes shall have the power of the whole Towne to giue their voats and alowance to all such lawes and orders as may be for the publike good, and unto wch the said Townes are to be bownd.

9. It is ordered and decreed, that the deputyes thus chosen shall haue power and liberty to appoynt a tymne and a place of meeting togather before any Generall Courte to aduise and consult of all such things as may concerne the good of the publike, as also to examine their owne Elections, whether according to the order, and if they or the gretest pte of them find any election to be illegall they may seclud such for present fro their meeting, and returne the same and their resons to the Courte; and if yt proue true, the Courte may fyne the pty or ptyes so intruding and the Towne, if they see cause, and glue out a warrant to goe to a newe election in a legall way, ether in pte or in whole. Also the said deputyes shall haue power to fyne any that shall be disorderly at their meetings, or for not coming in due tymne or place according to appoyntment; 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 estreete 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 moderate the Court, and 4 other Magestrats at lest, wth the mayor pte of the deputyes of the seuerall Townes legally chosen;
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and in case the Freemen or mayor p'te of the, through neglect or refusal all the Guernor and mayor p'te of the magestrats, shall call a Courte, y't shall consist of the mayor p'te of Freemen that are p'sent or their deputyes, w'th a Moderator chosen by the: In w'ch said Generall Courts shall consist the supreme power of the Co'nwelt, and they only shall haue power to make lawes or repeale the, to graunt leuyes, to admitt of Freemen, dispose of lands vndisposed of, to seuerall Townes or p'sons, and also shall haue power to call ether Courte or Magestrate or any other p'son whatsoeuer into question for any mis-demeanour, 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 Co'nwelt, excepte election of Magestrats, w'ch shall be done by the whole boddy of Freemen.

[227] In w'ch Courte the Guernour or Moderator shall haue power to order the Courte to giue liberty of spech, and silence vnseasonable and disorderly speakeings, to put all things to voate, and in case the voate be equall to haue the casting voice. But non of these Courts shall be adiorned or dissolved w'thout the consent of the maior p'te of the Court.

11. It is ordered, sentenced and decreed, that when any Generall Courte vppon the occations of the Co'nwelt haue agreed vppon any su'me or so'mes of mony to be leuyed vppon the seuerall Townes w'thin this Jurisdiction, that a Co'mittee be chosen to sett out and appoynt w't shall be the p'portion of every Towne to pay of the said leuy, prvided the Co'mittees be made vp of an equall nuber out of each Towne.

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

[216] THE OATH of THE Gou'nor, for the [p'sent.]

I N. W. being now chosen to be Gou'nor w'thin this Jurisdiction, for the yeare ensuing, and vntil a new be chosen, doe sweare by the greate and dreadfull name of the everliueing God, to pr'mote the publicke good and peace of the same, according to the best of my skill; as also will mayntyne all lawfull priuiledges of this Co'nwelt; as also that all wholsome lawes that are or shall be made by lawfull authority here estab-