THE PUBLIC RECORDS
OF THE
COLONY OF CONNECTICUT,
PRIOR TO THE UNION WITH NEW HAVEN COLONY,
MAY, 1655;
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;

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HARTFORD: BROWN & PARSONS.
1850.
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 Swan, 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 pro-
posed 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 begin-
ning 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 ad-
ditional 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, (m̄ or n̄) 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 footnote, 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-
Secretary'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 1639, 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

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* 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 nowhere 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 contemporary 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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Roger Ludlowe Esqr., Mr. Westwood,
Mr. Steele, Mr. Warde.
Mr. Phelpes,

It was now complayned yt Henry Stiles or some of the ser-
vants] had traded a preece wth the Indians for Corne. It is
ordered yt [the] saide Henry Stiles shall, betweene & the next
cort, regaine [the] saide piece from the saide Indians in a
faire & legall waye, or els this Corte will take it into further
consideracion.

It is ordered yt from henceforth none yt are wthin the Juris-
dic[tion] of this Corte, shall trade wth the natuies or Indians
any piece or pistoll or gunn or powder or shott, vnder such
heavie penalty as vppon such misdemeanor the Corte shall
thinke meete.

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

Whereas there be divers strange Swine in the seurall planta-
çons yt their owners are not knowen & yet doe & are likelie
to Comitt many trespasses. It is therefore ordered yt the saide
plantaçons shall forthwth take notice of them & their markes,
& giue speedy notice amonge the plantaçons both of them &
their mkes & if in a fortenight noe owners come forth then
the saide plantaçons or plantaçon where such Swine are, may
appraise them att a value & sell them & take the money to
some publicke use of the said plantacon, vnlesse their doe wth in one whole yeere after appr a true owner & then the money it was sould for is to be restored, pruied alwaies y if when the owner appr before the money or Swine be redeliuved there be deducted such Soães & 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 shalbe subiect [to] the orders y are there made concerninge Swine.

Whereas there was a dismission granted by the C[hurch] of Waterton in the Massachusetts, dated 29th of Ma last to Andrewe Warde, Jo: Sherman, Jo: Stickland, Rob'te Coo, Rob'te Reynold & Jonas Weede, wth intent to forrne a newe in a Ch: Coveñite in this River of Conectecott, the saide pties haue soe accordingly done wth the publicke allowance of the rest of the members of the saide Churches, as by certificate nowe prduced appr. It is therefore in this p'sent Cort ratified & confirmed, they prmissing shortlie & ablicquely to renewe the [said] Coveñite vpon 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] piece 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 pforme the same by the next Cort & then psonally to appr [+] answere his neglect.

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

It is ordered y t Samuell Wakeman & Geo: Hubberd shall [survey] the breadth of the plantacon of Dorchester howe
farre [it] shall extend aboue Mr. Stiles & shall certifie vn
to
the [next] Corte their proceedinges herein to th' end it may be
then confirmed, and yt they shall haue from the saide Towne
satisfaccon for their paines. And the saide Samuell Wake[man]
shall doe the like for Watertowne in their bredth toward [the]
mouth of the River & have the like satisfaccon. And this
done without faile before the next Corte vppon peine [of]
40th shillinges of each heade yt shall faile therein.

It is ordered that every souldier in each plantacon 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 vpnoit vppon the penalty of £s. for
every failure wch is presentlie to be le[vied] by the saide Con-
stable wthout [resistance] as alsoe 20 bultets of leade in the
like readines vpno the same penalty and in the same manner
to be levied.]
labor. And in the meane if he hath vse of some for his owne spendinge to take some of shalbe then deducted out of what wilbe due to him. And then the Cort will give finall order concerninge the same.

It is ordered ye 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 oftener the saide vnskillfull. And ye the saide military officer take veiwe of their seuall Armes whether they be serviceable or no. And for default of every souldiers absent the absent to paye 5s. for every tyme without lawfull excuse within 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 answer it at the next Corte.

Whereas it app'ed by a wryttinge vnder hand of Mr. Oldâ that twoe of the mares ye 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 order'd that the said mares shalbe deliued to the saide Mr. Allen into his owne possession or his assignes.

It is ordered by consent of Sr'ieant Seely pl't against the inhabitants of the Towne of Watertowne def'ts, ye a Jurer shalbe withdrawn, and ye the def'ts doe vndertake to produce an order wherein they will make it appr ye it was ordered ye if the inhabitants of the saide Towne did not remoue with their Families to Conectecott by th' end of this instant moneth or els there was noe proiety due to them in the devidente of the landes of the saide Towne & ye the hand or the consent of the saide Willm Bassum is herevnto. And if the saide order be not produced here to the Corte by the 2d Cort after this the Inhabitants are to pay the pl'te damages.

The first of November, 1636.

Sr'ieant Seely pl't.
Inhabitants of Watertowne def'ts.

The Jury finde for the pl'te that hee is to have as an adven-
OF CONNECTICUT.

...

... as a man that was in the Condition that Bassam under whom he claymed was in.

By George Hubbard.

Taken upon oath before me Willm Leete;

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

John Allyn: Secretary.


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

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

A CORTE HELD ATT NEWE TOWNE 1st NOVMBR, 1636.

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

It is ordered that Srjeant Seely shall betweene this & the next Corte consider of such noates & Inventories as haue come to his handes or knowledge concerning the estate of...

*This certificate, is inserted at the foot of the 2d Page of the original, in the hand writing of Mr. Allyn.
Mr. Oldam & then deliver them into the Corte upon oath & in the meane to produce any noate or Inventory to Mr. Swayne & Mr. Warde that he hath or can come by y't may make for the furtherance of the discovery of the estate of the said Mr. Olda, to th' end the Cort may then proceede in y't business as they shall see cause.

It is ordered y't Srieant Stickland is to haue for 7 days service to the Rivers mouth, aboute Cattle of Mr. Michell & the lo: or their Agents, 21s. The rest y't went in the same service 14s. a peece, every Plantaçon to defray the chardge of their owne men for the present & 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 said Mr. Chaplin is to be responsiue for them as the Corte shall thinke meete, & if the said 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 said Mr Stiles is to pay Willrn Quicke 15s. for his passage, if not the C[orte] will take order in the same as they shall see meete.

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**A Corte at New Towne 27 Dec'. 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 imployt' about Mr. Oldames estate & a Corte 13s.—6.

It is ordered y't Mr. Clement Chaplin shall diligentlie inquire after any the goodes of Mr. Oldam deceased & if there bee any p'son or p'sons 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 suñon him or them to appr' the next Corte to answere the same.

It is ordered y't all the Creditors of Mr. Olda in the River of Conectecott bringe in their debts before the next Corte or
OF CONNECTICUT.

21 Feb. 1636.

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

Whereas it was ordered yt Samuel Wakeman, Geo: Hubbert, & Anncent Stoughton were to consider of the boundes of Dorchester towards the Falls & of Watertowne towards the mouth of the River; The saide Samuell Wakeman & Geo: Hubberd thinks 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 great 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 Newtoune 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 downward from the boundes between them & Harteford [marked with 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 & downward 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'dked 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.
County due east & on the other side of the great River from Pewter pott Brook at the lower side of Hocannō due east into the County, wch is nowe ordered accordingly.

The bounds between Hartford & Windsor is agreed to be at the upper end of the great meadow of the said Hartford toward Windsor at the Pale that is nowe there sett vp by the said Hartford wch is abutting upon the great River vppon a due east line & into the County from the said Pale vppon a due west line as parallel to the said east line as far as they have now paled & afterward the bounds to goe into the County vppon the same west line. But it is to be soe much shorter towards Windsor as the place that comes alonge att th' end of the said meadow & falls into the said great River is shorter then their Pale & over the said great River the said Plantačon of Windsor is to come to the River-ets mouth that falls into the said great River of Conectecott and there the said Hartford is to runn due east into the County, 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, without consent of the Towne where he liues first had, vnnder paine of 20s. pr weeke.

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

Att a CORT att Harteford, M'CH 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 according to his prmise for there svice of their

* [in margin] The Riveretta on the other side by the Indians is called Podanke.
The 27th day of May, 1637, God all things, etc.

It is ordered that Capt. John Tillotson shall have one hundred acres of Land on the 27th day of May, 1637, out of 2,000 acres planted on the north side of the river, and the said John Tillotson shall have to plant within six months after the signing of this order, and for the space of five years after the signing of this order. And the said Capt. John Tillotson shall have to plant within six months after the signing of this order, and for the space of five years after the signing of this order. And the said Capt. John Tillotson shall have to plant within six months after the signing of this order, and for the space of five years after the signing of this order.

John Steel

(Secretary, 1636-1639.)
or Connecticut.

or behind 4 days in a week to sawe & slitt their own work that they are to frame themselves with their own hands together with himself or some other Mr workmen, the time to begin for the performance of this order 14 days hence without fail.

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

The first day of May, 1637, Gen'All Corne att Hartford.

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

Comites.—Mr. Whytinge, Mr. Webster, Mr. Williams, Mr. Hull, Mr. Chaplin, Mr. Talcott, Mr. Hosford, Mr. Mychell, Mr. Sherman.

It is ordered that there shall be an offensive war agt the Pequoitt, and that there shall be 90 men levied out of the 3 Plantations, Hartford, Weathersfield & Windsor (vitz) out of Hartford 42, Windsor 30, Weathersfield 18: under the Comande of Captaine Jo: Mason & in Case of death or sickness under the Comand of Rob'te Seely Leif, & the eldest Srieant or military officer surviving, if both these miscary.

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

It is ordered that there shall be 1bb 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 pruide 60 bushells of Corne, Hartford 84 bushells, Weathersfield 36 bushells, of this each plantaçon to bake in biskett the on half if by any meanes they cann, the rest in grounde meale. Weathersfield tenn bushells to bee allowed upon Accomppt.

Hartford is to pruide 3 firkins of suett, 2 firkins of Butter, with yt at Rivers mouth, 4 bushells of Oatemeale, 2 bushells of Pease, 500 of fish, 2 bushells of salt; Weathersfield 1 bushell of Indian Beanes; Windsor 50 peeces of Porke, 30bb of Rice, 4 Cheeses.
It is ordered that every soldier shall carry with him 1 lb. powder, 4 lb. of shot, 20 bulletts; 1 barrel of Powder from the Rivers mouth, [a light] Gunn if they can.

[It is ordered] yt Mr. Pincheons shallopshalbe taken to be employed [in this designe].


It is ordered yt there shall be sent forth 30 men out of the several plantations in this River of Conectecott to sett downe in the Pequoitt Countrey & River in place convenient to maintaine or right yt God by Conquest hath given to vs, & Leiftenn' 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 shall be provided for the designe abouesd, Windsor 20, Harteford 28, Wythersfeild 12, 1 hh of Pease, 2 bushells of Oatemeale, 150 pounde of Beefe, 80 lb. of Butter, (vizt) Windsor 30, Wythersfeild 30, Harteford 20, fish.

26 JUNE, 1637, HARTFORD GEN'ALL CORTE.

It is ordered that 10 men more shalbe levied out of the plantations aforesaid to goe in the designe agt the Pequoitts as an addition to the former 30, (vizt) 5 out of Harteford, Windsor 3, Weathersfield 2.

It is ordered yt Mr. Haine & Mr. Ludlowe shall goe to the mouth of the River to treat & Conclude with or frendes of the Bay either to joine with their forces in persecutinge or designe against or enemies or if they see cause by advise to interprise any Action according to the force we haue. And to parle with the bay aboute or settinge downe in the Pequoitt Countrey.

It is ordered yt there shallbe 1 hogg provided att Wythersfield for the designe in hande, wh is conceiued to be Nathaniel Footes, 20 lb. of Butter, half C of Cheese; Harteford 20 lb. of Butter, half hundred of Cheese; Windsor 1 Ram goate, 20 lb. of Butter, half C of Cheese, 1 gallon of stronge Water; Harteford 1 C of beefe from Mr. Whittinge, Windsor 3 bushells of mault, 2 from Wythersfield, Mr. Wells 2.
HARTEFORD. 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, Goodma Bacon.

It is ordered that every common soouldier that went in the late designe against or enemies the Pequoitesshall 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 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 weeke 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 abouessayde.

HARTEFORD. 9o FEBR. 1637.

Mr. Haynes, Mr. Ludlowe, Mr. Wells, Mr. Plum, Mr. Mychell, Capt: Mason, present.

Whereas vpon serious Consideracon wee conceiuethat the plantacons in this River wilbe in some want of Indian Corne, And on the same Consideracon wee conceuiue 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 or necesseties, the market of Corne amounge the Indians may be greatly advanced to the preiudice of these plantacons, wee therefore thinke meeete and doe soe order that noe man in this River nor Agawam shall goe vpp River amonche the Indians or at home at theire houses to trade for Corne or make any Con\tract or bargaine amonche 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 untill the next Generall Courte and vn[till] 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. Olda businesses and John Jesopps are to be handled, therefore the several Creditors are then to come and make their claime.

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 plantations, and that there shalbe vnder Collectors to whom the said Mr. Treasurer may direct his Warrants in every plantation, and that the said Treasurer may giue order to the said Collectors to pay the severall bills of their plantacons and give it in Accompte 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 Harteford Willm Wadsworth, Windsor Henry Wocott the elder, and Andrew Warde for Wethersfeild and John Bur for Agawam.

It is ordered there shalbe forthwith a levy of six hundred and twenty pounds 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 four a penny, or in good and marchantable beaver at 9s. p* pounde.

It is ordered that there shalbe generall notice giuen in all the plantacons that if there be any Arms, gones, swordes, belts, Bandilers, kittles, pottes, tooles, or any thinges els that belongs to the commonwealth, that were lost, landed or leaft in any plantacons, 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 Commonwealth, 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.
8o die Mrtii, 1637.

A GEN'ALL CO'RT HOULDEN ATT HARTFORD.

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 paide.

Whereas Mr. Pincheon was questioned aboute imprisioning 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. Pyncheon 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 proporcon that Windsor is to have shalbe landed there at Mr. Ludlowes, for that proporcon that Wethersfeild is to have they are to fetch it att Harteford. In consideracion 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 re opaque to 3 magistrates which may advise them for the supply, although it be to the dispensing with this order; provided also 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. ponde.

9o die. It is ordered that whosoever doth disorderly speake privately during the sittinges of Courte with his Neibour or twoe
or 3 togethershall presentlypay 1s, if the Courte soethinke 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. N awattocke a fathom and a quarter, Pacomtuckett one fathom and a quarter.

It is ordered yt Mr. Ludlowe, Mr. Hopkins, Mr. Michaell shall have power to deale with Elias Parkman aboute his vessell to goe to the Narragansett to trade for Corne and they are likewise to take vpp such commodities as may freight the saide vessell to the end aforesaid, 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 procee 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 give them any menacing or threatening speeches, exc[pt] it be in case any Indian or Indians shall assault or affront their person or persons, or shall finde them either wasting, killing or spoiling any of their goodes or estate, and he or they shall finde them soe doinge, 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 injuring or trespass be offered or done by any Indian or indians or their dogges, he or they are to complaine to some magistrate or magistrates, provided alwaies that any twoe magistrats togeather 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 extraordi-nary misdemeanar 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. Hartford 21 Costlets, Windsor 12, Weathersfield 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 disallowe them as insufficient they are to provide better. And also ye saide Townes are to give 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 aforesaid shall forthwith pay 10s. and five shillings a moneth vntill he hath supplied them; and it shall alsoe be lawfull for the saide military officer to call for the saide costeletts to viewe whether they be in repair or noe.

It is ordered that Captaine Mason shalbe a publique military officer of the plantations of Connecticut, and shall traine the military men thereof in each plantations according to the dayes appointed, and shall have 40l. p' annum, to be paid out 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 plantation tenn dayes in every yeere, soe as it be not in June or July, giving a weekes warning before hand and whosoever yt is allowed a soldier and faile to come at the time appointed by the saide publique officer to pay for his defaulte 3s. for y't 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.

It is ordered that all persons shall beare Armes that are aboue the age of sixteene yeeres except they doe tender a sufficient excuse [to] the Corte & the Cort allowe the same. The Com'rs & Church officers for the present to bee exempted, as alsoe for the tymelI to come after they have beene a Comissioner or Com'rs 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 plantation that the supply of or military men if occasion serve, videlicet, Hartef twoe barrels, Windsor 1 barrel of powder, 300 weighte of leade, Weathersfeld 1 barrel of powder, 300 of leade, Aggawam halfe a barrel 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, 2½ of bul-
lets suitable to his piece, one pound of match if his piece be a
match locke, and whosoever failest of his halfe pounde of pow-
der and 21b of [bulletts] and match to pay Vs. for every tyme yt
is wanting; the plantaçons or plantaçon for not providing the
saide magacen of powder and lead within this 3 monethes to
pay 21b forty shillings, and tenn shillings for every moneth
vntill it bee prvided.

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

The general Courte is appointed on the 22th of this instant
moneth, the particular 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 restraine 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 Captaine Mason or either of them, taking likewise such with them
as shalbe meete, shall trade to supply theire 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
Colônwealth.

Vppon the complainte of Aramamett and the Indians cohab-
iting 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 theire 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-
ceeding paragraph,) from the commencement of the proceedings of the March Session, on page
[6.]

† A blank in the original.
5th Apr., 1638. A gen'All Cort at Harteford.

Mr. Haines, Mr. Ludlowe, Mr. Pincheon, Mr. Wells, Mr. Plum, Mr. Phelps, Mr. Smith, Mr. Michell, Committees; 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 1s. 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 pledges in the meane time and to trade with them for Corne if they can.

[9] It is ordered that Captaine Mason, Thomas Stanton, Jeremey 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 y'e same, and when they are certified to bee in good kelter there must be speedy course taken by y'e Courte for the speedy payment of the said Lord.

It is ordered that there shalbe a warrant directed to y'e severall Collectors of each plantaçons 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 or neibours of Harteford that there may be a publique highway for Carte and horse vppon 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 Willm Westwood
and Nathaniell Warde shall consider of a fitting and conven-
ient 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 ye vpper end of the mead-
ow; 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. Whi-
ting 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 att 9s. p' 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 loose
the saide Mr. Pincheon to stand to it, and the saide Mr. Pin-
cheon may write to his frends to see that the saide Mr. Whi-
ting doth his best for the saide Mr. Pincheons advantage.

It is ordered that the Indian Corne that is brought into the
plantaçons for the supply of their necessitis, either by agree-
ment 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. p'
bushell, or if in beaver according to the order att 9s. p' pounde,
yett this is not any way to infringe the bargaine formerly made
with Mr. Pincheon for soe much Corne as he brin6es in.

It is ordered that these men followinge shall receive the
Corne aforesaide for the plantaçons according to their propor6on
agreed on, and shall keepe one exact account of what every
man hath att the rates aforesaide; the men appointed for this
service are Henry Wolcott ye e younger for Windsor, Edwarde
Stibben and Thomas Scott for Harteford, For Wethersfeilde
Mr. Plum. It is alsoe ordered ye such as are in want of Corne
or like to betwene this and harv[est] must give in theirre names
and wants to ye parties aforesaide of the several plantaçons,
and they are to retorne it in ye next particular Courte, provi-
dered ye the receivers of Corne aforesaide are not to deliver any
Corne without the present payment formerly men6oned.
It is ordered that Thomas Staunton shall have for the service hee hath done for the Countrey already past, tenne poundes.

[10] It is ordered that Thomas Staunton shalbe a publicke officer for to attend the Corte vpon all occasions, either Generall or pticular, as alsoe any meetinge of the Magistrates to interpret betwene them and the Indians, as also is to haue for it 10l. p' Anñm.

It is ordered yt Captaine Mason & Jeremy Adames shal goe on Thursday next, accorginge to or p'reise 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 plantaçons that they shall declare whoe is their Sachem or Cheife & that the saide Cheife or Sachem shall paye to the saide English such trespasses as shalbe comitted by any Indian in the saide plantaçon adioyninge, 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 vnlesse they cann p'duce the prty 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'f ed he was not soe carefull to p'mote the publique good in the trade of Corne as hee was bounde to doe, It is ordered the saide Mr. Pincheon shall w'th all convenient speede pay as a fine for his soe failinge 40tice bushells of Indian Corne for the publique & the saide Corne to be deliu'red to the Treasurer to be disposed of as sahebe thought meete.

Whereas vpon full debate & hearinge the matters of Inuries & difference betweene Soheage, an Indian the Sachem of Pyquaagg nowe called Wythersfeld, & th' English Inhabitants thereof, and It appes to the Cort that there hath beene divers Inuries offered by some of the saide English inhabitants to the said Soheage, as alsoe the saide Soheage & his men haue likewise comitted divers outrages & wronges against the saide English, yet because as was conceiued the first breach was on the
said English partie. All former wronges whatsoeuer are remitted on both sides and the saide 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 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 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 with 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; Wythersfeild 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.

[Pages 12-22, blank: these pages were probably designed for the insertion of the Constitution, Oaths, &c., which were subsequently recorded on pp. 215-221 of the original as now paged.]

[220] Forasmuch as it hath pleased the Allmighty God by the wise disposition of his diuine 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-
OF CONNECTICUT.

erred to gather the word of God requires that to mayntayne the peace and vnion of such a people there should be an orderly and decent Gouverment 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 Commonwealth; 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 togerther, to mayntayne and psearue the liberty and purity of the gospell of our Lord Jesus wch we now pffeasse, as also the disciplyne of the Churches, wch according to the truth of the said gospell is now practised amongst vs; As also in ceuill 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; pruied 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 cohabit in this Jurisdiction, (hauing beene admitted Inhabitants by the mayor p't of the Towne wherein they liue,*) or the mayor p'te of such as shall be then p'sent.

2. It is Ordered, sentenced and decreed, that the Election of the aforesaid Magestrats shall be on this manner: euery p'son p'sent and qualified for choyse shall bring in (to the p'sons deputed to receauce the) one single pap 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 Gouernor 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 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 blanke: 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 sworn to be faythfull therein; but in case there should not be sixe chosen as aforesaid, besides the Gouernor, out of those wch are nominated, 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 proposed in some Generall Courte before, to be nominated the next Election; and to that end yt shall be lawfull for each 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 Gouernor abowe once in two yeares, and that the Gouernor be always a meber of some approved congregation, and formerly of the Magestracy wthin this Jurisdiction; and all the Magestrats Freemen of this Commonwealth: and that no Magestrate or other publike officer shall execute any pte of his or their Office before they are severally sworn, wch shall be done in the face of the Courte if they be present, and in case of absence by some deputed for that purpose.

5. It is Ordered, sentenced and decreed, that to the aforesaid Courte of Election these several Townes shall send their deputyes, and when the Elections are ended they may proceed in any publike searvice 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 Com-onwelt.

6. It is Ordered, sentenced and decreed, that the Gournor shall, ether by himselfe or by the secretary, send out summons to the Constables of eu'r Towne for the cauleing of these two standing Courts, on month at lest before their seu'rall tymes: And also if the Gournor and the gretest pr'te of the Magestrats see cause vppon any spetiall occation to call a generall Courte, they may giue order to the secretary soe to doe within fower-teene dayes warneing: and if vrgent necessity so require, vppon a shorter notice, giueing sufficient grounds for yt to the depu-tyes when they meete, or els be questioned 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 Co'monwelth require, the Freemen thereof, or the Mayor pr'te of them, shall petition to them soe to doe: if then yt be ether denied or neglected the said Freemen or the Mayor pr'te of them shall haue power to giue order to the Constables of the seuerall Townes to doe the same, and so may meete togather, and chuse to themselves a Moderator, and may prceed 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 forthwith give no-tice distinctly to the inhabitants of the same, in some Publike Assembly or by going or sending frō howse to howse, that at a place and tyme by him or them limeted and sett, they meet and assemble thē selues togather to elect and chuse certen depu-tyes to be att the Generall Courte then following to agitate the afayres of the co'monwelth; wch said Deputyes shall be chosen by all that are admitted Inhabitants in the seu'rall Townes and haue taken the oath of fidelitly; pruided that non be chosen a Deputy for any Generall Courte wch is not a Freeman of this Co'monwelth.

[226] The foresaid deputyes shall be chosen in manner fol-lowing: euery p'son that is p'sent and qualifieed as before ex-p'ssed, shall bring the names of such, written in seu'rall papers, as they desire to haue chosen for that Implemen, and these 3
or 4, more or lesse, being the number agreed on to be chosen for that tyme, that haue greatest number 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 Wyndesor, Hartford and Wethersfield shall haue power, ech Towne, to send fower 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 portion to the number of Freemen that are in the said Townes being to be attended therein; wch deputyes shall have the power of the whole Towne to give their voats and allowance to all such lawes and orders as may be for the publike good, and unto wch the said Townes are to be bound.

9. It is ordered and decreed, that the deputyes thus chosen shall haue power and liberty to appoynt a tyme and a place of meeting togethre before any Generall Courte to advise 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 reson 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 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 tyme 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 negleete of the Gournor and the greatest pte of Magestrats the Freemen themselves doe call, shall consist of the Gournor, 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;
and in case the Freemen or mayor p'te of the, through neglect or refusal of the Gouernor and mayor p'te of the magistrates, shall call a Courte, yt shall consist of the mayor p'te of Freemen that are present or their deputyes, wth a Moderator chosen by the: In wch said Generall Courts shall consist the supreme power of the Commonwelth, and they only shall have power to make lawes or repeale the, to graunt leuyes, to admitt of Freemen, dispose of lands vndisposed of, to severall Townes or persons, and also shall have power to call ether Courte or Magistrate or any other person whatsoeuer into question for any misdemeanour, 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 welth, excepte election of Magistrates, wch shall be done by the whole boddy of Freemen.

[227] In wch Courte the Gouernour or Moderator shall have power to order the Courte to giue liberty of spech, and silence vncreasonable 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 wthout the consent of the maior p'te of the Court.

11. It is ordered, sentenced and decreed, that when any Generall Courte vpon the occations of the Commonwelth haue agreed vpon any sufie or somes of mony to be leuyed vpon the severall Townes wthin this Jurisdiction, that a Comittee be chosen to sett out and appoynt w't shall be the p'tportion of every Towne to pay of the said leuy, prvided 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 Gou'nor, for the [p'sent.]

I X. W. being now chosen to be Gou'nor wthin this Jurisdiction, for the yeare ensuing, and vntil a new be chosen, doe sweare by the greate and dreadfull name of the everlieueing God, to promote the publicke good and peace of the same, according to the best of my skill; as also will mayntayne all lawfull priviledges of this Co'monwealth; as also that all wholsome 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 Magestrate, for the p'resent.

I, N. W. being chosen a Magestrate w'thin this Jurisdiction for the yeare ensuing, doe sweare by the great and dreadfull name of the euerliueing God, to pr'mote 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.


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 faythfully execute the office and place of a Constable, for and w'thin the said plantaçon of W: and the lymitts thereof, and that I will endeuor to p'searue the publike peace of the said place, and Comonwealth, and will doe my best endeauor to see all watches and wardis executed, and to obey and execute all lawfull comands or warrants that com frō 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 p'son w'thout 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, w'h are referred to some Co'mittes to consider of whether alowed or not, That such bylls as they alowe & sett there hands vnto the Tresurer shall accept & give satisfacti.
Jo: Haynrs: (Governor)

Joe: Scotchb: (Dep. Governor)

Geo: Wyllys

Edwa: Hopkins

Tho: Welles

John Webster

William 1780 p6

(Deputies)

John Steel

John Pratt

Henry Woodcock

Thomas Soughton

William Spencer

Thomas Ford

Edw. Sabin

James 230125

William Young

E. 230125 Hubbon

John Mason

Tho Stanton
[April 11th, 1639.

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

John Haynes Esq', was chosen Governor for the year ensuing] and until a new be chosen.

Mr. Roger Ludlowe, Deputy.

Mr. George Willis, Mr. Edward Hopkins, Mr. Thomas Wells, Mr. John Webster, Mr. Wm. Phelps, were chosen to assist in the Magistracy] for the year ensuing, and all took the oaths appointed] for them.

Mr. Edward Hopkins was chosen Secretary and [Mr. Thomas] Wells Tres'r. for the year 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 complain'd that he had [a mare] taken away by the Pequatts, wch after the warres [ ] was killed by the Naanticke Indians; he desir'd therefore the help of the Court to be relieved [and that] some order may be taken with them for restitution. [The] Courte took the same into serious consideracon and [think] it according to their duty and good reason to protect [the] persons and estates of all the members of the Commonwealth so far as lyeth in their power in a way of justice, and accordingly promised as opportunity shall be offered] to deal with those Indians about it.

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

The Court in regard of the state of the present time] and the many occasions that ly vpon men, thought f[itte to] referr the particulars 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. 148.
Treaty with Vncus concerning the land [ ] by him and other Indians between Hartford and Winds or, as also with Pequannocke Indians, who are now co[ ] to answer any letters sent from o' neighbors of Quinnipiac and to ripen orders formerly in agitation against [the] next meeting of the Court: They are also des[ired to] put Mr. Goodwin in mind of finishing the treaty [ ] of the Towne of Wethersfield with Seq[uassen] concerning the land beyond the River: and [the] Governr, 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 adiorne till the third T[hursday in[ ]

Jno. Edmunds, Aaron Starke and Jno. Williams were censured for uncleane 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 have 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 Comonwealth, 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 trespasse 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 plfs, to pay for 224 rod of Corne
spoyled, three pounds; for keeping of the ground 20 dayes, 30s; Costs 10s.

[In margin,]

[Mr. J foreman, [Mr. S]kinner, [Mr.] Steele,]
[Mr. S]mith, [Mr. Moore, [Mr. W]eed, [Jeffe]ry Ferris,
[Robins, [ S]cott, [ Pan]try, [ S]tanley,
[ B]irchard.

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 vncleane practises, and the girles Mr is inioynd to send her out of this Jurisdiction before the last of the next month.

These following were censured & fined for vnseasonable and immoderate 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 vppon the g[oods of Thomas] Gaines, in the hands of Mr. Stoughton, for a debt [of 5lb weight of Tobacco.]
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 9th March, 1637, concerning powder and shott is renewed, and yt 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 Wethersfeeld, 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 watch-ing, warding and trayning.

It is ordered that all the military men shall be trayned at 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 desir'd againe to be on foot 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 p'portion 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, wch was Adiouned 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 wayses sutable to their minds, and in particular for the present agitaçon with the Bay he is willing the State here should proceed to a mutuall agree¬ment for an offencie and defencie warr and all other offices of loue, but desires that matters of Bounds may be respitted untill he understand further the minds of the rest that are equally interested with him in the patent of the River. Vpon consideraçon hereof, Mr. Governor was intreated to write an answere to Mr. Winthropp that the Court is very ready and willing to entertaine a firme combinaçon for a defencie and offencie warr, and all other mutuall offices of loue and friendship, according to the propositions formerly agreed, wch 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 untill he haue opportunity to intimate his owne apprehensions, or some others who have equall interest with himselfe arriue in these Coasts, whom he hopes to see the next spring.

Mr. Tresor. 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 insolencyes that haue beeene offered of late by the Indians, putt the Court in mind of that wch hath beeene too long neglected, vizt, the execution of justice vpon the former murtherers of the English, and it was vpon serious consideraçon 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 several guilty persons reside and haue beeene harbored by Soheage, notwithstanding all meanes by way of persuation haue beeene 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 pr[vition] may be made for the safety of the new plantaçons, and vppon their ioynt consent to p'ceede or desist. The 100l. rate was layd vppon the severall Townes in this p'portion:

<table>
<thead>
<tr>
<th>Town</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>43l. 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 0 0 0

The Courte was adiorned to the 26 of this month.

[27] August the 26o, 1639.

Mr. Webster informed the Court that according to the determinaçon of the last meeting, Mr. Deputy, Mr. Willis and himself acquainted or freinds of Quinnipiocêck with their purposes concerning the murtherers, and desired the concurrence of their apprehensions therein, who fully approving of the thing yett intimated their thoughts somewhat to differ from o're in the present execution of it, in regard of some new plantaçons that are now beginning and some inconvenience wch may fall vppon these parts of the Cuntrey by a noise of a new warr, wch may hinder the coming of shippsthe next yeare.

Whereas divers of the Pequatts who were given to Vncus and Antinemo haue planted againe part of the land wch was conquered by us contrary to or agreement with them, It was thought fitt and ordered, that 40 men be p'portioned out of the severall plantaçons and immedately sent away to gather the Corne there planted by them.

The men are p'portioned for the severall Townes thus,

<table>
<thead>
<tr>
<th>Town</th>
<th>Men</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. Governo', 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 haue power to presse 20 armes, 2 shallopps and 2 Canowes, for this service.
It was concluded that there be a public day of thanksgiving in these plantations upon the 18th of the next month. This Court is dissolved.

SEPT. the 5th, 1639.

Jno. Haynes Esq'r. Gov'r.

Mr. Hopkins, Mr. Wells, Mr. Phelps, Mr. Webster.

Richard Lyman complayneth against Sequassen for burning vpp his hedge wch, before Mr. Governo'r, formerly he promised to satisfy for, but yet hath not done it. Sequassen appeared and promised to pay within 4 dayes, or else an attachment to be granted.

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 witness in the Bay: Graunted.

Jno. Moody contra Blachford, for a fowling piece he bought and should have payd for it 40s. pr' 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. granted for costs and an attachment vpon his goods.

Fr. Stiles contra Jno. Woodcocke in an action of debt for 2 hhd's 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 complayne'd for refusing to watch, strong suspition of drunkennes, contemptuous 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 behavior.
OCTOBER the 3d, 1639.

Mr. Haynes, Mr. Ludlow, Mr. Willis, Mr. Wells, Mr. Webster, Mr. Phelps, Mr. Hopkins.

Edwa. Hopkins contra Fr. Stiles, in behalfe of Jno. Woodcocke, in an action for breach of Covenants. Covenants produced. The Jury find that the deft. hath in his hands 80l. and 150l. 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 230l. with 70l. 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 provisions he pressed for them.

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

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

Comittees: 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 Comittees 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 unfinished the former Court, as about provition of settling of lands, testaments of the deceased, and recording spetiall passages of Prvidence.

The Court was adiorned vntill the second thursday in the next month, vnlesse spetiall occations occurr to call it sooner.

* An imperfect record of this trial and verdict is made at the bottom of page [25.]
OF CONNECTICUT.

[29] OCTOB' THE 10th, 1639. A SESSION OF THE GENERALL COURT.

Mr. Deputy informed the Court that he had understood since his returne, offence had beene taken at some of his proceedings in his late journey to Pequannocke, and the parts thereabouts: he therefore desired to make knowne what had beene done by * him therein, wch was this; Att his coming downe to Quinnipiocke the hand of the Lord was vppon him in taking away some of his Cattle, wch 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 Planta7on beyond that was not caryed on according to the agreement made with those who were interessed in ordering the same, and that by some things wch 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, wch might prejudiciall to this Coñon wealth, and knowing himselfe to be one of those to whom the disposal of that planta7on was comitted, 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 considera7on, did vnanimously conceaue that his proceedings 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 planta7ons of what he did, notwithstanding his allegations of the inconveniences wch otherwise might have accrued; yett that the thing may fully appeare as it is, and matters ordered in a comely mañer, It is conceaued fitt that a Comittee be chosen to repaire thither and take a view of the aforesayd ocations, and yf 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

* [Margin] "Mr. Ludlow his Apology for taking vp Vncoa;"
†[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 appeare; and Mr. Governor and Mr. Wells were intreated to attend this service, and they are desired to confferr with the planters at *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 vnder 40s. among them, to p'r 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 S'teant Nicholls for the present to trayne the men and exercise them in military discipline; and they are farther desired to speake with Mr. Prudden, and that Plan[taçon] 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. Webster and Mr. Spencer shall review all former orders and lawes and record such of them as they conceave to be necessary for publique concerne-ment, 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, pr'vided 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 have power to dispose of their owne lands vndisposed of, and all other commodities 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 penalties for the breach of the same, and to estreat and levy the same, and for non-payment to distrustayne, and yf there

* [In margin] “Gou'r & Mr. Wells sent to Peg.”
be noe personall estate, to sue to the Court to sell his or their house or land, for making satisfaction. Also each of the aforesaid 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 provided in that case, shall haue a casting voice in case they be equal; wch sayd persons 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 summons 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 at 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 party appealing.

The Townes aforesaid 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 months after notice given to bring into the sayd Towne Clerk or Register a note of his house and land, with the bounds and quantity of the same, by the nearest estimation, 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 mortgages of land whatsoever shall be accounted of noe value vntill they be recorded, for wch entry the Register shall receaue 6d. for every parcel, delivering every owner a copy 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.”
Court, in April and September, deliver into the same a transcript sayrely written of all such grants, bargaines or ingagments recorded by him in the Towne Booke, and the Secretary of the Court shall record it in a booke sayrely written provided for that purpose, and shall preserve the copy 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 copy of a parcell ijd; and a copy 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 who 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 Inventory to be taken of the sayd estate in writing, as also take a copy of the sayd will or testament and enter it into a booke or keepe the copy 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, according to the mind of the Testator, for their and every 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 administration 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 Cothon, 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 chargest that the publique Court or the orderers
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 coppy of all the penall lawes or orders standing
in force, and all other that are of generall concernement for
[32] the governement of the Commonwealth, and shall giue
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 see 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 meet-
ing all such lawes as then stand in force and are not repealed;
and the Secretary of the Court shall haue 12d. for the coppy 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 ac-
tion 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 wth the Court inioynesto be kept secrett, or shall make
knowne to any pson what any one member of the Court speaks
concerning any pson or businesse that may come into agita-
cion 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
prvidence weh haue beene remarkable since of first undertaking
these plantacon, 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
ioynly together, to gather vp the same, and deliver them into
the generall Court in April next, and yf it be judged then fitt,
they may be recorded; and for future tymes whatsoever re-
markable passages shall be, yf they be publique, the sayd partyes
are desired to deliver in the same to the generall Court. But yf any particular person desires to bring in any thing, he shall bring it under the handes of two of the aforementioned partyes that it is true, and then present it to the generall Court, that yf it be there judged 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 judge meet.

The Court was dissolved.

[33] November the 7th, 1639. A particular Court.

Jno. Haynes Esq., 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.


For a hogg, 2l. 0s. 0d.
Damages, 1. 17. 4.
Costs of suite, 0. 6. 0.

3. 17. 4.

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.*

December the 5th, 1639. A particular Court.

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

Richard Westcoat contra Jno. Plum, in an action of trespass, 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 1639

A general Court.

Mr. Governor informed the Court that the occasion of calling them together at this time was at the invitation of the

merchants and traders, who desired to bind themselves to their respective concerns, trades and businesses, as

located and settled with no more according to the order of Government before and toward a view of what had

been done by Mr. Law for loans and wages due according to

our laws. Some had been brought for wages for the laborers.

attended to the farmers by some of the farmers to

the family.

Edward Hopkins

(Secretary, 1639-1640.)
OF CONNECTICUT.

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 24, 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 Francis 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 vppon 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 yf they can with the consent of the partyes, to dividethe sayd damages layd vppon Mr. Plum. But yf they agree not, to returne their opinions concerning the same into the Court.

JANUARY the 16th, 1639. A GENERAL COURT.

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

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 oir neighbors of Wethersfeild, who desired to haue some answere to their request concerning Vncoa, and thereupon 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 consideration 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 moved the Court for some enlarge-
ment of accommoda6on, and also for o' neighbors of Wethers-
feeld who desire a planta6on there, that Mr. Phelps, Mr. Hill, 
Thomas Scott, Wm. Gibons, Robert Rose and James Boosy, 
shall as soon as with any conveniency may be, view those 
parts by Vnxus Sepus wch may be suitable for those purposes 
and make report of their doings to the Court wch is adiorned 
for that end to the 20th of Febr. 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 
imployed in making a bridge and meeting house with them, and 
his worke hended of impaling in the ground wch 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; wch was vppon 
the reasons aforesayd condiscended to.

O' neighbors of Wethersfeeld, in regard the weather hath not 
hitherto suited for the viewing of Vnxus Sepos, and that a Gen-
erall Court ere long will fall in course, intimated their willing-
ness to deferr the issue of the busines vntill 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 o' neigh-
bor's 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 concern-
ing an inquiry into the death of any that happen eyther acci-
dentally or by violence, and for disposing the estate of persons 
that dy intestate, and for ye power of the magistrate in in
cricting 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.
FEBR. THE 6th, 1639. A PARTICULAR COURT.

Jno. Haynes Esq.,
Roger Ludlow Esq'r., Mr. Willis, Mr. Hopkins, Mr. Welles, Mr. Webster, Mr. Phelpes.

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

Whereas there was granted the first of August last an execution to Roger Williams and others of Windsore, upon 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 p'rformance of the same, and the remainder offered by the sayd officer to Mr. Allen, wch he refused. The officer now brought four pounds six shillings into the Court, wch was delivered into the hands of Mr. Tres't. vntill further orders.

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

Estate of Mr. Oldam deceased is debtor,

<table>
<thead>
<tr>
<th></th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Mathew Marvine,</td>
<td>1</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>To Richard Lord,</td>
<td>5</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>To Wm. Lewis,</td>
<td>9</td>
<td>12</td>
<td>3</td>
</tr>
<tr>
<td>To Jeffery Ferris,</td>
<td>3</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>To Henry Browning,</td>
<td>11</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>To Thomas Staunton,</td>
<td>03</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>To Thomas Scott,</td>
<td>00</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>To Mr. Chapleyne,</td>
<td>146</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>To Mr. Fincheun,</td>
<td>020</td>
<td>19</td>
<td>9</td>
</tr>
<tr>
<td>To Andrew Warner,</td>
<td>000</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>To Edwa. Stebbing,</td>
<td>002</td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>To Mr. Talcott,</td>
<td>021</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>To Mr. Jno. Haynes,</td>
<td>002</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>To Mathew Allen,</td>
<td>020</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>To Lieutenant Seely,</td>
<td>010</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td>To Edward Hopkins, &amp; Mr. Mathew Craddocke, 229. 00 0.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Pr' Contra is Credit,

By Lieuten't Seely, £28. 15. 2.
By Jno. Chapman, £4. 15. 0.
By Ric. Lawes, £6. 4. 11.
By Mr. Chapleyne, £29. 15. 2.
By Thomas Allen, £6. 16. 6.

£136. 6. 9.

Jan. the 6s, 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 yt a just acc° be also returned from thence in a rea-
sonable tymne, 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 granted 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 prved 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 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,
wch 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 Wethersfeeld, 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 preceded in a legall and just 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 Weathersfeeld to assist in the busines.

Whereas there was an attachment graunted to Ric. Lord uppon 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 ould 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 nott.

[37] APRILL THE 2d, 1640. A PARTICULAR COURT.

Jno. Haynes Esq. Gov'r.
Mr. Willis, Mr. Welles, Mr. Webster, Mr. Phelpes, Mr. Hopkins.

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

This day Rachel Brundish 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 pce 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 have the use of the land for bringing vp the children.

It was also ordered that yf the sayd Rachel doe thinke fitt to sell the house and land, she may have liberty soe to doe, provided before she make any sale thereof she giue suffitient security into ye Court for the payment of the childrens portions att 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 Esq. 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:—


Mr. Parke at Wethersfylde.

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 within any of the Plantations of this Jurisdiction, or
be found by the ward in the day breakeing open any house or
offering any desperate assaulte, whch may in daynger the life of
any pson, it shall be lawfull for the watch or ward in such case
to shutte any such Indean or Indeans, if he or they shall not
subiect theselues to the watch or ward. And that Tho: Steynton shall, within fowerteene dayes, giue notice of this Order to
all the Chiefe Indeans 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 Paquanooke &
Uncowaye, by the 24th day of June next, according to their
former Co\mission: And also that they tender the Oath of Fidel-
lity to the Inhabitants of the said Townes, and make such free
as they shall aprue of.

APRILL THE Xth. 1640.

Forasmuch as many stubborne & refractory Persons are
often taken within these libertyes, and no meet place yet p\pared
for the detayneing & keepeing of such to their due & deserued
punishment, 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. Tal-
cotte, Ed: Stebing, Tho: Ford and James Boosy shall thinke
meet, who are chosen by the Courte to lette out the worke, ap-
poynt out the place & to order and directe whatsoeuer occa-
tions and businesses that may fall out for the compleate finishing
the said house, whch is to be done by the next Courte, in Sep-
tember.

Forasmuch as many Persons intangle thmselves by rashe &
inconsiderat Contracts for their future joyneing in Maridge
Covenant, to the great troble and greife of theselues and their
frynds; for the avoyding whereof, It is Ordered, That whoso-
euer 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 before they enter into such Contracte, whereby they ingadge their selves to each other; and that they shall forbeare to joyne in Marriage Covenant 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 Wyndsor, shall be preferred Liuetenants, and Mr. Rocester of Wyndsor shall be preferred Ensigne, for the several bands in the said Townes.

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

APRILL XI. 1640.

It is Ordered, there shall be a Rate of a hundred pownd leuyed uppon the Country, which is to be proportioned by Mr. Talcott, Mr. Stoughton & James Boosy;—who haue proportioned the said Rate as followeth:

<table>
<thead>
<tr>
<th>Town</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>43l. 0. 0.</td>
</tr>
<tr>
<td>Wyndsor</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 Recorder for the Towne of Hartford, and hath brought into the Courte 114 copyes of the several parcels of land belonging to & concerning 114 persons.

Mr. Rocester is returned Recorder for the Towne of Wyndsor.

Mr. Michell is returned Recorder for the Towne of Wethersfyeld, but he is found incapable of the place, lying under censure of the Courte, and he and the Towne who chose him to that place are to haue notice to apeare at the next adjournement 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.
Mr. Ed: Hopkins Esq.' Gour.
Mr. Haynes, Deputy.
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

George Abbott of Wyndsor, searuant to*
he is a dijudged to pay fiue pownd 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 searvise, to
his Master or some other as they shall judge meeete, for his pay-
ing the said fyne.

Simon Hoyette and his family are to be freed fro' watch &
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 soene of 11l. 5s. 10d.

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

Mr. John Shareman of Wethersfyeld is to be freed frō watch-
ing vntill the Courte take further Order.

John Hopkins of Hartford is also freed frō 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 suite 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 Apphension of the Courte that the foresaid partyes shall
stand to the award as yt is deliuered 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 Lieutenant is also to be allowed 20s. for his charges and delay of payment.


Mr. Ed: Hopkins Esq'. Gour.
Mr. Haynes,
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

Ed: Veare of Wethersfyeld is fined Xs. for cursing & swearing, 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 piece of Mr. Plums man, and breakeing open the Coblers Hogshed & Packe, for boath these mysdemenors hes fyned fourer pownds to the Country.

Nicholas Olmsted for his laciuous caridge & fowle mysdemenors at sundry tymes wth Mary Brunson is auidoed to pay twenty pownd fyne to the Country, and to stand vppon the Pillery at Hartford the next lecture day duriing the time of the lecture. He is to be sett on, a lylte before the begining & to stay thereon a litle after the end.

The foresaid Nicholas Olmsted acknowledgeth hymself to be bound in a Recognizance of xxi$. 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.

[44]  A GENERALL COURTE. JUNE xi', 1640. HARTFORD.

Mr. Ed: Hopkins Esq'. Gour.
Mr. Haynes, Deputy.
Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.

Deputies:—Mr. Steele, Mr. Talcott, Ed: Stebing, Willm Gaylard, Mr. Stoughton, Mr. Hull, Thurston Raynor, James Boosy, Richard Crabbe.
It is Ordered, that if any deputy shall be absent upon such occasion as the Governor for the time being shall approve of, or by the Prudence of God shall decease this life, within the adjournment of any Court, that you shall be at the liberty of the Governor to send forth a warrant in such case, for supply thereof, upon reasonable warning.

It is Ordered, that the highway betwixt Hartford & Windsor, as it was last set forth upon the map, shall be made sufficiently passable, by each town what lyeth within their own bounds, within the space of one month, and there shall be liberty granted to use the highway through the meadows until the said void highway be so sufficiently mended, for horse and dray, as you shall be approved of by Mr. Plum, James Boosy, Henry Wollcott & Tho: Scott, and then the highway through the meadow to cease.

Richard Gyldersly was convicted before the Court for casting out pernicious speeches, tending to the detriment & dishonor of this Commonwealth, and was fined to pay to the Country forty shillings, and was bound to his good behavior, in a recognizance of 20l. to appear at the next General Court, to which he submitted himself.

Whereas the Dutch cattle are impounded for trespassing the Englishmen's corn, it is the judgment of the Court that the Dutchmen shall be made acquainted with the trespass, and satisfaction demanded, the which if they refuse to pay, the cattle are to be kept in the pound three days, and then to be pressed & sold, and the trespass to be satisfied, together with the charge of impounding, keeping & tending the said cattle during their custody.

Yf Mr. Michell shall give satisfaction to Mr. Chaplin in some public meeting, as part of his censure, by acknowledging his fault, in such form and manner as he hath related to this Court, it is referred to the particular Court to continue or take off his former censure as they shall see cause.

The said Mr. Michell, for undertaking the office of Towne Clarke or Recorder, notwithstanding his uncapableness of such office by censure of Court, he is fined to pay to the Country twenty Nobles.

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

It is desired that Mr. Gouernor & Mr. Deputy should return an answer to the last letter sent from the Dutch Gouernor.

Mr. Gouernor, Mr. Deputy & Mr. Wyllis are desired to treat with the Ilandors & Vncuuus, concerning the Mohegins killing the Indian with a piece, and to put yt to issue, if they can, or returne yt agayne to the Courte.

Forasmuch as our lenity & gentlenes toward Indians hath made the growe bold & insolent, to enter into Englishemens houeses, and vnadvisedly handle swords & pieces and other instruments, many times to the hazard of the lyms of liues of Englishie or Indians, and also to steale dunders goods out of such houeses where they resorte; for the prevention of such mischeifs, yt is Ordered, that whatsoeuer Indian shall hereafter medle with or handle any Englishemans weapons of any sorte, either in their houeses or in the felds, they shall forfeit for every such default halfe a fadom of wampu; and if any hurt or injury shall follow, 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 adjudge the. The Constable of any Towne may attach and areste any Indian that shall transgresse in any such kynd before mentioned, and bring the before some Magestrate, who may execute the penalty of this Order vpon offendours in any kynd excepte life or lymb; and any person that seeth such defaults may prosecute & 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 prosecute the murtherers as they shall see cause, vpon consultation with the Bay and of neighbor Plantations aboute the sea coste.

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

It is Ordered, that Mr. Ludlowe, Mr. Hopkins & Mr. Blakeman shall survey & divide and set out the bounds between 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 person or persons within this jurisdiction shall, after September, 1641, drink any other Tobacco but such as is or shall be planted within these liberties, shall forfeit for every pound so spent five shillings, except they have license from the Courte.

Whereas by an Order the 14th of January, 1640, none is to be chosen a Magistrate but such as are pounded in some general Court before, yet notwithstanding, as Cuphege & Vncoway are somewhat far distant from this Courte, and there is a necessity of the dispensation of justice in those Townes, therefore in the mean & until the next General Court of Election, yt it thought meet & so ordered, that Mr. Willia Hopkins of Cuphege be a Commissioner to join with Mr. Ludlow in all Executions in their particular Courte or otherwise, & is now sworn to that purpose.

[46] Whereas by an Order the seaventh of December last, the difference betwenee Mr. Allen & Wyndsor concerning land purchased of Plymouthe, 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 both to both sides; according to with Order & reference we who are mentioned in the said Order have seriously weighed all such arguments as haue beene tendered both on both sides, and we cannot see but Mr. Allen ought to be subjecte, 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 reasonable & lawfull Orders as are agreed there for the publike good of the same, and in equall proportion to bear his share in all rates there, soe as while he or his successors live elsewhere then he or they are to pay only according to his proportion of land there, & profit & benefits 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 have notice given him, in convenient time, of all such orders as doe or may concern him, and that the orders, be such as ly within his compass & power to accomplish & performe in a reasonable 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 Providence of God an inhabitant within the Jurisdiction of Conectecotte, doe acknowledge myselfe to be subject to the government thereof, and doe swear by the great and dreadful name of the ever-living God to be true and faithfull vnto the same, and doe submit both my person & estate thereunto, according to all the wholesome lawes & orders that other are or hereafter shall be there made by lawfull authority: And that I will neither plott nor practice any euell against the same, nor consent to any that shall so doe, but will timely discour the same to lawfull authority established there; and that I will mayntayne, as in duty I am bound, the honor of the same & of the lawfull Magestrats thereof, promoting the publick good thereof, whilst I shall so continue an inhabitant there, and whensou' I shall give my vote, suffrage or proxy, being cauled thereunto, touching any matter which concerns this Commonwealth, I will give yt as in my conscience may conduce to the best good of the same, without respect of person or favor of any man; so helpe me God in the Lo: Jesus Christ.

[JULY THE 2d, 1640. The P'ticular Courte.

Samuell Smith pl' ag' AndreeWaird.
Richard Coker pl' ag' John Cable.
Richard Lord pl' ag' Tho: Robinson.
OF CONNECTICUT.

Ed: Hopkins Esquire, Gour.
Mr. Haynes, Mr. Wyllis, Mr. Welles, Mr. Phelps, Mr. Webster.


John Haynes, Esquire, plt agt John Cockerryll defendt in an action of debt of xij l. The Jury find for the plant. The defendt is to pay damages xij l. and costs of suit 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 acknowledgment to Mr. Chaplin, and for that, wt other considerations, for former extraordinary charges wh he hath formerly borne for publike service at the Forte, the Court hath remitted his former censure.

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

John Porter, one of the Constables of Wyndsor, is to kepe the said Aron Starke wt locke and chaine and hold him to hard labour & course dyet vntill he be cauled to bring him forth vpon the next sofmens.

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.

Andrewe 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 Plantt shall pay the costs of Court, though the action be not tryed, and the Jury to haue their p'pts.

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

*Thomas Johnson. See account of sales, p. (73).
Church of Hartford, for impounding the hoggs of Henry Wolcott his father, and will subject to the issue thereof as yt shall be adjudged the next Court holden at Hartford.

Tho: Welles.

[49] 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 & de- teyneing thirty swyne of Henry Wolcotts the elder, father to the said Henry, to the damage of Willia Whiting Gentm. plt. agt. Jaspr Rowlins defendt, in an action of debt 20s. debt.

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

Saqueston testifies in Court that he neur sould any ground to the Dutch, nether was at any tyme conquered by the Pe- quoyts, 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 fro 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, comfortable: but that parte in Wyndsor bound was nothing done when wee vewed yt, wch was about the seautenth of July, 1640.


Henry Packs (?) his Wyll.

It is my Will to bestow vppon the Church the Clocke that Brother Thornton had bought, to Mr. Wichfyeld my best Coate and whoight (?) Cappe, to Mr. my best dublets.
Ed: Masons Inuentory.

A true Inuentory of the goods and Chattellsof Edward Mason of Wethersfyeld, late deceased, viz:

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s</th>
<th>d</th>
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<tbody>
<tr>
<td>Impr. The Cloathes of the said Edward</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itê, in Halle, brasse, Pewter etc.</td>
<td>7</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>Itê, in the parlour, a fetherbed, with chests, lynens and other things,</td>
<td>13</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itê, in the Celler,</td>
<td>2</td>
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<td>0</td>
</tr>
<tr>
<td>Itê, Englishe Corne, with Indean Old and New</td>
<td>41</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Itê, in the Chamber, a fetherbedde with others,</td>
<td>9</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Itê, twenty sixe borrowe hoggs, 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 pr

Williâ Swayne,
George Hubberd,

Test Leo: Chester.

Soûl totalis 121. 1. 00

[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 plt & deft or plts & defendts, according to yo' evidence giuen in Courte, and accordingly a true verdict giue; yo' owne counsell & yo' fellows you shall duly keepe; you shall speake nothing to any one, of the busines & matters in hand, but amongst yo' 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 Xth, 1640.

It is Ordered, that Ed: Hopkins Esq. now Gournour, shall haue the benefitt and liberty of free trade at Waranocoe & att any place thereabout, vppe the River, and all other to be re-streyned for the terme of seauen yeres, and the land to be pur-chased for the Comonwleth.
[56] **The Generall Court, February the viijth, 1640.**

Edward Hopkins Esq', Goufr.
John Heynes Esq', 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 prompty answer be required of him, and in case full satisfaction be not thereby given, that present intelligence shall be given to Quinipieuick & or neighbour Plantations, that we shall accounte of him as or enimy, in regard of that aforesaid & 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 fro other pts in such commodityes as are of necessary vse, and not knowing how this Commonwealth can be long supported vnslesse some staple Commodity be raysed amongst or selues wch may in some sort answer and defray the chardge,—haue therefore thought requisite that all incouridgement be giuen for the full imploymont of men & cattle for the improouement of such ground as the Country affords for English grayne where yt may be raysed wth lest chardge; for the speedy furthering thereof liberty is granted to all such persons wthin these Plantations as stand disposed to imploy theselues or their estats in husbandry as aforesaid, to find out any suitable ground wthin these libertyes yet vnpossest, where the said Englishe grayne may be soonest raysed, and haue granted to ech Teeme a hundred acres of plowing ground and twenty acres of meadow, wvided they improue twenty acres the first yere, wch is to be accouunted fro the date of these presents, & eighty acres the second yeare, and the whole hundred the third yeare. And for the orderly proceeding therein,
OF CONNECTICUT.

59

the Court hath desiered the Worll Edward Hopkins Esq'. Gou', Mr. Deputy & Mr. Willis to appoynt and sett forth the forme and order how ech mans p'portion shall be laid out, togather wth a competent quantity of vpland to the same, and to alowe to the owner of ech Teeme a competent lott for a workman wch may be helpfull to manadige the busines and carry on the worke; as also to admit inhabitants (if any place so found out shall be judged meete for a plantatiō) and to sett out their bounds; and those prsons who first glue 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'son so vndertakeing the manadging of a hundred acres, or a lesse p'portion, vppon the terms before mentioned, shall neglect to p'forme the conditions before specified, or be vnable to accomplishe the same, the Court hath researued power to dispossesse him or the of the grownd, giuing such resonable satisfaction for the chardge bestowed thereupon as the said Court shall judge meete. And if any p'son or prsons tendreing theselues to vndertake the manadging of 100 acres as aforesaid shall be judged by the Comittee vnable or vnmeet for the worke, not likely to p'forme the conditions in so great a quantity, they may ether refuse to admitt such or alowe a lesser p'portion to them.

It is also Ordered, that what stocke shall be remoued to any such place, shall be levied to the Towne frō whence yt came, as if yt were resident there; And the chardge disbursed for makeing wayes or any comon benefitt to such place, shall be paid by the land wthin 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 wthin theselues, then other considerations may be had by the Courte.

Whereas yt is thought necessary for the comfortable support of these plantations, that a trade of Cotten wooll be sett vppon and attempted, for the furthering whereof yt hath pleased the Gouerno', that now is, to vndertake the furnisheing and setting forth a vessell, wth convenient speed, to those parts where the said comodity is to be had yf yt proue pheasable: In considera

[57]
specified, It is ordered by the Authority aforesaid, that vpon
the Returne of the said vessell, the Plantations by p'sportion
shall take offe 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 Englishe Corne or Pype-staues as the Country shall
afford: The p'sportions to be diuiyded and laid vpon the seu-
erall Townes are according to the diision of the last Country
Rate.

And for the better p'searuing of Tymbur, that the Country
may haue p'revisions of Pypestaues for the furthering the said
trade of Cotten wooll, It is Ordered that no Tymbur shall be
felled wthout the bownds of these Plantations, wthout lycence
frō the p'ticular Courte, nor any Pipestaues to be sould out of
the Riuer wthout allowance frō the said Courte, nor transported
into foraigne p'ts vntill they be vewed (by such Co'mittee as the
said Court shall appoynt) and app'ued by such to be vendable,
boath for the goodnes of the Tymbur, and due p'sportion & size
thereof.

The p'ticular Court also is desiered to take order for the
veweing of Pequot Country and disposeing of the Tymbur
there, as also to settle Inhabitants in those p'ts yt they see
cause, so far as yt may be acted wthout chardge to the Country.

For the p'uenting of differenss that may arise betwixt the
Plantations frō trespasses by Cattle wth are ofte necessitated,
by reson of their bordering on agt another, It is Ordered, that
Nathaniell Waird, Andrewe Warner, Mr. Plum, Robert Rose,
Mr. Porter & Tho: Ford, shall take into their serious consid-
erations how the grownd belonging to the seuerall Plantations
may be best imprvd, so as to sute ech others conuenience,
whereby their Corne may be p'serued and their Cattle keepte
wth lest chardge of fencinge or herding, as may most conduc toe
the comon good, and deliuer in their app'hentions to the next
Generall Court.

Whereas yt is obserued that many skins and feltsof Cowes
& goats, through want of pruident p'searuing and seasonable
bringing forth to dressing, suffer great losse, It is Ordered, that
whatsoeu' skins are or shall be in any mans hands wthin 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.

Whereas it is observed as experience hath made appeare, that much ground within these libertyes may be well improved in hepme & flaxe, and that we myght in tyme haue supply of lynnen cloath amongst our selues, 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 spoonefull of Englishe hempseed, in some fruitfull soyle, at lest a foote distant betwixt our seed, and the same so planted shall preserve and keepe in husbanly 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 drafte Cattle, shall sowe the second yeare at lest on rood of hepme or flaxe, and eu' p'son that keeps any Cattle, namely, cowes, heifers or steers, shall sowe 20 p'ches, & eu' family, though he keepe no Cattle, shall sowe tenn p'ches, and ech particular of the foresaid families shall in husbandly sorte preserve & tend their several portions, or in default thereof are to vndergoe the censure of the Courte.

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

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

It is also Ordered, that whatsoeu' 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 commodityes, yt shall be lawfull for the buyer or hierer to pay it in marchantable Indian corne at three shillings fower pence the bush:

It is Ordered, that the late Order concerninge Wampū 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 dissolued.
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 sides them, according as they judge equall, as also to heare and determin the difference betwixt the inhabitants of Cuphege amongst these. They also, wth Mr. Ludlow, are to require the Tribuit of the Indians about those p'ts, that is behind vnpaid, due by articles formerly agreed vppon, as also to inquire out the p'ticular Indians that are vnder ingadgement, wth the lymitts of the ground formerly belonging to them, and vppon refusall to prceed 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 p'ticulars therein mentioned, prvided 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 p'sent tyme.

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

Mr. Webster and Mr. Phelps are desiered to consult wth the Elders of boath Plantations to prpare instructions agt the next Court for the punisheing of the sin of lying wch begins to be practised by many p'sons in this Commonwealth.

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THE OATH OF A FREEMAN.

I, A. B. being by the Pruidence of God an Inhabitant within the Jurisdiction of Connetecott, doe acknowledge myselfe to be subjecte to the Gouverment thereof, and doe sweare by the great and fearefull name of the euerieuaing God, to be true and fayth-
full vnto the same, and doe submitt boath my prson and estate thereunto, according to all the holmes 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 coninue an Inhabitant there; and whensoeu' I shall glie my voate or suffrage touching any matter wth consers this Co'hon welth being cauled thereunto, will give yt as in my conscience I shall judge, may conduce to the best good of the same, wthout respe of prsons or favor of any man. Soe helpe me God in or' Lord Jesus Christe.

Aprill the xth, 1640.

APRILL THE 10th, 1640.

Its the apprehensions of the Courte that by the meadow vnde-uided wth apportion of vpland, mentioned in the agreement betwixt the 34 men & the Towne & Church in Wethersfield, is vnderstood all the meadowing wthin the bounds of Wethersfield on this side the Riuer yet vndeuided, 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 vndeivded, wth the Church and the residue of the Towne, ether in co'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, pruided this hinders not the nyne men frô 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.
[74] The General Court. Aprill the ixth, 1641.

John Heynes Esq'. Gouerr.
George Willis Esq'. Deputy.

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

Deputies:—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 searuing of Corne and meadow on the east side of the Greate River, yt is Ordered, that there shall no hogg or swyne of any sorte be put ouer thither or keept 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 fiueshillings vppon euery hogge for euery weeke that any such remayne there.

Notwithstanding the late Order conserning the restraynt of excesse in apparrell, yet diuers p'sons of seuerall ranks are obserued still to exceede therein: It is therefore Ordered that the Constables of euery Towne within these libertyes, shall obserue and take notice of any p'ticular p'son or p'sons within their seuerall lymitts, and all such as they judge to exceede their condition and ranks therein, they shall p'sent and warne to appeare at the p'ticular Courte; as also the said Constables are to p'sent to the said Courte all such p'sons who sell their commodities at excessive rats; And the said Courte hath power to censure any disorder in the p'ticulars 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 hempeseed cannot be p'cured, It's Ordered, that such p'sons 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. W yntrops motion to the Courte for Fyshers Iland, It is the mynd of the Courte, that so farre as yt hinders
(Secretary, 1640-1648)

[Signature]
or conquer. It is not the public good of the country, either for fortifying for defence, or setting up a trade of fishing or salt & such like, he shall have liberty to proceed therein.

It is ordered, that the Plantations shall allow ten pound to the Governour and others that undertake with him to send six men to abide in Mohegan country for to plant corn, neere Uncas, for the incouragement of his men to stay with him, the which six men are to remaine in the said Parts to the end of their harvest.

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

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[76] A Generall Courte the viith of June, 1641.

Forasmuch as the Court haueing lately declared their apprehensions to the Country concerning the excess of wages amongst all sorts of Artificers and workemen, hoping thereby men would have been a law unto themselves, but finding little reformation therein, The said Court hath therefore Ordered, that sufficient able Carpenters, Plow writs, Wheelewrits, Masons, Joyners, Smithes and Coopers, shall not take above 20d. for a dayes worke from the xth of March to the xith of October, nor above 18d. a day for the other parts of the yeare, and to worke xi howers in the day the summer time, besides that which is spent in eating or sleeping, and ix howers in the winter: also, mowers, for the time of mowing shall not take above xxd. for a dayes worke.

It is Ordered, also, that all other Artificers, or handicrafts men and cheife laborers shall not take above xvijd. a day for the first halfe yeare as aforesaid, and not above 14d. pr day for the other part of the yeare; and whatsoever worke is let or taken by the great or p'sell, by any workmen, laborers or artificers w'thoever, shall be valued by the prportio as aforesaid.

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

It is also Ordered, that fewer of the better sorte of Oxen or Horses, w'th the tacklin, shall not be valued at above 4s. xd.
the day, from the 11th of March to the 11th of October, and to work from the 11th of March to the 11th of May, 7 hours, and from the 11th of May to the 11th of October, 8½ hours, except they be employed in breaking up of vpland ground, for which work they are allowed 4s. 3d. though they work but 7 hours: also the said cattle shall not be allowed above 4s. a day from the 11th of October to the 11th of March, and to work six hours, and so for a greater or lesser number of Cattle according to the said proportion.

And yts Ordered, that if any person either directly or indirectly, shall give or take any greater wages for the work ether of men or cattle than the prises before mentioned, shall abyde the censure of the Court.

[78] September the 2d, 1641.

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. agt John Coggen def, in an action of
slander, to the damage of a thousand pounds. The Jury find
for the pl. damages 20l. Costs vijs. Mr. Hill hath undertake
to satisfie the 20l. for Mr. Allen, when the Court shall require
yt.

Tho: Munson pl. agt John Hall defendt, in an acu of de
mation. The Jury find for the pl. damages 20s. Costs, vijs.

Frances Styles pl. agt Ed: Hopkins Esq. defendt, in an ac
tion of the Case. The Jury find for the pl. damages xvi. xs.
Costs, vijs.

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

Robert Saltington gent. pl. agt Edward Hopkins Esq.
defendt, as an assigne to Mr. John Woodcoke, in an action of
the case, to the damage of 200l.
OF CONNECTICUT.

For the 4th action of Math: Allen Pl agt John Coggen def, the Jury find for the plt damages xxl. Costs, vij.s.

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

For the 5th ac of John Coggen plt agt Math: Allen def, the Jury find for the defen. Costs vij.s. Mr. Coggen denyed to appeare to his action w' the Jury was cauled to give in their verdicte, aeadging 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.


John Haynes Esqr. Gour.
George Willis Esqr. Deputy.
Ed: Hopkins Esqr', Mr. Welles, Mr. Phelps, Mr. Webster.
Deputies:—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, pruied that no Tymber be falen with in three myles of the mouth of Matabezeke river, nor at unseasonable tymes, viz'. fro the beginning of Aprill to the end of Septebere, and that it be impruied into pipestaues or some other marchantable commodity with in on month after the felling thereof, or carted toogather; and that the Tymber so impruied shall not be transported fro the Riuere but for dischardge of debts or fetching in some necessary prvisions.

It is Ordered, that the size of Pipestaues shall be 4 foot 4 inches in length, halfe an inch at lest in thickness, besides the sappe: they are to be 4 inches in bredth, if vnder to goe for halfe staues, and non are to goe if vnder 3 in bredth. And there shall be appoynted in every Towne within these libertyes, one experienced man to vew & obsearue all such staues as aforesaid, and ech pcell by him approued of shall be sealed, who shall be sworne to that searuice. And all such p'sells so
approved & sealed, shall pass to the Marchant at 5l. the thousand, to be delivered at the River's mouth, at which place the Country hath undertook to provide for Mr. Hopkins, by the beginning of June next, 70000, viz. Wethersfield 30000, Wyndsor, 20000, Hartford 20000, if Mr. Hopkins can provide shipping and afford to give that price.

Mr. Hopkins is desired by the Courte, if he see an opportunity, to arbitrate or issue the difference betwixt the Dutch and vs, as occasion and opportunity shall be offered when he is in England.

Mr. Fowler, Mr. Astwood & Mr. Tappe of Mylford are desired by the Courte as neighbours (if they please to take such paynes,) to settle the bounds betwixt Paquanucke and Vncoway, as they shall judge meete, or upon their survey thereof to report their apprehensions to the several Townes, upon which if they shall not accord and consent thereunto, the Court will thereupon issue the same.

Mr. Governor and Mr. Whiting are desired to take the late Treasurer's account.

Mr. Willis and Mr. Hopkins are desired, if they have an opportunity, to further the league with the Bay.

The Governor, Mr. Phelps and Captain Mason are desired to treat with Mr. Phenicke, concerning liberty for making salt in Long Island and taking fish, who have power also to contract with whom they can procure for effecting the same.

For the preventing and avoiding that fowle and grosse sin of lying, yt is Ordered, that when any person or persons shall be accused and proved guilty of that vice, yt shall be lawfull for the particular Courte to adjudge and censure any such party, either by fine 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 trades for any Indian planted Corne, after the publishing this Order, shall pay to the Country 4d. for every bush: provided they buy it not for to supply their own necessity.

The Secretary is appointed to give to Mr. Hopkins, under his hand, the number of the bush: of Corne presented to the Courte by the Plantations.

* See a letter from Sir Wm. Boswell, English ambassador at the Hague, in relation to the encroachments of the Dutch—in Appendix, No. 1.
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George Willis Esqr.
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 reson of the great scarcity of mony, execution being taken of severall persons goods, that have bine sowld at very cheap rats to the extreame damage of the debtor, It is therefore Ordered, that whatsoeuer execution shall be graunted vpon any debts made after the publishinge 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 vpon execution as aforesaid and deliuer the to the Creditor.

The former Order concerning 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 Riuier against the marked tree.

The Country Rate of graunted 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 vpon the Townes by the p'sportion of the last rate.

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

[84] DEC'r. THE IXTH, 1641. THE PARTICULAR COURT.

George Willis Esqr. Dep'ty.
Mr. Whiting, Mr. Webster, Mr. Welles.
The Jury.—Andrew Bacon, Jur: Tymothly Standly,

* This blank occurs in the original.

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

Robert Saltingston, gent., pl加固 Frances Styles defen加固, in an action of the Case to the damage of 800l. The Jury find for the defen加固. Costs xs.

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

Robert Saltingston gent. pl加固 Frances Stiles defen加固, in a second action of the Case to the damage of 500l.

Robert Saltingston gent. pl加固 Frances Stiles defen加固, in a third action of the Case, to the damage of 50l.

The Jury is to be warned for Thursday com fortnight.

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JANUARY THE 5th, 1641.

George Willis, Esq加固. Dep.
Mr. Welles, Mr. Phelps, Mr. Webster, Mr. Whiting.
[Deputyes:]-Mr. Steele, Mr. Tailcoate, Ed: Stebbing.
Jo: Pratt, Mr. Plume, Mr. Swayne, Sam加固: Smith, Nath: Foote, Capten Mason, Mr. Hill, Mr. Hull, Will加固 Gaylard.

Mr. Huits Petition for the Island at the Falls, is graunted.
Its Ordered, that Capten Mason shall have 500 acres of grownd, for him and his heires, about Pequoyt Country, and the dispose of 500 more to such soulears as joyned w加固 him in the searuiue 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. Plu加固 and Henry Clarke to take course for the procureing some peeces of Ordnance from Piscataq加固 or elsewhere; the frayght is to be
at the charge of the Country. And also to take order for erecting some fortifications where they think meete for searue, and to doe therein as they shall see cause.

If the Towne of Windsor pruid a Ferry Boate to attend the River, they are to be allowed 3d. for a single Passenger and two pence a person when they carry more then one att a frayght, and twelve pence for a horse.

[88] The Generall Court for Election of Magistrates, the second Thursday in April, 1642.

George Willis Esq', Gour.
Roger Ludlow Esq', Dep.

Magestrats: John Haynes Esq', Mr. Phelps, Mr. Webster, Capten Mason, Mr. Welles, Mr. Whiting: these present.

Deputies: Mr. Steele, Mr. Taylcoate, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Hull, Will' Gaylard, Henry Clarke, Mr. Plum, Mr. Swayne, George Hubberd, James Boosy, Phillip Groues.

It is the apprehension of the Generall Courte that the particular Courte should not be inioyned to be keepte aboue once in a quarter of a yeare.

It is ordered, that the particular Courte shall have liberty to dispose of ten thousand acres of ground in Pequoyt Country, as yt lyeth together, with lest prejudice to others that may hereafter succeed the, for the further planting the Country.

It is Ordered, that the Gou'nor and Mr. Heynes shall have liberty to dispose of the ground vpon 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 have 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 ground allowed thereunto for their incuridgement therein, in some convenient place, where yt may be found for the benefit and use of the Company successively.
It is Ordered, that there shall be a restraynt for any person within this Jurisdiction from trading with Indeans in Long Island, vntill the Courte in September com twelue month, only Tho: Steynton and Richard Lord have liberty to goe one voyadge, for the putting offe the smale co[m]odities they haue pruied 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 improveyng yt, wthin the tyme formerly lymited, is remitted.

The Courte adjoyrned to the last Wensday in this month.

The Courte adioyrned to the xth of May.

MAY THE xth, 1642.

It is Ordered, that the magistrates, or the greteste p'te of them, shall have liberty to agitate the busines betwixt vs and the Dutch, and if they thinke meete to treate wth the Gouernor concerning the same.

It is granted, that Wyndso[r] lyne shall run vppon Mr. Saltingstall his land, neere the falls, according to their other lotts, pruied yt prue not aboue a poynyt and halfe towrd the north, and w't prejudic[e] Mr. Saltingstall shall susteyne thereby, the Country shall make good.

And whereas the foresaid ground formerly granted to Mr. Saltingstall, was to have bine impaled wthin three yeares after the graunt, 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 wthin these libertyes shall refuse marchantable Indean Corne at the rate of 2s. vid. the bushl. for any contracte made for the labour of men or cattell or co[m]odityes sold after the publisheing this Order.

The Courte is adioyrned to the last Wensday of July, excepte the Gour 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, wthin a month after the date hereof, according to his p'mise, vppon the verdicte of the Jury vppon the sute of the action of slander.
July 25th, 1642. The Court is adiourned 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. 
[Deputies:] 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 frō the Courte
to the Bay to further the prsecution of the Indeans, to pruent
their mischeuous plotte in their late Combination.*

It is Ordered, that the Clarke of the band in every Towne
within these libertyes, shall have an Oath giuen him by the
Gournour or some Magistrate, to vewe the arms in their seuall
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 within these libertyes shall
not suffer any Indean or Indeans to com into their howses,
only the Magistrats may admitte of a Sachem, if he com not
with about two men.

It is Ordered, that there shall be a gard of 40 men to com
compleate in their Arms to the meeting euyer Sabbath and lec-
ture day, in euyer Towne within these libertyes vppon the
Riuier.

* "The letters and other intelligence" from Connecticut, relating to the alleged designs of
Miantonomo "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 neigh-
boring Sachems, about the 20th of August. See, in Mass. Hist. Coll. 3d Ser., iii. 161. "A true re-
lation of a conspiracy of Mantaenumo, the grente Sachem of the Naragancetta, Sohange or Se-
quin, the Sachem of Matabeseck, and Sansawin or Sequassen, the Sachem of Sicaogg, for destruc-
tion of the English and generally throughout New England, as it hath been 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 Connecticut."
PUBLIC RECORDS

SEPTEMBER 5th, 1842. The Courte manifest their willingnes, according to their abillityes, 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 conclue to conceale, as followeth:—

There shall be a Comitite chosen to make preparation ag[t

*] and the murtherers, (this to be kept secret,) and to defeat the Plott of the Indeans meeting about Tunxis.

[90] The Gour, Mr. Heynes, the Capten and the rest of the Magestrats, are chosen for a Comitite to agitate the businesses before mentioned.

SEPTEMBER the 8th, 1642.

George Willis Esq', Gor.

Jo: Heynes Esq', Mr. Welles, Mr. Phelps, Capten Mason.

[Deputies:] Mr. Parke, Mr. Swayne, Mr. Clarke, Wm. Gaylord, Andrew Bacon, Mr. Talcot, Mr. Westwood.

Forasmuch as the Indeans growe insolent and combye the-selues togethers, being suspected to prepare for war, It is Ordered, that no Smith within these libertyes shall doe any worke for the, nor any p'son within these libertyes shall trade any Instrument or matter made of iron or steele within the, nor deliuer any that are already made, without lycense fro two Magistrats, nor buy any of their venison vntill further liberty be graunted.

It is Ordered, that every Towne within these libertyes, pruide within fowerteene dayes, twenty halfe Pickes, of ten foote in length at lest in the wood.

Andrew Bacon is joyned with the Capten and Mr. Clarke, to prepare caridges for the pcees that cam fro Piscataq'.

It is Ordered, that for the secureing of the Plantations there shall be two wards men at lest, in every severall Towne within these libertyes, to giue notice of any sudden daynger that may com vpon the Plantations, and to execute the Order for keepeing out Indeans; And also that there remayne within every Towne a competent number of men dayly, for the defence thereof, viz't. Hartford 40, Wyndsor, 30, Wethersfield 20.

* Blank in the original. The order doubtless refers to Sowheag or Suquin, 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, from Mr. Hopkins; Wethersfield, the worth of 110l.; Hartford 200l.; with liberty to the Plantations to proportion yt according to their former Rates, if Wyndsor and Wethersfield shall within on month desire yt.

The Courte is adjoyned for a month, vnless the Gouvr see cause to caull yt sooner.

**SEPT. THE 17th, 1642.**

Its Ordered, that the Clarke of the Band in euery Plantation within these Libertyes, shall giue in to the deputies of their severall Townes, an exacte list of all the Trayne men from 16 yeares to 60: and the deputies to deliu the same to the Comitte who haue power to levy the said Townes for the prosecution 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. Bellinghã concerning what the Dutch Gouernor reporteth that they haue wrote to him about or 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 within these Plantations, without the approbation of two men within each Towne, by the Court to be appoynted for that seruice, vpon forfeitue 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 provided within these Plantas, within tenn dayes, basted with cotton wooll and made defensin eu Indean arrowes; Hartford 40, Wyndsor 30, Wethersfield 20.
The Courts adjoined for a month, unless the Court see cause to call yet sooner.

**THE PETITION COURT, 14th of OCTOBER, 1642.**

George Willis Go, Esq.  
Jo: Heynes Esq, Ed: Hopkins Esq, Mr. Phelps,  
Mr. Webster, Mr. Whiting, Mr. Welles.  
**Jury:** Mr. Cullicke, Tho: Osmore, Gregory Wilterton,  

The a of Sergeant Fyler pl. in the behalfe of the Towne of Wyndor agt Mat: Allen, def, in an ac. of the Case. The said Mat: Allen is to pay costs for non apparence viij. vid. The Court following, Sergeant Fyler was adiudged to pay the said costs, having made a reference before the suit.

The suit of Ephraim Huit pl. agt Tho: Steynton, is with drawn by consent.

Bray Rocester pl. agt Wyddow Hudgison, Executrix to Will’ Hudgison, defen; in an action of debt to the damage of 16l.  
Whereas many sutes com into the Court agt Tho: Marshfield, and he is withdrawn and non soluit, The Court hath appointed Henry Woolcott & Tho: Ford to take into their chardge or custody all the estate, goods & chattell of the said Tho: Marshfields, as they shall be able to discou 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 they shall be thereunto cauled.

Mr. Eldridge pl. agt Tho: Marshfield def; in an ac. of debt to the damage of 12l.  
Henry Woolcott pl. agt Tho: Marshfield def; in an ac. of the case to the damage of 40l.  
In the ac. of Richard Trott and Samuell Smith agt John Plum def, the Jury find for the pl. Damages 15s. Costs viij. ijd. Execution granted.
OF CONNECTICUT.

[92] CAPITALL LAWES ESTABLISHED BY THE GENERALL COURT, THE FIRST OF DECEMBER, 1642,

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

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

3. If any person shall blaspheme the name of God the Father, Son or Holy Goste, with direct, expres, presumtuous, or high-handed blasphemy, or shall curse God in the like manner, he shall be put to death. Leu: 24. 15, 16.

4. If any person shall commit any willfull murther, which is manslaughter committed upon malice, hatred or cruelty, not in a man's necessary and just defence, nor by mere casualty against his will, he shall be put to death. Ex: 21. 12, 13, 14: Num: 35. 30, 31.

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

6. If any man or woman shall ly with 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. If any man lye with mankind as he lyeth with a woman both of them have committed abomination, they both shall surely be put to death. Leu: 20. 13.

8. If any person comitteth adultery with a married or espoused wife, the adulterer and the adulteress shall surely be put to death. Le: 20. 10, & 18. 20: Deu: 22. 23, 24.

9. If any man shall forcibly and without consent ravish any mayd or woman that is lawfully maried or contracted, he shall be put to death. Deu: 22. 25.

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

11. If 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\vmon welth, he shall be put to death.

And whereas frequent experience giues in sad evidence of seuerall other wayes of vnclenes and lasiuious 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\tinitious and destructiue to the welfare of the Co\vmon weale, and doe judge that seuerse and sharpe punishement should be inflicted vppon such delinquents, and as they doe approue of what hath bine alreddy done by the p\ticular Court, as agreeing w\th the generall power formerly graunted, so they do hereby confirme the same power to the p\ticular 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 offendors in that kynd, that others may heare and feare.

Forasmuch as incorigiblenes is also adiudged to be a sin of death, but noe lawe yet amongst vs established for the execution thereof; For the puruenting that great evell, It is Ordered, that whatsoeuer Child or searuant w\thin these libertyes, shall be convicuted 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 fr\ the this Court, to comit such p\son or p\sons to the howse of correction, and there to remayne vnder hard labour and seuer punishment, so long as the Court or the mayor parte of the Magestrats shall judge meet.

[93] Whereas diuers p\sons dep\te from amongst vs, and take vp their abode w\th the Indeans in a p\phane course of life, For the puruenting whereof, Yt is Ordered, that whatsoeuer p\son or p\sons that now inhabiteth or shall inhabit w\thin this Jurisdiction, and shall dep\te fr\ 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 punishement as the p\ticular Court shall judge meet to inflict in such case.
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For the better furnishing the River with Cordage towards the rigging of Ships, it is Ordered, that what hempseed any person hath within these liberties, that they shall either sow it themselves, or sell it to some others within the River that may sow the same.

The late Rate granted, of 50l. is to be made up a 100l. and to be proportioned upon the three Townes according to the former Rate, which may be paid in sower Wheat at 4s. 4d. the bushel, Rye at 3s. 4d, Pease at 3s. 4d, Indean at 2s. viijd, provided yt be Marchantable Corne, and the Constables of each Towne are Ordered to receive no other but at such under Rate as they shall esteem yeat, or in wampum at 6 a penny.

The former Order of Indean at 2s. viijd. the bushel is repealed, and the several sorts of Corne before mentioned are made payable, upon the prizes herein specified, for any labour or hire of men or cattle, hereafter to be done.

The size of Pipestaves is to be 4 foot 6 inches in length, the breadth and thickness according to the former Order.

It is Ordered, that no man within this Jurisdiction shall directly or indirectly amend, repair, or cause to be amended or repaired, any gun, small or great, belonging to any Indian, nor shall endeavor the same, nor shall sell or give to any Indian, directly or indirectly, any such gun or gunpowder, or shott, or lead, or mould, or military weapons, or armor, nor shall make any arrowheads, upon pain of ten pound fine for every offence at lest, nor sell nor barter any guns, powder, bulletts or lead, whereby this Order might be evaded, to any person inhabiting out of this Jurisdiction, without licence of this or the particular Court, or some two Magistrates, upon pain of ten pound of powder, 40s. for every pound of bulletts or lead, and so proportionably for any greater or lesser quantity.

Mr. Whiteing & Capt. Mason are desired to take Order to demand the Tribut due from Long Island and the Indians upon them, and what they can receive may be accounted towards that which is due to the Country. Mr. Whiteing is content to accept of the Corne at Mohegen, and to discharge the prizes of the two cloathes, prorided 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 Gour, 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 wth workemen to carry on the worke and to take ingadgements of the Country to pforme what they vndertake, and to doe all things requisit for the full accomplisheing of the worke.

The Gour, Mr. Heynes, Mr. Hopkins, Mr. Welles & Mr. Phelps are desiered to consider wth the Elders, conserneing the the synns of Curseing father or mother, Incorigiblenes, Rauishement, Contempt of Ordinances, Lying, and Brech of p'mise, and to make some lawes agt thē & p'sent thē to the next General Courte.

[91]

Decé. 18: 1642.

It is Ordered that no man wthin this Jurisdictiō shall, directly or indirectly, amend, repaire, or cause to be amended or repaired, any gun smale or greate, belonging to any Indean, nor shall indeavor the same, nor shall sell nor giue to any Indean, directly nor indirectly, any such gun, or any gunpowder or shott or lead or shott mould, or any militayre wepons, armor or arrowe heads, nor sell nor barter any such, vpon payne of ten pound fyne for euerie offence att lest, and the Court shall haue power to encreas the fine or to impose corporall punishement where a fyne cannot be had, at their discretion.

Whereas yt appeares that notwthstanding the former lawes made agt selling guns & powder to Indeans, they are yet supplied by indirect meanes, It is thereof Ordered, that if any p'son, after publicatī of this Order, shall sell, barter or transporte any guns, powder, bullitts or lead, to any p'son inhabiting out of this Jurisdicū wthout lycense of this Court, or frō some two Magistrats, he shall forfeit for eu'ry gun ten pownd, for eu'ry pownd of gun powder 5l. & for eu'ry pownd of bullitts or lead 40s. & so p'portionably for any greater or lesser quantī. 
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[04] The Petitioner Court, the 27th of January, 1642.

George Willis Esq', Gouv.

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

The Jury.*

It is Ordered, that the petitioner Court shall be held the first Thursday in these several months; March, June, Sep., Decbr.

The will and inventory of Richard Lyman deceased is brought into the Court. John Moody makes Oath that yt is the last will of the said Rich: and also the note then brought in is the note of the Widdow Lyman deceased. The several parties present at the presenting the said will, agree that John Lyman, if he live, will be 22 yeare ould in Septé. 1645, Robert Lyman 22 in Septé. 1651.

THE PETITION COURT, the 2d of March, 1642.


In the Ac. of Henry Woolcott pl. agt Tho: Spenser def'nt, the Jury find for the pl. damages vid. & Costs of Court.

In the ac. of Math: Beckwytt pl. agt Math: Allen def't, the Jury find for the pl. damages viij$. & chardges of Court. Executn granted.

In the ac. of Elias Putmā pl. ag't Ed: Vere def't, the Jury find for the pl. damages xviijs. & Costs of Court.

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

Tho: Ford is to giue notice to the Wyddow Hudgison to answer Mr. Rocester his sute, the first Thursday in April next, at whch 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 repair to the Court to have their sute tried, 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* & give the course dyet, hard worke, sharpe correction.

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

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.

[96] MARCH THE 27th, 1643.

George Willis Esq', Gour.
Jo: Heines Esq', Ed: Hopkins Esq', 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'escape the combination betwixt thè and vs and New Hauen, wth full power if they haue op'tunity to conclue the same, and in case that should fayle, they are desiered to treat and conclue of a Vnion wth them, researueing the 'priuilidges we haue in of fundamentall lawes.

The Court consenteth that the former answer shall be retuned to the p'positions made by the Lords, the p'ticulerat p'sent not comin to vewe, and if yt please Mr. Fenwicke to joyne wth the Plantations, it shall not infring any of his prui-lidges wch belong to him.

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

* given.
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 vntill the same be recorded.

It is Ordered, that Frances Stiles, for his forceable resistance of the Officer of the Court vpon the execution of his office, is fined to pay to the Country fifty pownd.

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

[99] APRILL ye 6th, (1643.) THE P'tICULER COURT.

George Willis Esq', Governour.

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


Lisley Bratfield pl'in an action of trespas agt Tho: Coleman defend: damages 51.

Bray Rocester pl'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 receiue instruction, ye tryall is defered till next Court.

Jo: Stoder pl'in an actn of trespass against Jo: Plum, defend, damage xxs. The action betwene Jo: Stoder & Jo: Plum is by consent wthdrawn, & referred fully to be issued by Jo: White & Wm. Gibbings. Ye charges of ye Court is equally to be payd betwene ye p't[yes.]
An attachmt 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 pl, & Tho: Coleman defend: ye Jury doe find for pl, 2l. xs. damage, & ye cost of ye Court & for witnesses xiijs.

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

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

John Heynes Esqr, Gour.
Ed: Hopkins Esq, Deputy.

George Willis Esqr, Roger Ludlowe Esqr, 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 diuersity of mens judgements amongst Jurors, yt falls out diu's 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 wth they are sworne, and if in that case they cannot agree after all reasons disputed, but some remayne unsatisfied, 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 againe, and if as yet any cannot bring their judgments to joyne with their fellowes in a joyn't verdict, the greater part shall give it in by their voate, and yt shall be deemed to all intents and purposes a sufficient and full verdict, vpon vvh judgement may be entered and execution and other proceedings to be had therein, as though they had all agreed; pruised also, that if yt fall out the case be so difficult that the Jury are equally diuided sixe [to] sixe, the Jurors are to tender yt to the Court, with their reasons, and a spetiall verdict is to be drawen thereupon; and then the Court are to appoyyn a tyme to argue the same, and the voate 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 inconueniences in regard diuers are suddenly cauled to answer sutes in the Prticuler Court, without tymely notice, and so many tymes the most harmeles are soonest overtaken, For the prevention whereof, It is Ordered, that frō henceforth all plisses* that yssue forth shall be returnable one full weeke before every p'ticular Court, at wch tyme the plte or plts shall, is or are to bring in their plea or declaration to the Secretary, where the defent or defendants are to reprise and take a copy, and wthin 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 pl or plts fayle of putting in his or their declaration or declarations according as aforesaid, the sute to sucesse and the defent or defendte not bound to proceed without a new suumons, and if the def or defendte fayle on his or their pts according to the true intent of this Order, the pl or plts may proceed vpon his or their declaration or declarations, and the def or defendte ar likewise subject to a fyne of the Court for any misdemeanoe therein. These Orders to stand vntill the next generall Court.

The Clarkes of ech Towne that are appoynted to size the waights and measures are Ordered to bring in the standards of boath frō the seuerall Townes to the next p'ticular Court, there to be compared togather and made equall. John Banks is re-
turned Clarke to size the weights and measures for Wyndson, & Fraunces Norton for Wethersfield.

[103] It is Ordered, that one or two of the Magistrates shall be sent to Stratford and Wyncoway, to join with Mr. Ludlowe for the execution of Justice, twice this yeare, vizt. the last Thursday in Aprill and the last in September.

Capten Mason and Mr. Welles are appointed for the last in Aprill.

It is Ordered, that every Towne upon the River shall provide one man in each Towne to do execution upon delinquents, by whipping or other correction as they shall be thereunto caued by Order from the Magistrates.

It is Ordered, that good Rials of $ and Reix Dollers shall passe betwixt man & man att five shillings a pce, in all payments, the debts being made after the publishings of this Order.

It is Ordered, that Mr. Ludlowe shall be moderator the next particular Court, if he be present, or in his absence and the absence of the Gourt. & Deputy, the eldest Magistrat, pruied the Court consist of five Magistrates with the Moderator.

The Gor, the Deputy, Mr. Willis, Mr. Ludlow, Capten Mason, Mr. Webster, Mr. Whiting and Mr. Rocester are desired to debate with Mr. Huit concerning Mr. Styles his petition and other offensive cariedges, and if they receaue not satisfaction to returne their report to the next General Court. They may also take such other helpe as they shall see cause.

The opinion of the Coomitee to whom the consideration of the petition of our neighbours of Wethersfield was committed, was now returned to the Court, and for present approved of, and ordered that one coppy thereof be sent to Mr. Smith and another be giuen to the members of the Court for the Towne, and the said Coomitee are desired by the Court to receaue Mr. Smiths answer, and in case they find him vsatisfied in the advise giuen, they are desired to take such an indifferent course that the true state of the question may be pownded, and the advise of Elders here and elsewhere taken vpon the same, that accordingly an issue may be put thereto.

The Court is adiourned vntill the first Wendsday in July.
The Copy of the opinion of the Committee upon the Petition of those of Wethersfield.

The Petition of those of Wethersfield hath been 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 our judgments concerning particulars: We find also that many of those who put vp their names for remoue all were not induced thereunto by any dislike, or ingadgement they have in the present quarrells, but for want of lotts and other considerations: Yet upon the view of the generall, conceaueing yt will be disaduantagious to the publique & uncomfortable if not destructive to themselves that so many as are interested in the present differences should remoue, and upon 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 Particuler Court, the First of June, 1643.

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

In the ac. of Will' Gailard, as Attorney for Nath. Patten, pl1, against Tho: Marshfield, defen1, the Jury find for the pl1, damages, 20l.

In the ac. of Math: Allen, as Attorney for Tho: Allen, pl1, ag1 Tho: Marshfield def, the Jury find for the pl1, damages, 2l. 16s.

In the ac. of Mr. Woolcott, as Attorney for Henry Webb pl1, ag1 Tho: Marshfield def1, 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, xxvi.

In the ac. of debt vs a bill of exchange, 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, xvii. 19s. vid.

In the ac. of Bray Rosteater plt, agt Wyddow Hudgison deft, as executrix to Will' Hudgison deceased; Tho: Ford appearing to the suit, the Jury find for the plt, damages, 23l. 10s. vid.

The Court granted execution to the plt upon the goods of the deft.


Will' Whiting——

[106] J UNE THE 15th, 1643. [A P r i c u l a r C o u r t.]

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


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

In the ac. of Henry Woolcott pl, as Attorney to John Brocke, ag' Tho: Marshfield def', the Jury find for the pl', dam: xil.

In the ac. of Nath: Willet & Elizabeth Willett pl, ag' Tho: Marshfield def', the Jury find for the pl', damages, 14l. 11s. 2d.

In the ac. of Will' Palmer pl, ag' Tho: Marshfield def', the Jury find for the pl', damages, viiiil. 3s. 4.

In the ac. of Henry Woolcot pl, ag' Tho: Marshfield def', the Jury find for the pl', damages, 4l. 3s. 4d.

In the ac. of Tho: Ford pl, ag' Tho: Marshfield def', the Jury find for the pl', damages, 4l. 13s. 10d.

In the ac. of Henry Woolcott & Nath: Willet pl, ag' Tho: Marshfield def', the Jury find for the pl', damages, viil.

Mr. Eldridge pl, ag' Tho: Marshfield in an ac. of debt to the damage of 13l.

Benedict Aluer pl, ag' Tho: Marshfield def', in an ac. of * to the damage of 10l.

Will' Hubbert pl, ag' Tho: Marshfield def', in an ac. of the Case to the damage of 12l.

Mr. Woolcott pl, ag' Tho: Marshfield in an ac. of the Case to the damage of 39l. 15s.

Mr. Whiting pl, as Attorney to Henry Bartlemewe, ag' Tho: Marshfield def', in an ac. of the Case to the damage of 40l.

Tho: Ford pl, as assigne Edward Smith, ag' Tho: Marshfield defen', 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 vn to the Gouernour a pticuler of the Estate of Tho: Marshfield, as yt consists in land, goods or debts, and that they doe yt within 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 proportion which is to be sequestred for debts owing by the sd Marshfield and yet unproved, 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 proportion of what they shall receive as shall appear to belong to such Creditors from old England as may challenging and make proof of any just debts from the said Marshfield, provided they appear within 14 months; to which the Creditors consent.


John Heynes Esq', Gour.
Ed: Hopkins, Esq', Dep:
Roger Ludlowe Esq', George Willis Esq, Mr. Webster,
Mr. Welles, Mr. Whiting, Mr. Swayne.
[Deputies:—Mr. Taylcott, Andrew Bacon, Mr. Chapline, Robert Rose, John Edwards, John Robins, Mr. Rcester.

Those of Wethersfield who conceive the selves to be under some wrong in caring of Church and Towne occasions, they are ordered to gather up the particular grievances or wrongs and present them with their names to the Gour & 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 Connecticut 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.
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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 Governor is desiered to supply the place, and to treate and conclude touching appeals in such Cases as shall be by the Commissionrs judged necessary.

Whereas there hath beene great neglect by the plantations in not providing powder according to order of Court, It is now Ordered, that if the severall Townes shall not provide their several quantities, according to former Order, by the Court in September, all the former forfeitures shall be levied upon 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 comodities 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 concerning the making pitch and tarre.

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

It is Ordered, that each Towne chose two surveyors eerely, to looke to the highways, who shall have liberty to call out every Teeme & person fit for labour, in their course, one day every yeare, to mend the said highways wherein they are to have a speciall regard to those Common ways which are betwixt Towne and Towne. The charge hereof is left to the particular Townes for the present, to be ordered according to their owne rules, & in case any surveyor shall not attend the said searvice by cauling out the teemes & persons aforesaid, where need is, he shall forfeit 5s. for every offence.

It is Ordered, there shall be a Grand Jury of 12 persons warned to appeare euery Court eerely in September, or as many & oft as the Governor or Courte shall thinke meet, to make presentment of the breaches of any laws or orders, or any other misdemeanors they know of in the Jurisdiction.

Mr. Chaplin shall have a copy of the creditors & debtors to Mr. Oldoms estate, and is to inquire of the debtors to whom they have paid & to make returne to the next particular Court.
The Treasurer is to have a note to take vppe the Fynes.

Whereas, the prosperity and well being of Co\textit{m}on weles doth much depend vpon the well gouverment and ordering of p\textit{r}ticu\textit{l}er Familyes, w\textit{h}ich in an ordinary way cannot be expected where the rules of God are neglected in laying the foundation of a family state; For the p\textit{r}tention therefore of such evels and inconueniences, w\textit{h}ich by experience are found not only to be creepeing in but practised by some in that kynd, It is Ordered, that no p\textit{r}son whatsoever, male or female, not being at his or her owne dispose, or that remayneth vnder the gouverment of parents, masters or gardians or such like, shall either make, or giue entertainement to any motion or sute in way of mariedge, w\textit{h}ithout the knowledge and consent of those they stand in such relation to, vnder the seuer censure of the Courte, in case of delinquency not attending this order; nor shall any third p\textit{r}son or p\textit{r}sons intermedle in making any motion to any such w\textit{h}ithout the knowledge and consent of those vnder whose gouverment they are, vnder the same penalty.

Mathew Allen pl\textit{t}, ag\textit{t} Rich: Fellowes def\textit{t}, in an ac. of the Case, to the dam\textit{a}ge of 20s. The said Mathewe Allen acknowledgeth himselfe to be bownd to the Cuntry in a Recognizance of 10\textit{l}. to p\textit{r}sent the said Rich: Fellowes, the next Court.

[110] S\textsc{ept}ember the 4\textsuperscript{t}, 1643. [\textit{A P}\textit{t}iculer Courte.]

John Heynes Esq\textsuperscript{t}, Gou'r.

Mr. Welles, Mr. Webster, Mr. W. Swayne, Mr. Woolcott.


In the ac. of Math: Allen pl\textit{t}, ag\textit{t} Rich: Fellowes def\textit{t}, the Jury find for the def\textit{t}, chardges of Court & viiid. for poumdage.

In the ac. of Math: Allen pl\textit{t}, ag\textit{t} Nich: & Will' Clarke def\textit{t}s, the Jury find for the pl\textit{t}, da\textit{m}ages 3l. 3s. 4d. & costs of Court vijs.

Th\textit{e} ac. of Math: Allen pl\textit{t}, ag\textit{t} 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 plt, as assigne to Edward Smith, agt Tho: Marshfield defnt, in an ac. of debt to the damage of 30l. 13s. 4d.
Roger Ludlowe Esqr, plt, agt Will' Whiting defnt.

September the 14th, 1643. A Generall Courte.
John Heynes Esqr, Gou'r.
Mr. Webster, Mr. Welles, Capten Mason, Mr. Swayne, Mr. Woolcott.
Mr. Steele, Mr. Taylcote, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Stoughton, Mr. Hull, Will' Gaylard, Mr. Chapline, Mr. Robins.
The Courte is adiorned for a month.

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September the 15th, 1643.
Jo; Heynes Esqr, Gou'r.
Ed : Hopkins Esqr, Deputy.
George Willis Esqr, Mr. Webster, Mr. Welles, Mr. Whiting, Capten Mason, Mr. Swayne, Mr. Woolcott.
[Deputyes:] Mr. Steele, Mr. Talcott, Mr. Westwood, Andrew Bacon, Mr. Hill, Mr. Hull, Mr. Stoughton, Will' Gaylard, Mr. Chaplin, Mr. Robins, James Boosy, Samuell 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 prudent fewer barrells of powder, It is Ordered, that Wyndsoar shall take offe two barrells,
Hartford one barrel and Wethersfield one, yt may be had, & to make the best pay the Country affords to sute the occasions of the p'ties that p'uide yt.

It is ordered, that Wyndso r shall haue for the p'sent 30l. of powder out of the Co[n]hon stocke, wch they are to restore so soone as they can p'uide.

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

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

Mr. Hopkins, Mr. Whiteing and Capten Mason are to p'sse eight souldiers with sufficient arms and p'usions to be sent to Mohegen to defend Vncas,* and to doe such service 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 Gournor or deputy, or any two Magistrates, 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 seurall Townes are desiered to call their prticuler Townes together, to take Order within thesesuces to be in a posture of defence vpon an alarum, that the seurull souledars may know to what quarter to resorte and where to stand vpon their prsent defence.

Richard Lord† for his miscarriede in draweing his sowrd and vseing threatening speeches in contending with Tho: Stanton† about tradeing for indean corne, is fyned to pay to the Country five‡ pownd.

* The Commissioners of the United Colonies (who were at this time in session, at Boston,) having decided upon delivering up Miantonomo 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 provide 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 'five,' have been partially obliterated, 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 leued, to be paid to Mr. Fenwicke, to be laid out for the repaireing the Fort.

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

To pruent or wtstand such sudden assaults as may be made by Indeans vppon the Sabbath or lecture dayes, It is Ordered, that one p'son in every seuerall howse wherein is any souldear or souldears, shall bring a muskett, pystoll or some peece, wth powder and shott to ech meeting, excepte some on Magistrate dispense wth any on, and appoynt some other to supply his roome.

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

The Court is adioyrned vntill Thursday next.

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

John Heynes Esq(r), Gou(r).
Ed: Hopkins Esq(r), Dep.-j,
Roger Ludlowe Esq(r), George Willis, Mr. Webster, Mr. Welles, Mr. Whiteing, Capten Mason, Mr. Woolcott, Mr. Swayne.


In the action of Nathaniell Dickinson pl1, agt John Robins defent, the Jury find for the deft. Costs of Court vijs,

In the ac. of Nathaniell Eldredge pl1, agt Tho: Marshfield, the Jury find for the pl1, the debt and costs of Court, xl.
In the ac. of Tho: Ford pl', as assigne to Ed: Smith, agt Tho: Marshfield deft, the Jury find for the pl', the debt & costs of Court. The debt, 30l. 13s. 4d.

In the ac. of Math: Allen pl', agt, Tho: Olcocke deft, the Jury find for the pl', damages six pound, five shillings, and costs of Court.

In the action of Roger Ludlowe Esq' pl', against Willia Whiteing gent. defen', the Jury find for the pl', damages thirty-nynne pound, and costs vijs.

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

[114] No: xth, 1643. A GENERALL COURT.

John Heynes Esq', Gou'.
Ed: Hopkins Esq', Dep.
Roger Ludlowe Esq', George Willis Esq', 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 allowed 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 p'te of the Towne that receaueth them.

Whereas yt is obsearued that the late Order for on in a Family to bring his Arms to the meeting house euery Sabb0th and lecture day, hath not bine attended by diuers persons; It is now Ordered, that whosoeuer hereafter shall at any tyme neglecte the same, shall forfeit xijd. for euery neglect, whereof vid. to the pty that shall informe and vid. to the Country.

* See page 23. [Or. 224.]
It is Ordered that all the souldears in the severall 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 severall months here mentioned, March, Aprill, May, Septeber, October & Noueber; and if the day appoynted ptrue unseasonable, the Officer is to appoynt the next fayer day. The hower to begin is eight of the clocke. And whosoever shall be absent any of the said dayes after the hower lyïñted, or shall not continue the whole tyme shall forfeit 2s. vid. for evey default, excepte such as are lycensed vnder the hands of two magistrats. The Clarkes of the severall bands are to distreyn the delinquents within 14 dayes after the forfeture, and to take vid. for theselues, the remaynder to be for the mayntenance of drums, cullers & such like; and if any of the said Clarkes 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 desired 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 diuulgeing and setting his hand to a writing cauled a declaration, tending to the defamation of Mr. Smith, is fyned to pay to the Country xi1.

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

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

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

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

Its concluded that a writeing shall be prpared and openly read in the severall Townes, for the clereing Mr. Smith, and an Order made of ten pownd fyne for whosoever shall be convicted vnder two witnesses to diuulge any the said greuences 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 tymes euerie yeare in each Plantacon wthin this confederacon." (Rec. of U. Colonies, Sept. 1643.)
Mr. Webster and Mr. Welles are to take vppe of the Traders for Indian corn, the forfeitures due to the Country.

WENSDAY THE *DAY OF NO: 1643.

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

The Governor and Deputy are desiered to examine the Treasurers account and to assigne the bylls for the Country debts, what shall be allowed.

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

Mr. Branker is freed from watching & warding.

Whereas many clamors have been raised & spread through seurall pts of the Country, of some indirect proceedings of Mr. Smith of Wethersfield, both in Church administrations & in acting in the ciuell occasions of the Towne, whereby the peace of the Comon welth was disturbed, wch gave occasion to the Court to giue liberty to all who had any just greuences in ether kynd agt him to produce 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 vnder much guilt. But vppon a full heareing of all that was alledged 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 uniuist surmises. It was therefore, by vnanimos consent of the whole Court, Ordered, for pruention of the furtherspreading of the said reports wch tend so much to the prejudice of the publique peace and th' apparent wrong of Mr. Smith, That whosoever within this jurisdiction shall hereafter be convicted by the testimony of two witnesses, to continue or renewe any of the former complaints (most of the said greuences 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.

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**JANUARY 3d, 1643.**

The Courte takeing the state of or natieve Country into consideration haue Ordered, that there shall be monthly a day of humiliation kept 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 prpownded to stand in election for a Magistrate, the Court in Aprill.

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. every trayneing day, to the Clarke of the land, towards the mayntenaunce of drums & cullers.

The Court is adiorned for sixe weekes.

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**FEB. 14th, 1643.**

John Heynes Esq', Gou'.
Ed: Hopkins Esq', Dep.
George Willis Esq', 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 persons 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 inequality of measures that are vsed amongst vs, for the pruenting whereof, It is Ordered, that the Clarks in the seuerall
Townes wth are appoynted for the fixeing the said meausers 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 every tryall and sealeing, pruided 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 whosoever shall fayle to bring in his measure to the said Clarke at the tym & place appoynted shall forfeit 12d. for every default, wth forfeitures shall be gathered by the said Clarks, and they shall haue 4d. in the shilling to themselues; and if upon tryall any measure be found to little they shall cutte out the seale. 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 seuerall Chapmen, for commodities, at a cheper rate then they take yt att, For the pruenting whereof, It is now Ordered, that whosoever wthin these libertyes shall sell any Co'modityes or make any bargaine to be paid in Corne, after the publisheing this Order, shall take the said Corne att the Country rate.

[117] Whereas many complaynts are brought into the Court by reason of diu'rs abuses that fall out by seuerall p'sons that sell Wyne and strong water, as well in vessells on the Riuer as also in seuerall howses, for the pruenting 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, without license frî the p'ticuler Court or any two magistrates.

Whereas the Condition of these seuerall Plantations in these beginnings wherein we are, is such that necessity constraynes to improue much of the grownds belonging to the seuerall Townes in a co'mon way, and yt is obsearued that the publique & generall good, wth ought to be attended in all such improuemnts, receaues much prjudice through waint of a prudent ordering and disposeing of those seuerall Co'mon lands to such ways of improuement as are most pr't to the, and may best aduance the publique good, It is therefore Ordered,
that each Towne shall before the sitting of the next Court, choose from among these seven able and discreet men, who by this Order have power given them, and are required to take the common lands belonging to each of the several Townes respectively, into serious and sadde consideration, and after a through digesting of their own thoughts, sett downe under their hands in what way the said lands may in their judgement be best improved for the common good. And whatsoever is so decreed & determined by the said 7 men in each Towne, or any five of them, concerning the way of improvement of any such lands, shall be attended by all such persons that have any property or interest in any lands that shall be so judged by the said Committee.

And whereas also, much damage hath risen not only from the unruliness of some kind of Cattell but also from the weaknesse & insufficiency of many fences, whereby much variance and difference hath followed, which if not prevented for the future may be very prejudicial to the publique peace; It is therefore likewise Ordered, that the said 7 men so chosen, or at least 5 of them, 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 fines as they judge meet upon any as shall neglect or not duly attend their Order therein. And when fences are made and judged sufficient by them, whatsoever damage is done by hogs or any other cattle shall be paid by the owners of the said cattle, without any gainsaying 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 pruized that any particular man or men shall have liberty to inclose any of their particular grounds, and improwe the according to their owne discretion by mutuall agreement, notwithstanding this Order.

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[118] [A PARTICULAR COURT.]  
John Heynes Esqr, Gou'r.  
Ed : Hopkins Esqr, 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 tres-passe 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 Slander.

Jaruis Mudge

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

The said John Ewe is fined to pay five pound to the Country and ten pound to the Wyddowe Scotte.

[119] **The Court of Election, April, 1644.**

Edward Hopkins Esq', Gouv.
John Heynes Esq', Dep.
George Fenwicke Esq', George Willis Esq', Roger Ludlowe Esq', 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.

Upon the petition of Benedict Alford for reliefe agt the verdict given in by the Jury at the sute of Nath: Willet pl.
It is Ordered, that judg't 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 Marshfield's estate, by the proportion of other creditors, and what that falls short shall be borne by the said Benedict & Mr. Woolcott & Nath: Willet by equall proportion.

The Courts adiournd to the second Thursday in May.

**May the ixth, 1644.**

The Court is adiournd 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 occasion haue recourse to these Townes, and are streightened for waint of entertainment, It is now Ordered, that these seuerall Townes shall pruide amongst theselues in ech Towne one sufficient inhabitant to keepe an Ordinary, for pruissio 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, ech month ether Towne shall neglect yt.

Whereas many differences arise about dresseeing and measureing 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 dresseeing & cleanses of the grayne. The mesurer to be paid by the guilty p’ty.

Its Ordered that the two Peeces that came frô Piscataq’ shall be purchased for the vse of the Country; the Gouernour and Deputy are desiered to contract with the owners for th’.

Whereas by reson of the badnes and rottennes of much yarne and other defects that fall out in the ordering of yt, both lynnne and woollen, many weauers are discouiridged 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 trvail thereof, vppon complaynt made vnto th’; and whereas they are many tymes much hindred by seekinge 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 Wyndsoor.

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

Mr. Steele, Andrewe Bacon & James Boosy are to order &
or CONNECTICUT. 105

appoints some convenient house in Hartford, for the comly and suitable meeting of the Commissioners in September next, where-in they may agitate the affaires of the Combination.

Whereas many stubborne, refractory and discontented sear-uants and apprentices wthdrawe themselves from their masters searuces, to improue their tyme to their owne advantagge; for the pruenting whereof, It is Ordered, that whatsoever searuant or apprentice shall heareafter offend in that kynd, before their covenants or terme of searuce are expiered, shall searue their said Masters, as they shall be apprhended or retayned the treble terme, or threefold terme of their absence in such kynd.

For the pruenting 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 pty of 12 inches frō the diuident lyne, for breakeing of the ground 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 lower foote for a ditch, frō the diuiding lyne, for ether of the bordering ptyes where the ppor-tiō of fence belongs vnto the.

The Gour is desiered to returne an answere to the Towns of Stratford and Vnocoaua, of Mr. Ludlowe his letter conserneing his propositions made to the Court about the manner of Rateing & his chardges for Country employment.

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

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

Also, there shall be 2s. vid. payd for the Recording every Will and Inuentory that is vnder the soême of 40l. and iij. 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 mariedge of euery pson hereafter
married within their libertyes, and of the day of the birth of every child hereafter borne, to whose the parent of the child shall within three days after the birth of his child certify the day of the child's birth, and to whose every man that shall be married within three days after his marriage certify his marriage day, under the penalty of 5s. every default. The said Register is to receive vid. for recording the day of marriage & vid. for recording the birth of the child.

It is Ordered, that no Inhabitant within these libertyes shall suffer any Indian or Indians to come into their houses, except the Magistrates or Traders, who may admit of a Sachem if he come not with above 4 men; Only Vncus who hath been a friend to the English may come with 20 and his brother with 10.

The Order of the 8th of September, 1642, concerning trading with Indians, is repealed.

Whereas Mr. Mathew Allen hath presented several petitions to this Court for reliefe against the Church of Hartford, in regard of his censure of excommunication, wherein he affirmes he hath beene wronged by the said Church; It was the judgment of the Court that the said Allyn by his petitions and expressions in Court concerning the said business, 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 give answere thereunto.


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

Clement Chaplin pl. against Henry Smith and Samuell Smith defts, in an action of the Case. The pl. appeareth not.
Math: Allen plant, against Will' Lewis deft, in an ac. of the Case, to the damage of 14L.

Will' Whiting pl. agt David Wilton deft, in an action of the Case, to the damage of xL.

George Steele pl. agt John Carrington deft, in an action of the Case.

Nath: Willet pl. agt Will' Edwards deft, in an ac. of debt.

Will' Perwydge pl. agt Math: Allen deft, in an ac. of the Case.

Robert Howard pl. as attorney to Ed: Welles agt Will' Edwards, deft, in an ac. of debt.

Will' Edwards pl.

Daniell Frost

1. Will' Lewis pl. agt Mathew Allen deft, in an ac of the Case.

Tho: Osmore pl. agt John Plun deft.


Mr. Woolcot pl. agt Tho: Marshefield deft, in an ac. of the Case to the damage of 43L. Execution graunted.

In the ac. of Clement Chaplin pl. agt Henry Smith & Samuel Smith defts, the Jury find for the defts, costs of the Courts. One witnesse.

In the ac. of Mathew Allen pl. agt Wm. Lewis deft, the Jury find for the pl. that the deft is to pay rent according to his bargain with Will' Cornewell, as he was to pay, for the proportion of land he holds, for the terme of three yeres & a halfe paste, and 20s. 4d. costs.

In the action of Will' Whiteing pl. agt David Wilton deft, the Jury find for the pl. the deft is to returne the steere, and costs of Court 8s. vid.

In the ac. of Will' Perwydge pl. agt Math: Allen deft, Mr. Styles and Will' Pantry are the Arbitrators chosen to value the worke according to their last agreement; & w't Wm. Perwydge hath giuen security to p'rform the bargain, Math: Allen is to satisfe for the worke as the Arbitrators shall award.

[123] In the ac. of Robert Howard pl. agt Wm. Edwards deft, the Jury find for the deft, xis. vid. Costs.
In the act of Tho: Osmore pl. agt John Plum deft, the Jury find for the pl. fine pownd 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 act of Henry Woolcott pl. against Tho: Marshfield deft, the Jury find for the pl. 25l. xs. damages & costs of Court.

John Pratt is freed from watching, according to the promise of the General Court.

John Styles is fined, 2s. vid. John Sadler is fined, 5s.

Tho: Watts, for trayneing with a piece charged, is fined 20s.

Peter Blachfield is fined 5s.

Upon the further evidence that Tho: Steynton hath brought into the Court concerning a late suit presented agt him by Math: Allen pl., execution is respited until the next Court.

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

Benedictus Aluerd acknowledgeth himself bound in a recognizance of xl. to the Country, provided if in convenient time he prosecute the suit upon an attach he hath taken agt the goods of John Cooke or answer such damages as may upon his neglect or not making good the action, then this to be void.

Tho: Welles.

The 7 men who have power to Order Fences and set penalties, have the like power to grant execution upon the forfeiture thereof.

JULY THE 4th, 1644.

Mr. Hill is desired to assist the Gou'r and Deputy to audit the Treasurer's account.

There is a Rate of 100l. granted to be levied upon the three Townes.

[124]

AUGUST THE FIRST, 1644.

Ed: Hopkins Esq', Gou'r.

Mr. Webster, Mr. Whiting, Mr. Welles, Mr. Woolcott.
OF CONNECTICUT.


Ephl 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 Slaun der to the damage of 200l.

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

Mr. Wm. Whiting pl. agt James Whatly deft, in an ac. of the Case to the damage 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 Slaun der to the damage 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. damages 5l. according to the Arbitribers, leaving the former damages 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. damages 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. damages & costs of Court.

In the ac. of Mr. Whiteing pl. agt James Whately deft, the Jury find for the pl. damages 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. damages and costs of Court. Execution granted.
Edward Hopkins Esq., Gour.
Jo: Heynes, Esq', Dep.
George Willis Esq', Mr. Webster, Mr. Welles, Mr. Woolcott.


James Whatly pl. agt John Lattimore deft, in an ac. of Slaun-der.
James Whatly pl. agt Tho: Osmor deft, in an ac. of the Case.
James Whately pl. agt Richard Harris deft, in an ac. of slaun-der.

Will' Perwidge pl.

John Lattimor to pay 5s. dañages to James Wakely.
Rich: Mylls to pay 5s. dañages to James Northü.

The Inuentory of John Cattell was brought into the Court & by Will' Gybbins & his wyddowe to administer.
James Hallet, for his thefte, is adiudged 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 Wyndstor.

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

In the ac. of Math: Beckwith & Tho: Hungerford pl. agt Will' Edwards deft, the Jury find for the pl. dañages 20s. & costs of Court.

* Blank in the original.
September the 12th, 1644.

John Heynes Esq'r, Dep. Gour.
George Willis Esq'r, Mr. Webster, Mr. Whiteing, Mr. Welles, Mr. Woolcott, Capten Mason.

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

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

Mathew Maruen pl. ag't Peter Bassaker.

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

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


In the action of James Whatly pl. ag't Tho: Osmore defen't, the Jury find for the pl. dañages 4l. 12s. and costs of Court. Execution graunted.

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 wch he was to haue prued in Court, but hath neglected to make yt appeare, It is now Ordered, that he shall haue a coppy 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 propositions concerneing the mayntenance of mynisters, 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 Comissioners is confirmed, and It is Ordered that 2 men shalbe appoynted in every Towne wth this Jurisdiction, who shall demand what every family will giue, and the same to be gathered and brought into some roome, in March; and this to continue yearely as yt shalbe considered by the Comissioners.† The persons to demand what will be giuen are

For Hartford, Nathaniell Waard and Ed: Stebbing.

(to gather yt, Rich: Fellowes, Tho: Woodford.)

For Wyndsor, Will' Gaylard, Henry Clarke.

For Wethersfield, Mr. Trott, Mr. Wells.

For Stratford, Will' Judson, Jo: Hurd.

For Vncowae, Jehue Burre, Ephraim Wheeler.

For Southampton,‡ Mr. More, & Robert Band.

* "Whereas the most considerable persons in these colonies came into these parts of America that they might enjoye Christ in his ordinances, without disturbance; And whereas among many other precious mercys, the ordinances are & have beene dispensed among us wth much purity & power, The Commissioners took it into serious consideration, how some due mayntenance according to God might be provide & settled, both for the present and future, for the encouragement of the Ministers whose labour therein, & concluded to p'sound & commend it to each Gen'All Court, that those that are taught in the word in the several Plantations be called together, that everie man voluntarily set downe what he is willing to allowe to that end & vse; and if any man refuse to pay a meet proportion, that then he be rated by authority in some just & equal way; and if after this any man withholds or delay due payment the civil power to be exercised as in other just debts." [Recordsof U. Colonies, Sept. 5, 1644.]

† This "proposition of a gen'All contribution for the mayntenance of poore scollers at the Colledge 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 commended to the several gen'All Courts as a matter worthy of due consideration & entertainment for the advancement of learning, wth we hope will be most cheerfully embraced." Mr. Shepard, after requesting the Commissioners to consider "some way of comfortable mayntenance for that Schoole of the Prophets wth now is," suggests that "If therefore it were commended by you, & left to the freedom of every family wth is able & willing to give, throughout the Plantations, to give yearly but the fourth part of a bushell of corne or something equivalent thereunto,—and for this end, if a 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 faithful 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 feele any grievance hereby, soe it would be a blessed means of comfortable provision for the dyet of dyuers such students as may stand in neede of any 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 Governor, Deputy, Captain Mason, Mr. Steele, Mr. Gaylard & James Boosy are desired to treat with Mr. Fenwick concerning the setting of the Rivers mouth, to know upon what terms we stand with him in that respect, and also to consider what they think meet to be done for matter of Fortification there, and to take the first opportunity they can for the issuing of yea, and to determine and conclude with him as they shall judge meete.

It is Ordered, that all persons hereafter convicted upon delinquency shall bear the charges the Country shall be at in the prosecution of the.

It is Ordered, there shall be a public day of thanksgiving through this Jurisdiction, upon Wensday com fortnight.

It is Ordered, that all Collectors and gatherers of Rates, shall appoint a day & place and give reasonable warning to the Inhabitants to bring in their portions, upon which every man so warned shall duly attend to bring in his rate, or upon neglect thereof shall forfeit 2d. in the shilling for what he falls short, and the said Collector shall have authority hereby to distray the delinquents, or be accountable themelves for the rates & penalties so neglected by the.

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

Whereas yt is observed that the Dutch and French doe sell and trade to the Indians, guns, pistols and warlike instruments, It is now Ordered,† that no person within these liberties

* There being a question proposed of what esteem & force a verdict or sentence of any 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 General 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 better evidence or some other just cause appear to alter or make the same void; & that in such case, the issuing of the cause in question be respited for some convenient time, 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 consideration of the several jurisdictions, whether it be not expedient & necessary to prohibit the selling of the aforesaid ammunition either to
shall at any tyme hereafter sell neither gun nor pistoll nor any Instrument of warre, nether to Dutch nor French men, vnder the penalty of forfeiting twenty for one, and suffering such fur-
ther corporall punishement as the Court shall inflict.

A Generall Court, Novemb. the 15th, 1644.
Edward Hopkins Esq', Go'.
Jo: Heynes Esq', Dep.
George Willis Esq', 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, wth John Tynker and his partners, for the making pitch and tarre, p'ined they gather not their wood wthin halfe a myle one of another, and that what-
soever wood is or shall be gathered for that vse be imprued wthin three months after the gathering.

A Particular Court the first Thursday in December.
Ed: Hopkins Esq', Go'.
Jo: Heynes Esq', Dep.
Mr. Webster, Mr. Whiting, Capten Mason, Mr. Welles, Mr. Woolcotte.

Tho: Steynton pl1, against Math: Allen deft.
Rich: Mylls pl1, agt Will' Comstocke deft.
Mathew Allen plaintife, agt Tho: Hollibut deft.
Will' Hill pl1, agt Peter Bassaker deft.

French or Dutch, or to any other that doe commonly trade the same wth Indians." [Records of U. Col., Sept. 1644.]
OF CONNECTICUT.

Henry Densloe pl. agt Jaruis Mudge deft, in an ac. of Slaun-
der.
Math: Allen pl. agt Peter Bassaker defen'.
[131] An executiō 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 actiō of slander by Henry Densloe pl. agt Jaruis
Mudgge deft, the Jury find for the deft costs of Court.
Mr. Trott & Nath: Dickinson vndertake that Carrington
shall appeare wa the Court or the Gour shall call for him.
Mr. Ollister & Jo: Edwards vndertake that Robert Bedle
shall appeare at the Court at Hartford, uppon Thursday next.

Dec. the xth, 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 apprehensions 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.

Daud 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 fنع pownd to the Country.

In the absence of the officer of the Court, the Constable may
searue 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.
Whereas through the blessing of the Lord vppō the payne-full endeavours of these Plantations, incouridgement hath bine giuen for the rayseing some quantity of corne, whereunto many haue addicted theselues vppon hopes of receaueing some comforatable supply to their necessities thereby; But ptely through waht of opportunitie and fitte instruments to transport the same into forraigne prts, and partly the advantages that haue bine taken frō the multitude of sellers and their pinching necessities, the rate and price of corne is so little and the commodiety so vn-aylable 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 necessities call vs, but the complaints of the other Collonies, both of the Masachus- setts and Plymooth, by their Comissioners, who looke vppon theselues as much prejudiced by our ouerfilling their marketts, require the same at our hands; It is therefore, by generall consent, Ordered, and also agreed with the prtyes hereafter mentioned, that noe Englishe grayne shall for the two next yeres ensueing be sold to any out of this River, but Edward Hopkins Esq' and Mr. Willia Whiteing and such other Marchants as they shall take to the, who do vndertake to endeauor the transpor-tatiō thereof into some prts beyond the seas, and to make such improvement of the rest as opportunitie of these prts shall prsent, and to pay to the seuerall owners 4s. p' bush. for wheat, 3s. p' bush. for Rye, and 3s. p' bush. for pease; and it is pruided that halfe of that wch is transported this prsent 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
OF CONNECTICUT.

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 suitable Eng-
lishe commodities that may be procured for the necessary support
of these plantations; they are not to receive from, nor be ac-
countable to, any owner, under a 100 bush. And it is by
general consent Ordered, that whosoever upon this River
shall sell or send out any English corn, unless such as shall
appear at this present time to be truly and without deceit engaged,
but to the foresaid company of Marchts, shall forfeit the
one half of such grain so sold or sent out contrary to the
true meaning of this Order; and half of the grain so for-
feited shall be to the proprietor and behalf of he or they that shall
discover the same deceit, and the other half to the Country:
provided that any the Inhabitants of these Plantations may sell
or exchang the said English grain among themselves notwith-
standing this Order.

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

Ed: Harison for divulging slanderous speeches agt Mr.
Chester is fined 5l. to the Country.

[134] FEB: 5th, 1644.

Ed: Hopkins Esq'r, Gor.
Jo: Heynes Esq'r, 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 risen concerning unneces-
sary tryalls by Jury, and found by experience that many such suits
might be prevented if arbitrations were attended in a more pri-
vat way, according to the nature of the differences, wch is
recommnded by the Court to all the Towns of this Gouverment;

*The two entries following are repeated from page [131.]}
And for the regulateing of Juryes for the future, It is Ordered, that in all cases with are entered under 40$; the sute shall be left to be tryed by the Court of Magestrats as they shall judge most agreeable to equity & righteousness; and that in all cases that are tryed by Juryes, the Court of Magestrats shall haue liberty, if they doe not conceive the Jury to haue proceed according to their evidence, 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 evidence giuen in Court, it shall be in the power of the Court to impanell another Jury and committ 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 damages giuen in by the Jury, as they shall judge most equall and righteous.

But if any find these agrieued, ether by verdict of Jury, or proceedings of Court, they haue liberty to appeale to the General 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 under 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 appoynted 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. pruied yt be marchantable corne.

For the preventing of differences that may arise in the owning 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 severall 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 discoveres yt, and the other to the Country.
OF CONNECTICUT

Whereas yt is expressed in the late bairgen made wth the Marchants, that there shalbe noe Englishe grayne sould out of this Riuera to any other, It is the judgement of the Court and so Ordered, that whatsoever wheat shalbe grownd into meale or made into biskett, that all such meale and biskett shal com vnder the said bairgen, as also malte made of barly, pruised 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 allowed, eyther of thè, a negatiue voate. Also the p'ticular Court may be keepte by the Gouernour or Deputy wth † other Magistrats.

Whereas vppon an agreement lately contracted‡ by some deputed by this Jurisdiction wth George Fennicke Esqr, for and concerninge the Fort att the Riuers mouth, wth th'apartences and disbursements expended there by himselfe and others, this Jurisdiction is ingadge to pay to the said George Fenwicke Esqr, two pence p' bush. vppon all graine that shalbe exported out of this Riuera for ten yeares ensuing, after the first of March next, and six pence p' Ct vppon all biskett that shall in like manner be exported, as by the said agreement doth and may more fully appeare; For the p'venting 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 Riuera,

*Page [236] 24.
†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 provided for that end and purpose, wth such p'sons as by
this Order are appoynted to receaue the same, vnder the penalty
of forfeiting the on halfe of all such grayne or biskett that
shalbe laden wthout entring of the same as before; the on halfe
of that wch is so forfeeted, to be to the vse of the Country, and
the other halfe to him who shall discover the same and informe.
And it is Ordered, that ebery 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 pr bush.
and sixe pence pr Ct; 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 assigns;
the laders of the said corne being lefte notwthstanding, in all
bargains for corne made before this time, to compound or agree
wth those fr0 whom they receaueed the corne so sent away, or in
case of difference, to take any other lawfull course to haue the
said chardege of two pence pr bush. determined vppon who, ac
according 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 
byskett, shall depart from any of the seuerall Townes vppon
this Ruier, vntil the Mr thereof, or some fro him, haue taken a
[136] noate vnder the hand of him || that is deputed by this
Court for that searuice in the seuerall 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 pr Ct according to this Order, or satisfac-
tion giuen to Mr. Fenwicke or his assignes for the same; and
in case any Mr shal refuse or neglecte to take the said noate
according to this Order, yt shalbe lawfull for those who haue
the chardege of the Fort att Seabrooke to make stay of the said
vessell vntill the Mr, or some fro him, haue brought a noate or
certificate as is before expressed. And in case any such vessell
shall, in a surreptitious manner, gett free att the said Fort,
without a cleare dischardge fr0 Mr. Fenwicke or his assignes,
eyther the vessell or the Mr thereof shalbe liable to pay lower pence pr bush. for all graine and twelue pence pr Ct for all biskett that is exported with out deliuer of such noate as is before expresed, ye either the one or the other att any tyme returne agayne into this Riuer. And in regard to the conueniency of the sytuation of their howses, being neere the waterside, wherby the foresaid Records may be made and noates pr cured by those who yt may concerne, wth leste troble, Mr. Jo: Plum is appoynted and desiered to attend this searuice at Wethersfield, Edward Stebbing att Hartford and Walter Fyler att Wyndsoor.

And where as 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 euyry 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 euyry milch cowe or mare of 3 yeares old and vppwards. that is in any of the Townes or Farmes vpon this Riuer. twenty shillings for euyry hogshead of Beuer traded out of this Jurisdiction and paste away downe the Riuer, two pence for euyry pownd of Beuer traded wthin the lymittts of the Riuer, the foresaid payments to be made in Beuer, wampum, wheat, barly or pease, at the most common 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 euyry yeare, att or before the first day of the said month of March, vntill the tearme of tenn years be expired, such sofis as shalbe due from them vpon any of the foregoing prticulers; 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 apoynted to them by the said Trustees in ech Towne, vpon 48 howers warneing or notice eyther publickely or priuatly 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 grayne 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 so concealed by him, or the value thereof, the on half of which is so forfeited to be to the use of the Country, and the other half to 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 yeare, the first day of February, and those are to be esteemed milch cows as have given milk the yeare before.

[138] A Particular Court, March the 5th, 1644.

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


Andrewe Bacon and George Graues testify in Court, that they being wth Tho: Crumpe when he was sicke, not long before his death, askeing 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, defendant, the Jury find for the plaintiff six pounds, eleven shillings and six pence damages and costs of Court.

In the action of Tho: Steynton plaintiff against Math: Allen defendant, the Court having heard the witnesses, find that Tho: Steynton bought and paid for the blanketts left by Mr. Allensman for Hugh the millwright, and Mr. Allen ought to repay the money formerly taken by verdict of the Jury, yet in regard of Tho: Steynton's formerly pruritious,* not mowing the Court for longer tyme, thereby now occationing further troble and charge, the Court adiudgeth Math: Allen to pay to Tho: Steynton twenty shillings and the charge of this Court, and the other charge and losse to lye vpon Tho: Steynton.

Rich: Lord being convinced before the Court for altering an execution issued out, his misdemeanour therein is looked upon as an offence of a high nature, but conceauing yt a sudden, inconsiderat act, and finding him much humbled and affected therewith, giuing full acknowledgement of his Offence, he is adjudged to pay to the County five marke.†

Daniell Porter for his former thefte is fynded xx.$

The said Daniell, Willia Pantry & Rich: Lord acknowledge theselues bownd in the some of ten pownd to the Country; pruided the said Daniell appeare at the Court to be held at Hartford, the first Thursday in June next, then this Recognizance to be vvoid.

The Court takeing the cariedge of Jeramy Addoms into consideratiō, fynd his misdemeanoer great, in adhereing to Tho: Osmor in his misaphensions about the execution, and giuing him incouridgement by pruoking speches to resist the officer, but especially his passionat distempered speches, lowd language & vnmannerly cariedge in the face of the Court, to the great offence of the beholders, Require him to appeare at the next particular Court, there to receaue such censure as the Court shall conceaua his misdemeanour to desearue.

The Arbitration vpon the sute of Tho: Dewye plaintiff agst Tho: Ford defendant, is found good, and Tho: Ford is to pay the 36s. awarded therein and charges of the Courte.

Peter Bassaker acknowledgeth himselfe bownd in xx.l. to the Country, pruided if he appeare at the Court to be held in Hart-

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*Preromptoriness

† 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 kept 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 giuen to the contrary.

Tho: Osmore, for some expressions vsed by [him] tending to the derogatio of the justice of the Court vppon an execution issued out of the Court, is fined vil. 13s. 4d,

Robert Bedle, for his loathsu and beastly demeanor, is ad-judged to be brought forth the next lecture day, to be severely scourdged, and to be kept in the howse of correctiô 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 inueagle the affections of Mr. Hoockers mayde, is to be publiquely cor-rected the next lecture day.

The said Walter Gree hath forfeited*

[140] THE COURT OR ELECTION THE 10th OR APRILL, 1645.

John Heynes Esq', Gou'.
Ed: Hopkins Esq', Dep.
George Fenwicke Esq', Mag. Roger Ludlow Esq', Mag. Mr. Whiteing, Tres', Mag. Capten Mason, Mag. Mr. Webster, Mag. Mr. Welles, Mag., Secr. Mr. Woolcott, Mag.

[Deputies.] Mr. Steele, Mr. Talcoat, Mr. Trott, Mr. Ollister, Mr. Phelps, Mr. Gaylard, James Boosy, Sa: Smith, Tho: Newton.

John Byssel is freed frô Trayneing.


* This entry remains thus incomplete.
OF CONNECTICUT.

Whereas yt was Ordered, that the Towns should trayne 6 dayes in the first weeks of seuerall months, It is now Ordered, that the Capten may require the souldears to trayne 3 dayes att any tyme within the months of Aprill, May and June, and 3 dayes in Septéber, October & Nouébr.

James Boosy is chosen Clarke of the band for Wethersfield.

Henry Gray of Vncowae, for his many misdemeanors, is adjudged to be imprysoned 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 prticuler 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 Septéber.

Whereas there hath bine much dispute about the highwaye betweene Wyndsor and Hartford, wch hath bine lately vset in coming through the meadowe of Hartford carts & horses, to the anoyance and prjudice 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 horsse, be stopped vppe, and that the high waye 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 high waye to be amended by ech p'ty by sixe weeks or two months, vppon the penulty of twenty shillings p' week for that p'ty that fayles ether in the whole or in p'te, as long as it soe Iyes not sufficiently repaired and mayntayned; and at the sixe weeks end or two months end, Mr. Webster and Nath: Waird doe seriously surveye that p'te wch belongs to Wyndsor, and that Henry Woolcott the elder and Jo: Porter doe surveye that p'te wch belongs to Hartford, and certifie of the sufficiency of the said high waye, to the next prticuler Court, who are delinquents, and the penulty to be leuyed vppon the delinquent p'ty wthout any favor or affection, both for fayleing att the tyme aforesaid, as also for future the like penulty vppon the p'sentment of the insufficient mayntayneing thereof.

The Gouernour is content to goe twice this yeare to keepe
Court at the seaside (uppon 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 primit him to goe himselfe, he may appoynt some other in his stead.

The Gour & Deputy with Mr. Whiting, Mr. Webster and Mr. Welles, are desiered to determine and settle any differences that shall arise about the 2d. pr bush. to be paid for the Corne that shalbe exported.

The Court is adiorned vntill the 2d Wensday in Maye.

[141] MAY THE 13th, 1645.

It is desiered that the Gour, Mr. Deputy, Mr. Fenwicke, Mr. Whiting and Mr. Welles should agitate the business concerning the enlarggement of the libertyes of the Patent for this Jurisdiction, and if they see a concurrence of opportunityes, both in regard of England * they have liberty to proceed therein, att such resonable chardge 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 certifie to the Court by the said Comittee or the greater prte of them.

The Courts adioyrnrd to the 2d Wensday in July, or sooner if the Gour see cause to call yt.

JUNE THE 5th, 1645. THE Pticuler COURT.

Jo: Heynes Esq', Gour.
Ed: Hopkins Esq', Dep.
Roger Ludlowe Esq', Mr. Webster, Capten Mason, Mr. Welles, Mr. Woolcott.


In the action of slaunder of Tho: Sherwood the elder, pl. agaynst Henry Graye defen', the Jury find for the plan', costs of Court and damages twenty pownd.
In the 2d action of slander of Tho: Sherwood the elder, pl. agt Henry Graye defent, the Jury find for the plan costs of Court and damages fouer pownd.

In the action of slander of Tho: Sherwood the elder, pl, agt Jehue Burre the elder, def, the Jury find for the plan, costs of Court and damages fifteene pownd.

In the action of Jehue Burre the elder, plan, agt Tho: Sherwood the elder, defent, the Jury find for the defent, costs of Court.

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 fyneyed 20s.

George Tuckye, for his misdemeanor in words to Eglestons wife, is fyneyed 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 Commonwealth and George Tucky in 20l., that the said George shall appeare at the next Court, and keepe good behauior in the meanse 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 def*, in an actio of the Case, to the damage of 30l.

William Edwards pl. agt Jonathan Rudde, vppon an attach, 2s. 6d.

Will Edwards acknowledgeth himselfe bownd in a Recognizance of 5l. to prosecute & make good his actio.

Tho: Staples pl. agt Clement Chaplin def.

Rysly agt Watts. Basset agt Tharpe.

Chappell, the Taylar, [ag?] Southmead.

PUBLIC RECORDS

JULY THE 9th, 1645.

Ed: Hopkins Esqr, Dep.

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

[Deputies:—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 proceeded therein, and the Court doth approue of their p'positions, and desire they would take some speedy opt'unity for the full issueing and p'fecting the said bairgaine, and there is graunted by the Court a rate of 200l. to be leuied on the Plantations, towards the discargd of thereof; and Mr Talcott is desired to assiste the said Co'mittee therein, and to take care for the speedy accomplishm'e thereof, and to pruide any necessaries for the carieing on the same; the rate is to be paid in, in such grayne and att such prises as the Co'mittee shall agree to alowe the partyes they contract 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'te 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 50l. graunted.

[143] Mr. Fenwicke and Mr. Hopkins are chosen Co'missioners for the next meeting in September att Newhauen, and for this yeare following.

Its Ordered, that there shall be a letter directed frō the Court to desire Mr. Fenwicke, if his occasions will prnitt, to goe for Ingland to endeauor the enlarg'dment of Patten, and to further other advantages for the Country.
THE PARTICULAR COURT. JULY THE 12th, 1645.

Ed: Hopkins Esq'.

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 she accuseth to be the father of the child, is adjudged to keepe the child, and to be whipped, and vpon 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 chardge of his dyet is to be keept toward the mayntenaunce of the child.

John Coltman, for his misdemeanour and vnseemely cariedge toward Ruth Fishe, and disobeying the Gouernours commaund, is to be fyned fiue pownd.

Math: Williams, for committing fornication with Susan Cole, is adjudged to be twice whipped and to be fyned fiue 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, (demaunded by the powndkeep'r 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 impownded.

The laste will & testament of Edward Vere is brought into the Court.

SEP: 4th, 1645.

John Heines Esq', Gor.

Ed: Hopkins Esq'.

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 pl.
Will' Colefoxe, for his misdemean, is to be fyned xxs.
George Chappell, for abuseing the Constable and exceisse in drinkeing, is to be bownd to his good behauior and to be fined fiue pownd. 5l.
Will' Brumfield, for drunkenes and strickeing the watchmen, is to be bownd to his good behauior and fyned fifty shillings.
Mr. Chester, for resisting the Constable and other miscarriedges in the Court, is fyned forty shillings. 40s.
James Northâ is bownd in 10l., Will' Brumfield in 20l., that Will' Brumfield keepe good behauior and appeare the next Court.
Rich: Belding is bownd in xxl., George Chappell in 10l., that the sd. George keepe good behauior and appeare the next Court.

SEP. x1th, 1645. THE GEN'II COURT.
Jo: Heines Esq', Go'.
Ed: Hopkins Esq', Dep.
Roger Ludlowe Esq', Mr. Webster, Capten Mason, Mr. Welles, Mr. Woolcott.
Deputyes:—Mr. Steele, Mr. Talcoate, 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 desiered to cause the Constables of Hartford to bring in a just accoumpte of all the p'ticuler and seur'all chardges of the late warrs,* and for the support of Vncus. Mr.

* Against the Narragannetts and Niantics, for the defence and protection of Uncas and the Mohagens. This war was determined upon by the Commissioneres of the U. Colonies, at a speciall session in June, 1645, 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 Pesmacus, Ninegret
Roceter to doe the like for Wynd sor, Ja: Boosy for Wethersfield.

Mr. Whiting is desired to sell the provisions, and make pay to the souldears, and giue accounte for the reste.

The particular Courte is to be held the 2d Thursday of the next month.

The Gour and Mr. Hopkins are desired to speake or write to Mr. Fenwicke, that in regard there hath not bine a due accounte 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 delivery of the [145] corne att the Riuers mouth, that he will assent that a man may be chosen in ech Towne to rec. and lay vppe such corne as may be due to him vppon the said bargyne, wch shalbe in redines to be sent him att his demaund; and the Court doth agree that whoeuer doth shippe away corne wthout giueing due satisfaction, according to agreement, the whole shalbe forfeited, 1 to him, 1 to him that shall discouer the fraud, 1 to him that keepeth the accounte 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 Gour, 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 euery such swyne, to be paid by the owner to the pty that shall take the swyne so defectioue and impownd them. Also, all such swyne that are keept by Heards, in the woods, shall not be suffered to abyde above on night in the Towne, but yt shalbe lawfull to impownd them in case they com at any tyme home, frô 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.
OCTOBER THE viijth, 1645.

Jo: Heynes Esq', Gor.
Ed: Hopkins Esq', Dep.
George Fenwicke Esq', 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 wth the Constables there, and Mr. Roceter for
Wyndsor; and when that is done they are to bring thè to Mr.
Hopkins, who, wth 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 seurall Townes, that
what is due to any fró the Country, in any other respects, be
brought in to thè, and to ranke the said debts oweing vnder seuer-
all heads, both what is payable by this Collony, and ẃ belongs
to the whole combination, as also, ẃ may concerne the
seurall Townes of theseselves to dischardge; and to make returne
of the same to the next sitting of this Court, ẃ pruision shalbe
suddenly made to dischardge all the said debts in the best order
the Country can.

[146] The accoumpts of the seurall Townes are to be brought
in to Mr. Hopkins, ẃhin 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 ẃ all conventent speed to be issued
by him and the rest ioyned ẃ him, as before.

THE PARTICULAR COURTE. OCTOBER THE ixth, 1645.

Jo: Heynes Esq', Gor.
Ed: Hopkins Esq', Dep.

George Fenwicke Esq', 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. agt Ed: Hopkins Esqr, deft, the Jury find for the deft that he is no trespasser vpon a staunch water, and costs of Court & witnesses.

In the action of Ed: Hopkins pl. agt Will' Whiting and Rich: Lord defts, the Jury find for the pl. 42l. damages, and costs of Court & witnesses.

In the action of John Hewyt pl. agt Jo: Demon deft, the Jury find for the pl. 36s. damages, & costs of Court.

Jo: Demon is to pay Preston 20s. & to be comitted.

Math: Allen, for his mysdemeanor in Court is fined xl.

In the ac. of Tho: Staunton pl. agt Math: Allen deft, the Court adiudgeth Math: Allen to pay the pl. 14s. 2d. & costs of Court.

In the ac. of Hewyt pl. agt Demon, the Court adiudgeth Demon to pay 10s. to the pl. & to leaue 10s. wth Tho: Ford vtill yt appeare whether the other ptner were formerly paid 10s. and the costs of Court.

[147]  

December the first, 1645.

Jo: Heynes Esqr, Gour.
Ed: Hopkins Esqr, 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 bounds thereof shalbe as followeth; The Esterne bounds shall meet wth the westerne of these Plantations, wch are to be fiue myles on this side the great Riuier, and the Northern bounds shall be fiue myles frō the hill in the great meadow towards Masseo, and the Southerne bounds frō the said hill shalbe fiue myles, and they shall haue liberty to improve ten myles further then the said fiue, 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 Comittee to whō the same was referred, and other occasions, as the rest of the Plantations vppon the Riuuer doe. And Mr. Steele is intreated for the p'sent to be recorder there, vntill the Towne haue one fitt among thēselues. They also are to haue the like libertyes as the other Townes vppon the Riuuer, for making Orders among thēselues, prōvided they alter not any fundamentall agreements settled by the said Comittee, 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 Wyndsoř, 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 portion; Southampton 10l., who are to be warned to com to the Court in Aprill, where their due portiones may be determined; Seabrooke is to pay 15, and Tunxis xl.; Hartford, 136; Wyndsoř, 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'sent yeare, the noats that should be sent by each 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 giuen to the p'sons betrusted in the seuerall Townes thereof, vnder the penulties expresed in the agreement, who is ether to take p'sent pay for the same, or if he researue yt in the hands of those that are to discharde 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 shall be due. Ed: Stebbing is appointed for this service for Hartford, Walter Fyler for Wyndson, & Mr. Trotte for Wethersfield.

Nath: Dickenson is appointed to be Recorder for Wethersfield.

The Court is adjourned to the first Wednesday in February, after lecture.


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

In the action of defamation of John Pratte pl. agt Math: Allen defendant, the Jury find for the plaint. thirty pound damages and costs of Court.

In the action of the Case of Clement Chaplin pl. agt Samuell Smith defendant, the Jury find for the defendant, costs of the Court.

John Eauens pl. agt Mris Parks; agt George Chappell; agt Robert Burrowes.

Will' Boreman pl. agt Jo: Stadder.
Will' Boreman, for not prosecuting, is to pay the defendant 2s. vid.
John Westall is to pay Tho: Osmore five bush: of Indian corne, the charges of the Court & 2s. for witnesses.
John Westall is fined xs. for entertaining Brusfield.

Math: Williams is to let his wages that he is to have of Belding rest in his hands, until he take order for the keeping of the child laid to his charge by Susan Cole.

The estate of Sam: Wakeman deceased is settled on Nath: Willette, in consideration whereof he is to pay 40l. to the eldest sonne w'n he shall attayne 21 years of age, and 20l. a piece to the three daughters w'n they shall attayne the age of 18 yeares: if any dy in the mean, the portion is to be divided betwixt the survivors: the land to stand ingaged for the performance 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: Hurlebut, for the like is fyned 4l.

Elias Trotte, for accompanying the, and drawing wyne without liberty, is fyned 40s.

Will' Crosse, for hauing wyne sould in his howse without 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 Esqr, Gou'.

Ed: Hopkings Esqr', Dep.

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


The Will and Testament of George Willis Esqr', deceased, is brought into the Court by Will' Gybbins.

Wa Mr. Terry hath taken Oath & sent vp a copy of yt, that the accoumpte gien in by him is a trewe accoumpte, 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 pl¹, ag¹ Sa: Smith & Nath: Dickenson defen², the Jury find for the plant. dañages 2l. 5s. 4d. & costs of Court.

In the ac. of Clement Chaplin pl¹, ag¹ Tho: Coleman and Sa: Hales def², the Jury find for the plant. dañages 8d. & costs of Court.

* Subsequently added,—in the hand writing of John Allyn.
1. £5. 13s. 4d. The noble was equal to 6s. 8d. sterling.
John Byssell, as assigne to John Clarke, pl. agt George Chappell deft, 5d. xs. damage.

John Byssell & Ja: Eggleston plts, agt 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, agt George Chappell deft, the Jury find for the defen, costs of Court, and for witnesses, 14s. 4d.

In the action of Ja: Byssell & Ja: Eggleston plant. agt William Heyton deft, the Jury find for the plant. to be paid his portion of rayleing, three shillings per rodd, ditching 10d. per rodd, hedgeing 8d. per rodd; costs of Court and witnesses.

The Welchman Lewis, for pilfering Bunces corne, is fined 40s.

In the ac. of Berding agt Edwards, the Court adiudgeth Edwards to pay 5s. & charges of Court.

In the ac. of Chappell agt 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. agt Berding deft, the Jury find for the deft, costs of Court 7s. 4d. & witnesses, 4s. 8d.

Nath: Willett is to have execution against Mr. Trott for 3l. 6s. 8d. and to be quit of the 40s. damages and costs of the suit agt him by the sd Mr. Trotte.

Mr. Woolcott is desired to gather up the debts due to Tho: Marshefield & to husband the estate for the benefit of the creditors, and to be allowed reasonable satisfaction.

The Inventario 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 have the thirds, & the other two parts to be for the children.

[150] APRILL THE IXTH, 1646.

Ed: Hopkins Esq', Gouv'.
Jo: Heines Esq', Dep.
Roger Ludlowe Esq', Mr. Webster, Mr. Whiting, Cap-ten Mason, Mr. Woolcott, Mr. Welles.
[Deputyes:] Mr. Steele, Mr. Talcoate, Mr. Westwood
Andrew Bacon, Mr. Phelps, Mr. Gaylard, Mr. Hull,
Dauid Wilton, Mr. Trotte, James Boosy, Sa: Smith,
Nath: Dickenson, Jehue Burre, Anthony Wilson, Tho:
Fayerchild.

The Court desiers that the Co̅missio"s should be moued that
noe A̅munion should be traded w̅th any that liue out of the
Jurisdictions in combinati̅o, whereby yt might supply the In-
deans, and that some consideration be taken to restrayne Roade
l̅and fr̅o trading w̅th the in such kynd.

Whereas Tho: Thornton of Wyndso̅r, by haueing his men
suddenly taken offe their cauleing, may susteyne great losse,
the Court hath freed him fr̅o Trayneing, and desier the Magis-
trats to take his condition into serious consideration, that he
might not be put to extraordinary hassard by employing his men
in publique searui, and the Capten hath liberty to free his
workemen fr̅o one dayes trayneing, pr̅uided they supply yt in
the Artillery. This not voted.

Whereas, there is liberty giuen to the Magistrats to mittegat
or increase damages 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. & deft, or affe-
daut made that they haue bine so̅moned to appeare.

Fayerfield ac̅ecepta against a Jury of sixe, but subject to that
p̅te of the Order that 8 of 12 may giue in a verdicte.

It is Ordered, that if any pr̅son w̅thin 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 Co̅mon welth, nor to searue on the Jury, vntill the
Court shall manifest their satisfaction.

Whosoeuer shall be com̅mitted for delinquency shall pay two
shillings sixe pence to the keep̅r of the pryson

To moe the Co̅missio"s to make some pr̅ussion ag̅t incorri-
gible̅nes.

Mr. Ludlowe is desiered to take some paynes in drawing
forth a body of Lawes for the gouernment of this Co̅mon welth,
& pr̅sent th̅e to the next Generall Court, and if he can prouide
a man for his occasions while he is imploied in the said sear-
uice, he shalbe paid at the Country chardge.
Its desiered by the Court, that the Magistrats would take course that all male persons above 16 yeares of age should take the Oath of Fidellity: and that three Magistrats may give the said Oath & make Freemen, (vpon certificatt of good behauior, as is prouided 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 Gour and Deputy are desiered to be Comissior's to joyne wth the United Collonyes for the meeteing in Septeber 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 bee need thereof, to be paid by the Townes of the Riuer.

It is Ordered, that there be two prticuler Courts held the next proceeding 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 Riuer and the Townes by the sea side be more comfortably attended.

John Maynard' and Willia Westly are freed frō 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 comitted against the said Order or Orders, ether to aggrauat or lessen the penulty according as the nature of the offence shall require.

Its recofined to the seuerall Townes seasonably to attend the colection for the Colledg, and send it thither in conuenient tyme.

Mr. Hopkins and Mr. Whiting discouering to the Court the wrong rec'd frō some Indeans in stealeing of theire 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 refered to Mr. Deputy and Capten Mason to take consideratiō 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 deuided.

The Freemen finding yt inconuenient to attend the Court of
Election the second Thursday in April, haue ordered yt for
hereafter to be keept the third Thursday in May, and the
Magistrates to hold vntill that day.

Samuell Marten and Willia Androwes acknowledge theselues
to be bownd to this Commonwealth 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
aboardea vessell at Hartford, which departed the harbor without
entring the said corne according to Order; then this Recogni-
zance to be voyd, els to stand in force.

[152] JUNE THE 5th, 1646.

Jo: Heynes Esq'.
Mr. Webster, Mr. Welles, Capten Mason, Mr. Wool-
cott.

The Jury: Tho: Ford, Rich: Goodman, Joseph Magote,
Arther Smith, Frances Styles, Jo: Drake, Roger Willins,
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 damazes & cost of Court.

The Jury found these preells of Corne, forfeited:

Mr. Woolcott, 28 bush. Codman, 6. Lamton, 1. 1p.
Mr. Eauens, 48. 2p. Jo: Lord, 2. North, 3. Cole-
man, for Smith, 20. Wm. Williamns, 2. Jo: Wyet,
11. 2p.

In the ac. of Borman pl. agt Stadder deft, the Jury find for the
pl. 5s. damazes & cost of Court.

John Drake, for his misdemeanar in prophan execrations, is
fyned 40s.

Jo: Carpentor, for breaeking into Will’ Gybbins his howse
& drynkng wyne, is fyned 10l. & stands bownd to his good be-
havior, & 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 behavor, & Will' Gybbins stands bownd for their
good behavor in 20l. & for their appearence w" the Court
cualeth for the.

Stephen Davies & Symon Smith, for the like misdemeanor,
are fyned five pownd a peece & stand bownd to their good be-
hauior in 20l. a peece, and Will' Gybbins for the in 20l. & for
their appearance w" the Court cauleth for the.

Rich: Belding stands bownd in 20l., Robert Rugge in 40l.,
that Rugge keepe good behavor & appeare the next Court.

Execution was graunted John Pratte agt Mr. Allen, and re-
turne made that yt was executed.


Ed: Hopkins Esq', Gour'.
Capten Mason, Mr. Webster, Mr. Welles, Mr. Wool-
cotte.

[The Jury :] Mr. Phelps, Tho: Ford, Will' Lewis, Jo:
Barnard, George Graues, John Hollister, Jo: Demon,
Will' Gybbins, Sa: Smith,* Jo: Latimore, Mr. Stoughton,
Ro: Wynchell, Ro: Hewyt.

In the action of slander of John Robins pl. agt Leonard
Chester deft, the Jury find for the pl. xijs. dammages & cost of
Court & witnesses.

Rich: Coldecotts ac. agt Frances Styles is wthdrawen, and
the latter Articles to be 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. Sal-
tingstall & Frances Styles, or to choose a fifth man if they dis-
agreed, 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.

Coop for his misdemeanor in inuigleing the affectns of Mr. Lee his mayde, wthout her Mr consent, is to pay Mr. Lee 20s. damages & 20s. fyne to the Country.

John Perkins & Tho: Coop vndertake & p'mise to pay 20s. to this Co'mon welth & 20s. to Mr. Lee, by the last of March.

In the actio of Clement Claplin p't agt Dickerson etc. the Jury find for the pl. xs. dañages & cost of Court & witnesses.

Robert Bartlett, for his grosse misdemeanor in slaundring Mris Mary Fenwicke, is to stand on the Pillory, Wensday, dureing the lecture, then to be whipped, & fyned fiue 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 Coun-
try wthin 2 months, for Stephen Dauis his fyne.

Tho: Osmore vndertaks to pay fiue pownd for John Carpen-
ter wthin 2 months, and fiue 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 certified 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 Coun-
try, to bring in Sa: Drake to the next Court.

Elinor Watts, for the like misdemeanor 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 p'sently whipped, and to be brought forth a month hence at Wethersfield, and there whipped.

Elizabeth Fuller, for co"mitting fornication, is to be seuerely corrected.

Sa: Drake is fyned five pownd for concealing Jo: Neuie (?) when he brake pryson.

Ro: Bartlett, for giueing ill counsell to the prysoners, adviseing they should not peach Drake, is to be whipped.
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 bound in a recognizance of 10l. to make good his attach'd 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 frō Trayneing.

[156] October the 29th, 1646.

Ed: Hopkins Esq', Gov.
Jo: Heynes Esq', 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 double of what shall be proved agt him, as yt shall be judged by Mr. Woolcotte.

The ac. of Mr. Whiting pl. agt Sa: Smith is respited untill 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 Attach'd 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 defendt, the Jury find for the deft, coste of Court.

Kircu & Carrington are to pay 30s. to the administrators of Vere, for their bargain 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 appprehend the circumstances on the other side rather the stronger: 1. The pty of who he bought the horse said he knew not of the lamenes: 2. the price giuen might intimat soundness; 3. seuerall that rode 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 fro his mouth, that he said he was lame.

[157] October the 30th, 1646.

Ed: Hopkins Esq, Gor.
Jo: Heynes Esqr, Dep.
Mr. Webster, Mr. Welles, Mr. Whiting, Capten Mason, Mr. Woolcott.
[Deputyes:] 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 Riuer, by whô & where they shall see cause.

The Order of the Commisioners concerninge the restreyn 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 Commisioners was confirmatory of that made in 1644, (see p. 113, ante) which had been approved by the General Court 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 lycense under the hands of two.
The Order concerned the proceeding against Indians is confirmed.

There is allowed for the searching of executions 2s. 6d. if under 40s. and 5s. if above.

Whosoever draws wine after the publishing this Order, shall pay to the Country after the proportion of 40s. a Butt for what shall be drawn.

Mr. Phelps is appointed to join with the Committee for the planting Matabaseke.

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JA: 28th, 1646.

Ed. Hopkins Esq.' Go't.
Mr. Webster, Mr. Whiting, Capten Mason, Mr. Welles, Mr. Woolcott.

[Deputyes:] Mr. Steele, Mr. Talcoat, Mr. Cullicke, Mr. Westwood, Mr. Trott, James Boosy, Nath: Dickenson, Jo: Demon, Mr. Phelps, Mr. Stouton, Mr. Clarke, Mr. Porter.

The Order concerned paying 5s. a pound for taking Tobacco not growing within this Jurisdiction, is repealed.

Richard Lord for transgressing the Order against selling lead out of this Jurisdiction, is fined seven pounds.

magistrates of the jurisdiction, or at least under the hands of one magistrate and two deputies, interested in the public affairs, & that all & every such license shall from time to time be kept in a book or memorial in writing, that all the parcels or particular, with the quantities soe licensed, the persons to whom, the grounds for which, upon occasion may be considered by the General Courts, or Commissioners for the Colonies." (Rec. of U. Colonies, Sept. 1646.)

Providing, that in case of "wilful & hostile practises against the English, together with the entertaining, 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 & valour of the offence & damage, seize & bring away any of that plantation of Indians that shall entertain, protect or rescue the offender, though it should be in another Jurisdiction, when, through distance of place, commission 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; only women & children to be sparingly seized unless 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 seizure, the delinquent or satisfaction should again be demanded of the Sagamore or Plantation of Indians guilty 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 indemmed, either to serve or to be shipped out and exchanged for Negroes, as the cause will justly bear." [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. five pound.

Dauid Wilton, for the brech of the same Order, is to forfeite the lead wch was attached at Wethersfield, being 131 pound.

Nath: Waird is freed frō trayneing and warding, so long as the infirmity he complaynes of remayneth vppon him.

The Goue and Mr. Whiting are desiered to attend the place of Comission for the United Collonies, for this next yeare.

There is a Rate of 30l. graunted for the Fort.

MARCH THE 4th, 1646.

Ed: Hopkins Esq', Goue.

Mr. Webster, Mr. Welles.


In the ac. of Joseph Nubery plt, agt Ambrowse Fowler deft, the Jury find for the plant, fower pownd xs. & costs of Court.

In the aciō 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.

MAY THE 19th, 1647.

Ed: Hopkins Esq', Goue.

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: Waird.

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 def', the Jury find for the pl. debte 15l. iiis., 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 defendants are to pay 20s. & costs of Court.

Henry Densloe is to attend agayne the next Court, and Wilcox to pay him 5s. for not prosecuting this Court.

In the ac. of Mr. Whiting pl. agt Sa: Smith def't, 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 def't, the Jury find for the pl. 31s. 3d. damages, & costs of Court.

MAY THE 24th, 1647.

Roger Ludlowe Esq', Moderator.

Mr. Woolcoat, Mr. Welles.

In the ac. of Mrs Willis pl. agt Francis Styles deft, (Mr. Roceter appeared for Mr. Styles,) the Jury find for the pl. 340l. damages & costs of Court.

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MAY THE 20th, 1647.

Jo: Heynes Esq', Go'. Edward Hopkins Esq', Dep. Go'.

George Fenwicke Esq', 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' Wilcoxsö, Stephen Hart, Tho: Judde.

It is Ordered, that the three Townes on the Riuver & Tunxis shall pay tenshillingsto whosoeuer shall kill any Woolfe wthin any of their libertyes, & so to pay for euer yowle that shalbe kyld wthin the term of one yeare after the date hereof.

Forasmuch as diuers inconueniences fall out by letting land to the Indeans, whereby they mixe theselves in their labours wth the Inglish, 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 Inglish after the last of October next, pruided notwthstanding that such natyves as haue caried theselves peaceably, and wch will subiecte theselves 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 Inglishe, shall have provision for planting upon reasonable terms sette forth for them.

James Pyne hath forfeted his recognizance, for not appeareing at the Court held at Hartford the 20th of May.

James Harwood also hath forfeted his recognizance.

An Attaché 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 every Generall Court, excepte such as through neglecte of the Gor & the greatest p'te of Magistrats the Free-men theselves doe call, shall consiste of the Gor or some on chosen to moderate the Courte, and 4 other Magistrats at lest, w'th the maior p'te of the deputyes of the severall Townes, legally chosen, w'h hath bine conceaued, that by the example thereof no p'ticuler Court might be keept ecepte the Gor or Dep: Gor & 4 Magistrats were p'sent, w'h 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 Gor or Deputy & 4 Magist: noe p'ticuler Court may be extant to administer justice according to the law of God and humane pollicy, w'h is now [168] conceaued to be contrary to the trewe meaning || of the said former Order, It is therefore now declared and so Ordered, sentenced & decreed, that the Gour or Dep: Gor w'th 2 Magistrats shall haue power to keepe a p'ticuler Court, according to the lawes established, & in case the Gour or Dep: Gor be absent, or some waye or other incapable ether to sit or to be p'sent, if three Magistrats meete, and choose on of thetheselves to be a moderator, they may keepe a p'ticuler Court, w'h to all intents & purposes shalbe deemed as legall, as though the Gor or Deputy did sitte in Courte, and all other Orders that haue bine heretofore in that case made shalbe reduced to this Order.*

It is Ordered, that there shalbe a gard of 20 men, euery Sabbboth 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 number of men increase in the Townes, the gaurd is to encrease.

* [In margin.] "Added to the 10th fundamentall."
MAY THE 25th, 1647.

The Estreits for the leeuing of Fynes shall goe forth once evey yeare, both in the Townes on the River and by the see-side, and some officer appoynted in eche place to leuy and receueth the and the accoumpts to be giuen in by the seuerall Plantations of their generall chariges at the Court in Septeber, for the p'secting of the accoumpts betwixt them. Mr. Ludlowe is desiered to graunt out warrants for the fynes by the see-side.

Vpon the makeing vppe of the Rates betwixt the Townes by the see side, for the last Rate, ther was found to be due fro Straford, 9l. iis. 2d.; fro Fairfield, xil. 14s. 8d.; these Townes being alowed what they had expended vpon the preparations of the late warrs, but other expenses shalbe alowed out of the Fynes when the accoumpte of the shalbe brought vppe.

Its the mynd of the Court that ther should be pruision made for entrtayneing the Magistrats during 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 millitary officers & prsent the to the prticuler Court, but such only shalbe deemed Officers as the Court shall confirme.

The chiefe officer in euey Towne shall appoynyt the dayes of Trayneing alowed by Order of Court.

WHEREAS it appeares that divers, to defeate and defraude their creditors, may secretly and vnderhand make bairgens & contracts of their lands, lotts and accoynodations, 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 accoynodations, and so recour satisfaction for his debte, he is wholly deluded and frustrated, wch is contrary to a righteous rule, that euery man should pay his debte with his estate, be it what yt wilbe, ether real or prsonall; 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 prue non soluant in his prsonall estate, to repair to the Register or Recorder of the Plantation wher the lands, lotts or accoynodaions lyes, and enter a Caueat against the lands, lotts and accoynodations 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 summons against the said debtor, and in due form of law the next particular Court, either for the whole Collony or for that particular Plantation where the said lands, lots and accommodations lies, or the next Court ensuing, declare against the said debtors lands, lots & accommodations; and so if the creditor recover, he may enter a judgment upon the said lots, lands and accommodations, and take out an extent against the said land, directed to a known officer, who may take two honest & sufficient men of the neighbours, to apprise the said lands, lots & accommodations, ether to be sold out right if the debt so require, or sett a reasonable rent upon the same, vntill the debt be payd, and deliver the possession there-of ether to the creditor or creditors, his or their assigne or assigns, 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 done the same; provided that if the said debtor can then presently procure a Chapman or Tenant, that can give to the creditor or creditors satisfaction to his or their content, he shall have the first refusall thereof. Also yt is declared, that he which first enters Caueat as above said, and his debt being due at his entering the said Caueat, shall be paid first, and so euer creditor as he enters his Caueat and his debt becom due, shall be orderly satisfied, vnlesse at the next Court yt appeares the debtors lands, lots and accommodations true insufficient to pay all his creditors, then euer man to have a suitable portion to his debt out of the same, and yet notwithstanding euer man to receive his proportion according to the entry of his Caueat; yet this is not to seclude any creditor || to recover other satisfaction, ether upon the person or estate of the sayd debtor, according to lawe and custum of the Collony.

And also yt is further decreed, that what sale or bargaine soeuer the debtor shall make concerninge the said lots, lands and accommodations, after the entering of the said Caueat, shalbe void as to defraud the said creditors. It is also further explyned and declared, that if the said debtor be knowne to be an insoluant man before the first Caueat entered against the said lands, lots & accommodations, and the same appeare at the next
pr ticuler 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 &
accomodations; otherwise, if the said debtor prove insoluant
after the first Caueat entered, then this Order to be duly ob-
searued, according to the p'tmisses and true intent and mean-
ing thereof. It is also further declared and explyained, that the
Recorder or Register of the said Caueat shall, the next pr ticuler
Court as aforesaid, returne the said caueats that are wth him,
at wch tyme & Court the enterer of the said Caueats shalbe
caued forth to p'secute the next pr ticuler Court follow-
ing; and if the enterer of the said Caueats sayle to p'secute
according to this Order, the Register or Recorder of the said
Caueat or Caueats shall putt a vacatt vpon 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 comitted
by frequent takeing Tobacco, It is Ordered, that noe p'son
vnder the age of 20 years, nor any other that hath not allready
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 frö the Court
for the same. And for the regulateing those who ether by their
former takeing yt haue to their owne app'hensions made yt
necessary to thे, or vppon due adviue are p'suaded to the vse
thereof, It is Ordered, that no man wthin this Collony, after the
publication hereof, shall take any tobacco publicquely in the
street, nor shall any take yt in the fyelds or woods, vnlesse when
they be on their traull or joyrny at lest 10 myles, or at the
ordinary tyme of repast comonly 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 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 pr ticulers
thereof, to be payd wihout gainesaying, vppon convictrö 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 Court of such as they doe understand and can evict to be transgressors of the Order.

And for the preventing that great abuse which is creeping in by excessive in Wyne and strong waters, It is Ordered, that noe inhabitant in any Towne of this Jurisdiction shall continue in any common victualing howse in the same Towne wher he lieth above halfe an hower att a tyme in drinking 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 proportion of three to a pynt of sacke. And it is further Ordered, that noe such wyne drawer deliver any wyne, or suffer any to be deliverd out of his howse to any who com for yt, vnlesse they bring a noate under the hand of some on Mr 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 accounte of their doings herein when they are cauled thereto, under Censure of the Court, in case of delinquency.

When Mr. Ludlowe hath perfected 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 with any others shall make tryall and prosecute a designe for the takeing of Whale, within these libertyes, and if vppon tryall within 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 pl. ag, John Dawes, the Jury find for the pl. 4l. & costs of Court.

Henry Densloe is bound in a Recognizance of 20l. to appear the next Court.

Mr. Math: Allen & Tho: Newton acknowledge themselves bound in a Recognizance of a 160l. to the Court, to save the Court & such debtors harmless & indemnified from any danger, losse or inconvenience that may befall 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 acknowledged to be paid,
by Dauid 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 vppó suñons, is fyned 40s.

Tho: Newton, for his misdemeanor in the vessell cauled the Virgin, in giueing Phillipe White wyne wth 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 amunition wch this Coñon welth by a Coñitte haue formerly bought of George Fenwicke Esq', 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 prticulers soe deliuered.

It was then further Ordered, that Capten Mason should for the peace, safty and good assurance of this Coñon welth, haue the coñaud of all souldears and inhabitants of Seabrooke, and
in case of alarum or daynger by approch of an enimy, to drawe forth or put the said soulears & 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 upon a voyadge att sea, be by Prudence prevented of his intended returne, then Capten Mason to be on of the Comissiörs for this Jurisdiction, and to attend the searueice this yeare wth the Comissiörs of the United Collonyes, in the Bay or elsewhere, at the tyme or tymes appoynted.

Whereas Capten Mason, at the spetiall instance & request of the inhabitance of Seabrooke, togerther wth the good likeing of this Comon welth, did leave his habitatiö in the Riu̇ and repaire thither, to exercise a place of trust, It is this day Ordered, that his former sally of 40l. pr ann. be continued, and after ech of the terms yt hath bine formerly dewe, then at 20 dayes warneing yt be put abord some vessell or vessells as himselfe shall appoynd.

Memorandum. Wn the Capten doth rec. the guns & millitary ammunition, he must deliuer a bill of the pticulers to the Regester, to be keepte as a record for the Country.

The prportions for the composition for the Fort for the full Tearme of 10 yeares is as followth:—

<table>
<thead>
<tr>
<th>Place</th>
<th>Prty of Wheat</th>
<th>Prty of Pease</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>60l. 5s.</td>
<td>½ prte wheat</td>
<td>½ prte pease, ½ Ry.</td>
</tr>
<tr>
<td>Tunxis</td>
<td>15. 5</td>
<td>in the same kynd.</td>
<td></td>
</tr>
<tr>
<td>Wyndsor</td>
<td>45.</td>
<td>½ wheat, ½ pease.</td>
<td></td>
</tr>
<tr>
<td>Wethersfield</td>
<td>49. 10</td>
<td>½ prte wheat, ½ prts pease.</td>
<td></td>
</tr>
<tr>
<td>Seabrooke</td>
<td>10.</td>
<td>the same as Hartford.</td>
<td></td>
</tr>
</tbody>
</table>

[169] Sep: 2, 1647.

Ed: Hopkins, Esq'.
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.
OF CONNECTICUT.

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 severall attempts of bestiality;*.

John Gynings for resisting the watch severall tymes is fined 40s. and to find surtyes for his good behauior.

Peter Bassaker for resisting the watch is fined 20s. and to find surtyes for his good behauior.

Tho: Hubbert for refusing to watch is fined xs.

SEP. 9, 1647.

Ed: Hopkins Esq'.

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, Liuet Boosy, Sa: Smith, Nath: Dickenson.

Thers liberty giuen the Comiissiō to forbeare their sett meeting att Septéber, pruised they meet once in the yeare.

Also, if no more then syxe of the Comiissiō 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 100L graunted.

Capten Mason & Jo: Clarke are desiered to carry on the building of the Fort, by hireing men or Cartts or other necessa- ries. They are al owed to make vse of the last Rate to be paid by Seabrook.

The Court thinks meet that a Comiission be directed to Mr. Wynthrop, to execute justice according to or lawes & the rule of righteousnes.

* A line omitted.

15
The deuisio of the Rate:

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>35l. 10s.</td>
</tr>
<tr>
<td>Wyndor</td>
<td>24l. 10s.</td>
</tr>
<tr>
<td>Wethersf</td>
<td>24l.</td>
</tr>
<tr>
<td>Seab</td>
<td>8l.</td>
</tr>
<tr>
<td>Farm</td>
<td>8l.</td>
</tr>
<tr>
<td></td>
<td>100l. 0s.</td>
</tr>
</tbody>
</table>

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., pruied 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 Esq', Dep: Go'.

Mr. Webster, Mr. Woolcoate, Mr. Welles.


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 isto 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. daamaged & coste of Court, and for witnesses 30s. The defent to make imrouement of the goods that miscarried, for his owne vse.
DECEMBER THE 2d, 1647.

Ed: Hopkins Esq
t, Dep: Gor
.
Mr. Webster, Mr. Woolcoate, Mr. Welles.

The Jury: Mr. Trotte, Mr. Talcoate, Tymothy Standly,
John White, Tho: Osmore, Lietenant Boosy, Sa: Smith,
Tho: Coleman, Henry Clarke, Mr. Hill, Mr. Hull, Jo:
More.

The Jury find the bill of indictment agt John Nubery, that
he is guilty of buggery.

James Whatly, for his contempte in not watching, is fyned
3s. 4d. & the chardge of witnesses.

In the actiο of James Whatly pl. agt Tho: Coleman, the Jury
find for the deft, cost of Court and witnesses.

In the actiο of George Steele pl. agt Will' Corbit deft, the
Jury find for the plt 20s. daɱages and cost of Court.

In the 2d actiο of George Steele pl. agt Will' Corbit deft, the
Jury find for the plt 10s. daɱages, and cost of Court.

Mr. Woolcoate is to giue notice to Tho: Marshfields credit-
ors to pfrfect the diuissiο of the remaynder of that estate in his
hands, by the 24th of June next.


Ed: Hopkins Esq
t, Dep: Gor
.
Mr. Webster, Mr. Woolcoat, Mr. Welles.

[Deputies:] 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 daɱag
many tymes ensued, by coɱerce wth seuerall p'sons; For the
pruenting whereof, yt is now Ordered, that no man wthin these
Libertyes shall, after the publisheing this Order, sell any coɱ-
odity but by a sealed wayght 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 wayght or measure is to be
accompted authentickie that is not sealed or approued by the
Clarke once every 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.


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 adjudge 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 Comon welth in a Recognizance of 20l. and Mathew Allen in xl., provied that the said John Moses appeare at the next prticuler Court and keepe good behauior 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 charldges in keepeing the prysoneers.

There is a liberty giuen to lett any grownd on the east side the great Riuer and in the Iland, to such Indeans as haue giuen in their names to the Dep: Gor, and if that prue to little it is llefte to the Gor to dispose of the as he shall see cause.

The Court thinks fitt that Massacoe be purchased by the Country, and that ther be a Comitte chosen to dispose of yt to such inhabitants of Wyndsoor as by thee shalbe judged meet to make improuement therof, in such kynd as may be for the good of this Comon welth, and the purchase to be repaid by those that shall enjoy yt, wth resonable allowance. Mr. Hopkins is intreated to be one of the Comittes and Mr. Webster another; and Mr. Steele, Mr. Talcoate & Mr. Westall to vew the foersed grownd and assist in the dispose therof.

Whereas by former Order there was 2d. pr pownd laid vpon every pownd of Beuer traded wthin the libertyes of these Plantations vpon the Riuer, that hath not hitherto been prformed, It is now Ordered, that whosoeuer hath traded any wthin these libertyes the last yeare, or shall herafter trade any wthin the tyme specified in the foersed Order, That they giue notice thereof to Mr. Hopkins before they export yt downe the Riuer, vnder the penulty of forfeting 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 yeaare & halfe, and 40l. to Math: Gressell, and the rest for the Comittee for the Fortte.

The diuision is, for Hartford, 53. 5s.
Wyndsoor, 36. 15.
Wethersfield, 36. 0.
Seabrooke, 12.
Farmington, 12.

Whereas by reson of many waighting occasions, expences and charldges 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 Gort 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 Caeuat put in agt both Wills by Sam: Gardner.
The Wyddow of John Elson is alowed to administer.
Sa: Smith giueth security for the estate.
Theo: Coleman vndertaktes the estate of Abraham Elson shalbe
preserued vntill the Court settle the administration.

[174]

[The date of this Court is not given.]

Ed: Hopkins Esq'.

Mr. Webster, Capten Mason, Mr. Woolcott, Mr. Welles.
The Jury: John White, Willia Lewis, Willia Woodworth,
Tho: Osmor, Theo: Coleman, Mr. Hill, John Byssell,
Math: Graunt, Walter Fylr, Sa: Hales, John Demon,
Phillip Groues.

In the action of Sarah Lord pl. agt Willia Venison* deft, the
Court adjudgeth the deft to pay the pl. 14s. 10d. dañages &
costs of Court.

In the actiof 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 Trible accepteth of Math: Gryssell his Oath and is con-
tent 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 syned 5l.

In the action of Math: Gryssell plt agt Tho: Olcoat deft, the
Jury find for the plt, 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 subse-
quently. The Inventory of John Elsen was taken May 16th.

* Vincent 7
or concur. Mr. Olcoat be fully satisfied, the pl. is to receive backe 30l. of the deft., and costs of Court.

In the action of Ed: Highy pl. agt James Whatly deft., the Jury find for the defent, costs of Court.

In the ac. of Rich: Meaks pl. agt Will' Lewis deft., the Jury find for the pl. ten shillings damages & costs of Court.

The Constables are to make presentment of the breach of any Orders.

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[176] MAY THE 18th, 1648.

Ed: Hopkins Esqt, Gour.
Roger Ludlowe Esqt, Dep.
George Fenwicke Esqt, Magestrate; Mr. Welles, M: T[es';] Jo: Heynes Esqt, M: Mr. Webster, M: Cap: Mason, M: Mr. Woolcoate, M: Mr. Cullicke, M: Secr: Mr. Howell, M: Mr. Cosmore, M:
[Deputyes:] Mr. Talcoat, Mr. Westwood, Andrewe Bacon, Ed: Stebbing, Mr. Phelps, Mr. Allen, Mr. Stoughton, Jo: Byssell, Mr. Trott, Liuetenant Boosy, Sa: Smith, Nath: Dickenson, Stephen Hart, Tho: Judde, Andrew Ward, Mr. Taynter, Phillip Groues.

Whereas ther are certen farms to be sett forth vppon the borders or within the limits 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 suchas 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 Dauid Prouost and other Dutchmen (as the Court is informed,) haue sould powder and shotte to seuerall 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 Commonwealth shalbe laid vppon such as shalbe found guilty of such transgression, the wch if such delinquents shall not subject vnto they shalbe shipped for Ingland and sent to the Parlament.
It is Ordered, that Captain 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 striete and righteous course for the speedy recouering therof; and it is judged equall and allow'd that he shall haue the on halfe for his paynes.

Mr. Wynthrope the younger is to haue Comission for to execute the place of a Magistrate at Pequoyt.

The Governour and Deputy are desiered to execute the place of Comissioners for this Jurisdiction with 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, with in the libertyes of Hartford.


Ed: Hopkins Esq', Gov.
Mr. Webster, Mr. Woolcoate, Mr. Welles.


In the action of Carpenter pl', agt Demon def', the Jury find for the pl. 4l. dañages & costs of Court. Execution d'd to the pl' this 30th of March, 1650.

John Bysell is bownd in a Recognizance of 10l. and John Bennite of 20l. pruied that the said Bennit keepe good behauior and appeare the next Court. He promiseth to acknowledge his fault publiquely at Wyndsor.

John Moses, for miscaridges wth Dauid Wilton his daughter, fyned 20s.

* With the record of this Court, the official dutys of Mr. Welles, as Secretary, terminated. The record of the following session, is in the hand writing of Mr. (afterwards Captaine) John Cullick, who had been chosen Secretary in May previous, and who continued in office until 1658.
OF CONNECTICUT.

[178] ATT A MEETING OF THE GENERALL COURTE IN HARTFORD, THIS 12th DAY OF JULY, 1648.

Whereas seuerall inconveniences doe appeare by reason that the seuerall souldgers of the Trained bands, in each Towne within this Jurisdiction, haue not bee allowed some powder vpper theire training dayes, for their practice & exercise in their seuerall firings: It is Ordered that theire shall bee allowed to evry souldger in the seuerall Trained Bands in each Towne as aforesaid, halfe a pound of powder a pce, for a yeare: and so from yeare to yeare, for the future: to bee prouided by and at the proper costs & chardges of the masters and gouernoors of each familie vnto wh the said souldgers 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 SEPTMB' 1648.

Magistrates: Mr. Wells, Moderator; Mr. Webster, Mr. Woolcott, 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, 33l. 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 pl, contra Jeames Northam defend, in an action of the Case; damages, 3l.
In the action of Nicho: Olmsted pl, contra Jo: Halls defend, the Jury finds for the pl, damages 5s. and costs of the Courte.
In the action of Tantom Heage, an Indian, pl, contra Jeames Northam and Rob: Boltwood defend, the Jury finds for the pl, damages, 10l. and costs of the Courte.
In the action of Jeames Northam pl, contra Jeruis Mudge defend, damages 30l.; the Jury finds for the pl, damages 3l. and costs of the Courte.
In the action of Mrs. Whiting pl, contra Jonath: Brewster defend, the said Jonathan Brewster being called in Courte, or Elias Parkman his p'tner, neither of them did appeare to answer the action, wherby his Recogniscance is forfeitt.
In the action of Jeames Wakely pl, contra Nath Warde defend, the action is deferred to the next perticular Courte, by theire joint consent.

[179] ATT A GENERALL COURTE VPPON THE 14th DAY OF SEPTEMBER, 1648.

Magistrates: Mr. Wells, Moderator, by Vote.
Mr. Woolcott, Mr. Webster, Mr. Cullick.

Deputyes: Mr. Steele, Mr. Taylecoat, Mr. Allyn, Mr. Phelps, Mr. Clark, Mr. Westwood, Jo: Bissell, Andr: Bacon, Mr. Trott, Jeames Boosy.

The Courte is adiourned to the 11th day of October next, except the Gouerno't see cause to call it sooner.

ATT A SESSION OF THE GENERALL COURTE, THIS 11th DAY OF OCTOBER, 1648.

Mr. Hopkins Esqr', Gou'no't.
Mr. Ludlow Esqr', 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 uppon for selling Lead to an Indian, and he is to answer the next Courte.

The Courte is adiourned to the 8th day of November next.

[180] Att a Perticular Courte houlden in Hartford, this 17th day of October, 1648.

Edward Hopkins Esqr, Gournoct.

Magistrates: Jo: Haynes Esqr, 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 adiudged by the Courte to pay to Elias Partman 20s. for a Canooe 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 pl't and John Hawkes defend't, the Courte findeth for the defend't, 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 slaundering and defaming of him, by charging him with giuing in to the Courte false evidence and testimonye.

John Bennett being called in Courte, Sr:geant 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 their Recogniscance, the judgement is suspended till they shall be found or knowne to bee at the howse of Thomas Ford or John Sadler: and the judgement 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 Wyndsor, deceased, was by this Courte, as followth:

To his Relict, 60l. . . . . . . 60. 0. 0
To his eldest Sonne by name Thomas Dewy, 30. 0. 0
And to the other five children 20l. a peece, 100. 0. 0

190. 0. 0.

The daughters portion of 20l. to bee paid her at the age of 18 yeares, and the severall sons portions to bee pd. to them at the age of 21 yeares: the Relict giving in sufficient security to the children, before her marriage againe, for theire severall portions.

[181] October 17th, 1648.

Jury: Mr. Phelps, Mr. Clark, Jo: Demyn, Jo: More, Srg Fylar, Nath: Dickerson, Tho: Coleman, Sañ: 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 adiugdeth Peter Bussaker, for his filthy 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 comitted 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 adiudged 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 administervppon 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.

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[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.
Deputyes: 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"noi'.
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.
Deputyes: 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 hauing taken into consideration the many occasions that are in vue at present, and like to bee for the future, of drawing away Corne from amongst vs, out of the Riuier, or ingaging 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 diuers people should pay to him, according to order, there corne is gone, wherby 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 vppon the Riuier 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 assignement, by Mr. Fenwick or his assigne; and Mr. Wells for Wethersfeild, Mr. Webster for Hartford, and Mr. Woollcott for Wyndsoor, are desired to call vppon 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, vppon 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 adjourned to the last Thursday in January next, being the 25th day thereof.

[183] The Perticular Courte, this 7th Decemb', 1648.
Edward Hopkins Esq', Gou'nor.

Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.

Jury: Mr. Phelps, John Taylecoate, Will: Wadsworth, Andr: Bacon, Sam: Smith, Nath: Dickerson, Thomas Coleman, John Demyn, Mr. Clarke, Mr. Allyn, Will: Gibbens, John More.
The Courte adiudgeth Jeruis Mudge to pay to Jeames Northam and Robert Boltwood, for his part of the damage they paid to Tantom Heage, if he 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 serve Jeames Northam first, so long as hee couenanted with him, and when his time is out with Northam, that then hee should serve 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 behauio 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 familiarily with the Deuill.

John Edmonds pl't contra the wife of Joshuah Jennings defend', in an action of slander, damageth 50l.

In the action of John Edmonds pl't contra the wife of Joshuah Jennings defend', the Jury finds for the pl't, 5l. and costsof the Courte.

John Bennett appearing to answer the complts 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 behau io in his course of life for the space of halfe a yeare. The perticular Courte upp on the first of March, 1648, frees John Bennett and William Edwards, his security, from theire Recogniscance for good behau io, as appeares by the Records of that Court:

The Courte frees Henry Palmer from his Recogniscance for his wiu'es appearing at the last perticular Courte, to answer the complt of Mr. Robins: as also, remitt the miscarriage of his wife therein, hoping it will bee a warning to her and others for the future.
Edward Hopkins Esq., Governor.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woollcott, Mr. Cullick.


John Willcock senior, plt contra Jeruis Mudge defendt, in an action of debt, 7l.


Richard Fellowes plt contra Richard Coaker defendt, in an action of debt and damage, 8s.

Jaspr Gunn plt contra Nicho: Olmsted defendt, in an action of the Case, damages 41s.

Beniamin Hilliar plt contra Thomas Edwards defendt, in an action of Slander, to the damage of 40l.

Jeruis Mudge plt contra Will: Colefax defendt, in an action of debt and damages, 16l.

John Cullick plt contra George Abbott defendt in an action of debt & damages, 30s.

John Cullick plt contra Jeruis Mudge defendt, in an action of debt and damages 20s.

Jonas Wood of Long Island plt contra Thomas Newton of Fairefeld, in an action of the Case, damages 150l.

Thomas Newton plt contra Jonas Wood defendt, in an action of the Case for breach of covenants, to the damage of 200l.

In the action betwene John Willcock senior plt contra Jeruis Mudge defendt, the Jury findes for the plt, 7l. costs of the Courte and witnesses.

In the action betwene Beniamin Hilliar plt and Thomas Edwards defendt, the Jury findes for the defendt, costs of witnesses.

In the action of Jeruis Mudge plt and Will: Colefax defendt, the Jury finds for the plt, his bill, 13l. 16s., and costs of the Courte.
In the action of Jaspr Gunn plt contra Rich: Olmsted defendt, the Jury findes for the defendt.

[185] In the first action of Jonas Wood plt contra Thomas Newton defendt, the Jury findes for the plt, that the defendt shall discharge or cause to bee discharged the bond that the plt and his friends lye under at the Monatoes, wch was to answer the defendt's engagement there, and to pay unto him 30l. besides, and costs of Courte.

In the action of Thomas Newton plt contra Jonas Wood defendt, the Jury findes for the plt. The defendt is to deliver to the plt the two Cowes and the Steare, with their increase if any, and twenty shillings in wampum, according to the bargain, and if the said cattle cannot be gotten then the defendt is to pay him 18l. and costs of Courte.

In the action of debt of John Cullick plt contra George Abbott defendt, the Courte findes for the plt, 30s.

In the action of debt of Capten John Cullick plt agt Jeruis Mudge defendt, the Courte adjudgeth the defendt to pay twenty shillings damadge to the plt, and costs of Courte.

In the action betweene Rich: Fellowes plt and Will: Vincent defendt, the Courte adjudgeth the defendt to pay to the plt 14s. 6d.

In the action of Rich: Fellowes plt contra Rich: Coaker defendt, the defendt not appearing to answer the action, the Courte gives order for an attachmt to issue forth agt his body.

Enoch Buck of Wethersfield acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. to appr at the next particular Courte in Hartford. Enoch Buck appearing at the Courte this first of March is freed from his Recogniscance.

John Russell servant to Mr. Robins, acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. to make his appearance at the next particular Courte in Hartford.

Beniamin Hilliar acknowledgeth himselfe bound in a Recogniscance of 30l. and Sam: Smith senior 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 ye Courte ye first of March, they are freed from this Recogniscance.
Walter Leawis, servant to Mrs. Hollister, acknowledged himself 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 behavior.

John Bernard of Hartford is fined 2s. vid. for not appearing being called to serve upon the Jury.

David Willton of Windsors is fined 2s. vid. for not appearing timely at the Courte, to serve on the Jury.

[186] Thomas Newton of Fairefeild acknowledged himself 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 plt, and himselfe defendt, 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 Iland ingages his interest in the Recogniscance aboue written, that hee will truly performe and discharge the verdict of the Jury in the action betwene Thomas Newton plt, and himselfe defendt, at or before the last day of Febr: next.

A Session of the Generall Courte in Hartford this 25th Jan' 1648.

Edward Hopkins Esq', Gournor.

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. Taylecoat, Mr. Westwood, John Bissell, Jeames Boosy.

John Bissell vndertakes to keepe and carefully to attend the Ferry over the great Riuier at Windsors, for the full terme of seven yeares from this day, and that hee will provide a sufficient Boate for the carrying over of horse and foott 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-
or CONNECTICUT. 175
tend that service; for which the said John Bissell is to have of
those that hee Ferries over, eight pence for every horse or
mare, and two pence for every person that goes over therewith,
or that hath another passenger to goe over the said Ferry at
the same time; and three pence for every person that goes over
the said Ferry alone, single, or without any more then himselfe
at the same time. And the Courte prohibits all other persons
(except the inhabitants of Wyndor, who have liberty to carry
over themselves or neighbors in their own Canoos or Boates,)
from carrying over the said Ferry any passenger or passengers,
when the said John Bissell or his Assignes is present, or within
call of his house or Ferry as aforesaid, to attend that service.
And if any person or persons as aforesaid shall at any time
during the aforesaid term, goe over by Indians or English that
haue not Boates or Canoos of their owne, that they pass
over the said Ferry in, they shall as truly pay 8d. for every
horse or mare, and 2d. for every person, as if they went over
with him. And the Courte also gives the said John Bissell
liberty to releiu 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 have paid him
yearly by the Country, five pounds for his service in attending
the Courte, or any of the Magistrates, as occasion shall require
in any of the 3 Townes, Hartford, Wyndor and Wethersfeild,
to interpret the Indian language: and hee is to be considered
over and above, 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. granted by ye Courte, to bee devided
as followeth:

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Hartford</td>
<td>35l. 10. 0</td>
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<tr>
<td>Wyndor</td>
<td>24. 10. 0</td>
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<td>Wethersfeild</td>
<td>24. 00. 0</td>
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<td>Seabrook</td>
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<td>Farmington</td>
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<td>Long Iland</td>
<td>05. 00. 0</td>
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<tr>
<td>Fairefeild &amp; Stratford</td>
<td>20. 00. 0</td>
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100. 00. 0  

To bee paid 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 Esqr., Gouernor.
John Haynes Esqr.

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 betwenee John Bennett plt and William Edwards defendt, the Jury finds for the plt, damages 55s. and costs of the Courte.

Nichol: 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 adiudg eth 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 theire Recognisance for the said Bennetts good behavor.
Beniamin Hilliar is fined 10l.
Walter Leawis is fined 40s.
Robt Rose is fined for his misdeameano, 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. 5½d.; the Courte finds the debt for the plt.

Mathias Trott, for making composition about a seruant of Mr. Chesters and concealing it when it was done, is adiudged by the Courte to pay to Mrs. Chesters, from the time that hee did compound for him, wch they conceiue was about the first of March, to the time that Mr. Chesters sent againe for him, being about the latter end September, in all about 7 months time.

Walter 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.

Sāmuell Comstock acknowledgeth himselfe bound to this Common wealth in a Recogniscance of 10l. and Bray Rosseter in a Recogniscance of 20l. that the said Sāmuell Comstock shall carry good behauior for the space of ten dayes, and then the said Bray Rossiter shall either bring him the said Sāmuell Comstock to prison and leaue 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 dañage Mr. Robins shall susteine for the want of his seruant.

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 fyne of 10l. when it is required, and carry good behauior 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 Co'mon wealth in a Recogniscance of 10L. and Mr. Trott and Samuell Smith Junior in a Recogniscance of 5L. a peece that the said William Comstock shall appeare at the perticular Courte, vppon the first Thursday in June next, and carry good behavior in the meane time.

Georg Phillips of Wyndson, 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 Esq', Gourno.
John Haynes Esq',
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputyes: Mr. Phelps, Mr. Clark, Mr. Trott, Mr. Allyn, Mr. Steele, Mr. Tailecoat, Mr. Westwood, Jeames Boosy, Sañ: 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 ordered that the Constables in each Towne shall each of them take a receipt vnder Mr Hopkinses hand for so much as is already paid him, and so euery yeare for such suñs 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 theire 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 be referred to the four General Courts, and by their joint agreement to be determined, it was now recommended by the Commissioners to the several General Courts, that if any three of the said General Courts agree and conclude any such proposition, it might pass and be accounted as the conclusion of the united Colonies, as it should have passed as an Act of the Commissioners if six of them had consented; which being duly considered, it was consented to and ratified by the Court, provided the General Courts of the other Colonies did the like.

It was further, upon the recommendation of the Commissioners, ordered by this Court, that no page, white or black, be paid or received, but what is strung, and in some measure strung suitably, and not small and great, uncomely and disorderly mixt, as formerly it had been.*

Whereas also, It was recommended by the Commissioners, 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 be duly proved in, and duly certified from any one of the Colonies, it be without delay accepted and allowed in the rest of the Colonies, unless some just exception be made against such will or the proving of it, which exception to be forthwith duly certified back to the Colony where the said will was proved, that some just course may be 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 be granted by that colony unto which the de-

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* Upon the motion of Mr. Dunster, President of the Colledge at Cambridge, consideration was had about payments made and received in page, whether white or black. The Commissioners were informed that the Indians abuse the English with much bad, false and unfinished page, 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: which the Indians, whose best understand the quality and defects of page, will not willingly take back. Whereupon, though they see not at present how to propound a full reformation in all particulars, without much difficulty and inconvenience, yet they commend it to the several General Courts and to the Plantations within the United Colonies that noe page, 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 duly certified, to bee of force for gathering in of the estate in the rest of the colonies, 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 Colonies, 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 Gouernmt to gather in and secure the estate vntill it bee demaunded, and may bee deliuered according to rules of justice:—wch vppon 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 Colonies yeild the like assent therevnto.

(Court dissolved.)

[190] A Perticular Courte, in Hartford, 24th April, 1649.

Edw: Hopkins Esq', Gournor.

John Haynes Esq'.

Magistrates : Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick.


William Hurlebutt pl't contra Jeames Wakely def', in an action of the Case, dammages 39s.

Sammuell Steele pl't contra John Steele defend't, in an action of debt, 28s., dammages 6s.

Jeames Northam pl't contra George Chappell defend't, in an action of the Case.

John Steele pl't ag't Nathaniell Kellock defend't, in an action of debt and dammages, 39s.

John Willcock pl't contra Jeames Wakely defend't, in an action of the Case, dammages, 6s.

John Willcock senior pl't contra Jeames Wakely defend't, in an action of the Case, dammages 25s.
OF CONNECTICUT.

Mathew Marven plcontra Mathew Beckwith defendt, in an action of defamation, damages 50l.

Richard Fellowes plcontra William Hill defendt, in an action of debt and damages, 39s.

William Bartlett and Edward Higbye being called in this Courte to appeare vppon there Recogniscances, and not ans-erethereunto, haue both of them forfeited the same.

In the action of the Case betweene William Hurlebutt pl and Jeames Wakely defendt, the pl falling shorte of his wittnes, is to loos his sute.

In the action of debt betweene Samuel Steele pl and John Steele defendt, the Courte findes for the pl, 34s.

In the action of the Case betweene Jeames Northam pl and George Chappell defendt, the defendt not appearing to answer the pl, the Courte orders an attachmt to issue forth vppon his two values in the hands of the plaintiff, for his security vntill the defendt shall answer his sute.

In the action betweene John Steele pl and Nathaniell Kellock defendt, the Courte adiudgeth those of Farmington that haue not yet paide the pl theire proportion for the drum hee soould them, to pay double theire proportion, if they doe not satisfie the pl for the same according to covenant, before the next Courte.

[191] In the action of the Case betweene John Willcock pl and Jeames Wakely defendt, the Courte adiudgeth the defendt to pay vnto the pl, 4s. 4d.

In the action betweene John Willcock, senior, pl and Jeames Wakely defendt, the defendt haung satisfied the debt allready, the Courte adiudgeth him to pay the pl, 16d. costs.

In the action of defamation betweene Mathew Marven pl and Mathew Beckwith defendt, the defendt making his publick penitent confession of his euill in slaundering the said pl, was remitted by the Courte and pl.

In the action betweene Richard Fellowes pl and William Hill defendt, the defendt not appearing, the Courte adiudgeth him to pay the pl the debt and costs 16d.

Mr. Newton prooued in Courte that Peter Bussaker owes him the just and full sum of 2l. 5s. 0.

Joseph Mygatt, Ditto, 0. 9. 0.

Thomas Forde, Ditto, 3. 0. 2.

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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.

Rob's 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 Rossetter from both and either of theire 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 accou't 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.


Edward Hopkins Esq'.

John Haynes Esq'.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick.


John Bissell pl't contra Jeames Egleston defend', in an action of the case, dammages 39s.
OF CONNECTICUT.

Mr. Ollcott pl't contra Thomas Edwards defend't, in an action of debt and dammages, 39s. 6d.

Richard Fellows pl’t contra Stephen Beckwith defend’t, in an action of debt and dammages, 30s.

William Fraunccklyn pl’t contra Thomas Barber defend’t, in an action of debt and dammages, 6l.

William Fraunccklyn pl’t contra Beniamin Nuberry defend’t, in an action of debt and dammages 45l. The pl’t is non-suited and to allow 13s. 4d. costs.

Beniamin Nuberry pl’t contra William Fraunccklyn defend’t, in an action of slander, to the dammage of 10l.

Nehemiah Olmsted pl’t contra Richard Lyon defend’t, in an action of the case, to the dammage of 12l.

Mr. Ollcott pl’t contra Sammuell Gardiner defend’t, in an action of debt and dammages, 12l.

Bray Rosseter pl’t contra Mr. Henry Woollcott senior, defend’t, in the behalfe of the creditors of Thomas Marshfeild, in an action of trespass, to the dammage of 12l.

William Leawis pl’t contra Thomas Dement defend’t, in an action of slander, to the dammage of 50l.

William Leawis pl’t contra Thomas Dement defend’t, in an action of the case, to the dammage of 3l.

Thomas Dement pl’t contra William Leawis defend’t, in an action of slander, to the dammage of 51l.

Thomas Dement pl’t contra William Leawis defend’t, in an action of the case, dammages 10s.

Gregory Wilterton, Nathaniell Ely, Arthur Smith, are each of them fined 5s. a peece for not appearing seasonably to serve vpon the Jury.

[196] In the action betweene John Bissell pl’t contra Jeames Egleston defend’t, the Courte findes for the defend’t.

In the action betweene Mr. Ollcott pl’t and Thomas Edwards defend’t, the Courte adiudgeth the defend’t to pay to the pl’t 40s.

In the action of Richard Fellows pl’t ag’t Stephen Beckwith defend’t, the defend’t not appearing in Courte to answer his summons, The Courte hath ordered an attachm’t to issue forth vpon his person to answer the pl’t, the next Courte.

In the action of William Fraunccklyn pl’t ag’t Thomas Barber defend’t, the Jury findes for the pl’t, 4l. 2s. 6d. to bee pd. in
wheat at 4s. pr bush.; and costs of the Courte, wch the Courte adjudged 20s.

In the action between Beniamin Nuberry plt and William Frauncklyn defendt, the Jury findes for the plt, dammages 2d. and costs of the Courte, wch the Courte adjudged 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 between Mr. Ollcott plt and Samuel Gardiner defendt, the Jury findes for the plt, his debt of 7l. 11s. 8d. dammages 30s. and costs of the Courte.

In the action between Bray Rosseter plt and Mr. Henry Woollcott defendt, the Jury findes for the plt, dammages 3l. 12s. and costs of the Courte.

Thomas Barber testified this day in Courte, vppon oath, that hee being in William Frauncklyns howse last Septemb', and the said Frauncklyn speaking to him of Mr. Nuberry’s debt, hee told 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 told him that hee had left the debt wch Beniamin Nuberry owed him, with Thomas Forde.

Mr. Wells made it appeare in Courte that Peter Bussaker is indebted to him 13s.

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 their Recogniscance of 200l.

William Clarke, being called in this Courte to appeare vppon his Recogniscance of 10l. and not answering thereunto, hath forfeited the same.
OF CONNECTICUT.


Magistrates:
John Haynes Esq', is chosen Governor.
Edward Hopkins Esq', Deputy Governor.
Rog' Ludlow Esq', Magistrate. Mr. Webster, Magist'.
Mr. Wells, Magist' and Treasurer. Mr. Cullick, Magist' and Sec'y.
Mr. Woollcott, Magist'. Mr. Cossmore, Magist'.
Capt. Mason, Magist'.

Deputies: 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 certified from Mr. Wenthrope of the said Latham's present inability to travel, they doe respite the forfeit of his said Recogniscance, provided hee appeare at the Courte heere vpon the first Wednesday of July next.

Isaac Wyly 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 their charge.

Vpon the desire of the inhabitants of Pequet, for their encouragement it is Graunted by this Courte, that they shall bee freed from all publick Country charges, (except such as are occasioned 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 River, and six myles from the sea northward into the Country, till the Courte shall see cause and have encouragement to add thereunto, provided they intertaine none amongst them as inhabitants that shall bee obnoxious to this Jurisdiction, 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 Wentrope Esq'r, for the ensuing year, and until a new be chosen, who shall have power (taking unto himselfe Thomas Mynott* and Samuel Lathrop, as Assistants,) to heare and determine the same; provided if any bee greied, they shall haue liberty to appeale to the Courte of Connecticutt, if they haue just cause so to doe:

And the Courte will indeauo'r to take order with Vncus, that no trappes shall bee sett by him or any of his men, within the bounds of theire Towne: But to prohibitt and restraine Vncus and his men from hunting and fishing within their limmits, they doe not yett see cause to doe; For no Indians are depruied of that liberty in any of or 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 Riuer, 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 commends 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 Pequet, and (as is conceiued) hath committed in other places, and so liues at this present, in that fowle sin of adultery, wch is odious to God and man. and therfore this Courte cannott but takne notice of it; It is therefore ordered, that there bee a warrant directed to the Constable of the same Towne, to apprehend the said partyes, and to bring them vpp to the next perticular Courte in Hartford, wch will bee vppon the first Thursday of the next month; and the Gouernor is desired to write to Mr. Wentrope and acquaint him with it.

As allso that a like warrant shall bee directed to the Constable

* An error of the original record. The name should be Mynor or Minor.
there for the apprehending and bringing vpp to the next particular Courte, Mary Barnes of their 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 souldgers of that Towne, according to order of Courte.

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 bee settled vpon them for theirite inlargement, doe desire and appointe Danyell Titterton and John Hurd of Stratford to survey 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 settled 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 Jurisdiction with the United Colonyes, at their meeting in July next, and for the yeare ensuing.

William Leawis and Isaack More are presented for Sergeants, by the Deputyes of Farmington, as chosen by the souldgers: and are approved by the Courte: and are to call forth and traine the souldgers at the dayes appointed.

It is ordered, that there shall bee a dwelling houe 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. Taylecoate and Jeames Boosy are desired to take care about it, and to see the thinge effected, according to their 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 their proportion of country charges to this time.

Concerning Mr. Blackmans maintenance, Mr. Ludlowe is desired (both for what is behinde, as also for the future,) to take care that it bee leuied, according to the severall 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 division of land on the east side the river, from the river eastward, five miles; and northward up the river, on the east side, six miles: And on the west side the river, northward eight miles.

The Court is adjourned to the first Wednesday in June next.

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A Session of the General Court in Hartford, the 6th of June, 1649.

John Haynes Esq', Governor.
Edward Hopkins Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Gaylerd, Mr. Steele, Mr. Trott, Mr. Clarke, Mr. Taylcoate, Mr. Allyn, Edward Stebbing, James Boosy, Sam: Smith, Andrew Bacon, Nath: Dickerson, Steph: Harte, Thomas Judd.

This Court 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 several trades, and labourers, for the carrying on and effecting of the premises in any reasonable time, do order that it shall be lawful for any Magistrate within and of this Jurisdiction, to send out warrants for the pressing and compelling of such men to work upon the premises, as they shall be informed to be fittest and most able to carry on the work till the same be effected and completed, for such wages as the said Magistrate that gives his warrants shall judge meete, any order formerly provided for the regulating of mens wages to the contrary notwithstanding.

For the better preserving corn and meadow on the east side of the great river; It is ordered by this Court, that there shall no hogs or swine of any sort be put over thither, or kept there, at any time after the publishing of this order, except they be kept out of the bounds of the several Townes, or in their yards, under the penalty of two shillings a head for every
hogg or swyne, for every time they shall be found contrary to this Order.

The Courte appoints Thomas Hollibutt of Wethersfield, 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 seuenth month, It was obserued that in the agitacon 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 Riuer, towards the charge expended at Seabrooke, tending to the good of all the plantaçons vppon the Riuer, 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 Riuer. The Courte doth declare that by express order, of the 5th Febr, 1645, all corne laden aboard any vessell vppon this Riuer and passing out to sea at the Riuers mouth, was to pay two pence pr bush: in the forementioned respects; and Beauer twenty shillings pr hogshead; wherein as Springfeild was intentionally included, so this Courte had due respect therevnto as then considered vnder the Massachusetts Gouernement, that no greater burthen mighte fall vppon those inhabitants then according to cleare grounds of equity and righteousness, in theire best apprehensions, they ought readily to submitt vnto, and was equall for them to bear; and no more then they should haue expected to bee imposed vppon themselues 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 Collonyes mighte bee understood in the premisses, according to the Articles of Confederation, wherin provision is made for deciding of any differences that might fall in betwixt any of the Colonyes; wherevnto they referred themselues in this case, although they are yet altogether vsatisfied that Springfeild doth properly fall in within the true limmits 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.

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[199] A Perticular Courte in Hartford 7th June, 1649.

John Haynes Esqr, Gournor.
Edward Hopkins Esqr, Deputy.

Magistrates: Mr. Welles, Mr. Woollcott, Mr. Webster, Mr. Cullick.


Thomas Newton pl' contra John Capell, in an action of debt 8l. and dammages, 4l.

Henry Grey pl' contra Jonas Wood defend', in an action of defamation, to the damage of 50l.

William Edwards pl' contra Richard Samwis and Stephen Tayler, in an action of the case, damages, 10l.

William Edwards pl' contra John Bennett defend', in an action of slander, to the damage of 5l.

William Leavis pl' contra Thomas [Dement] defend', in an action of slander, to the damage of 50l.

In the action betweene Thomas Newton pl' and John Capell defend', the Jury findes for the pl', debt, 8l. and 2d., and dammages 40s. and costs of Courte. Execution graunted and deliuered the 21st of May, 1650.

In the action betweene Henry Grey pl' and Jonas Wood defend', the Jury findes for the pl' dammages, 3l.

In the action betweene William Edwards pl' and Richard Samwis and Stephen Tayler, defend', the Jury findes for the pl' 5l. 5s. and costs of the Courte. Execution deliuered to him the 7th of Novemb', 1649.

In the action of slander betweene William Edwards pl' and John Bennett defend', the Jury findes for the defend', and costs of the Courte.
In the action of slander between William Leawis pl^ and Thomas Dement defend^, the Jury finds for the defend^, and costs of the Courte.

William Edwards is fined, for drawing wine contrary to order of Courte, 30s.

The Courte grants execution to John Bennett agt William Edwards, according to the verdict of the Jury at the Courte houlden the first of March, 1648-9.

The Courte grants execution to William Francklyn agt Thomas Barber, according to the verdict of the Jury at the Courte houlden the 16th day of May, 1649.

The same is granted to Beniamin Nuberry agt Francklyn.

Jonas Westouer acknowledges himselfe bound to this Commonwealth, in a Recogniscance of 20s. and John Bissell and Robert Haward in a Recogniscance of 10s. a peece, provided the said Westouer appears at the particular Courte in September next and carry good behauior in the meane time.

The Courte appoints Mr. Webster to goe to Stratford to assist Mr. Ludlow at the particular Courte there, next Thursday come fortnight, in the execution of justice.

William Comstock, Mr. Trott and Sam: Smith Junior, are either of them freed from theire and either of theire Recogniscances for the said Comstocks appearing at this Courte.

Walter Leawis and Mr. Trott his security are freed from either of theire Recogniscances, for the said Walter his appearing at this Courte.

This day there was presented to this Courte the last will and testament of John Porter, late of Wyndsor, deceased, and the Inuentory of his estate.

Cary Lathom, of Pequett, acknowledgeth himselfe bound to this Commonwealth, in a Recogniscance of 40s. provided hee appeare at any place within this Jurisdiction hauing reasonable warning soe to doe, at any time within this six months, and carry good behauior in the meane while.

William Bartlett acknowledgeth himselfe bound to this Common wealth, in a Recogniscance of 20s. and Cary Lathom, in a Recogniscance of 20s. that the said William Bartlitt shall ap-
peare at the particular Courte vpon the first Thursday in Septembr next, and carry good behauior in the meane while.

Jonas Woods bond to the Dutch, hee delivered into this Courte, wch was cancelled by order thereof, and the Secr. appointed to certifie 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, vpon the 28th of Decemb', 1648, hee was forced, to his great loss and dammage, to satisfie his bond at the Monatoes himselfe; This Courte adiudggeth to bee due to the said Jonas Wood from the said Thomas Newton, according to the aforesaid verdict and dammages,—

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 & dammage about it, . . 10. 00. 0.

78. 00. 0.

out of wch the Courte discounts the 18l. wch Wood was to pay Newton, by the verdict of the Jury, vpon an action of Newtons agt Wood, the same day: so there remains to Wood sixty pounds. Execution graunted.


John Haynes Esqr, Gouernor.
Edward Hopkins Esqr, Deputy.
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick.

Thomas Osmore plt contra William Cornewell defendt, in an action of the case, to the damage of 4l.
Richard Buttler plt contra William Cross defendt, in an action 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 Widdow Louenam, contra Thomas Osmore defendt, in an action 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 Woolcott, senior, plt contra Bray Rossiter defendt, 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 damage 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 action of the case, concerning two cures, to the damage of 6l.

Jeames Wakely plt contra Thomas Skidmore and Edward Higby defendt, in an action of slander, to the damage of 20l.

Thomas Stanton plt, contra Joane Sipperance, in an action of slander, to the utter vndoinge of his wiues good name and allmost taking away her life, to the damage 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 fyned, 2s. vid.

Jeames Wakely, for some defects in wathing, is fined 2s. vid.

Henry Coale, for sleeping in ye time of his watch, is fyned 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 William Cornewell defendt, the Jury finde for the plt, debt 20s. dammages 18s. 4d. and costs of the Courte.

In the action betwene Richard Buttlter plt and William Cross defendt, the Jury finde for the plt, 4l. 5s. in wampum, and costs of the Courte. Execution d'd to y' p°, y' 15° 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. Woollcott 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 granted to bee present.

In the action betweene Jeames Wakely plt and Thomas Skidmoure and Edward Higby defendt, the Jury findes for the plt, damages 2d. and costs of the Courte, whch the Courte allowes to bee 9s. 8d.

In the action betweene Thomas Stanton plt and Joane Sibperance defent, 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 Lieutenant, and present him to the Courte.

[203] Mrs. Chester complaines against George Chappell and Goody Coleman and Danyell Turner, for misdeameanores.

Danyell Turner, for libelling against Mrs. Chester and for other misdeameanores, 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 publicly corrected againe, and giue good security for his good behauior.

Thomas Willkenson, for disorderly carriage in the meeting-house, vpon 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 Court frees Jonas Westouer and his security from their and either of their Recognizances, for Westouer's appearance and good behavior.

Thomas Burnham acknowledgeth himself bound to this Commonwealth in a Recognizance of 10l. that Rushmore, his man, shall appear at the next particular Court, and carry good behavior in the mean time.

Gregory Gibbs acknowledgeth himself bound to this Commonwealth in a Recognizance of 20l. and Thomas Parkes in a Recognizance of 10l. that the said Gibbs shall carry good behavior for the space of half a year next ensuing.

The Judgment of the Court is that Walter Leawis should give Mrs. Hollister good security to the value of 30l. before he goes from her, that what damage she shall sustain for want of his service shall be made good and paid to her, if he doth not make it appear in a reasonable time, that he is not bound to serve her any longer than until this time.

William Bartlitt of Pequett is freed from training, by reason of his lameness, provided he notwithstanding maintain his arms as complete and able for service as they should be if he did train.

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[204] A Generall Courte in Hartford, the 13th of September, 1649.

John Haynes Esq', Gou'nor.
Edward Hopkins Esq', Deputy.
Magistrates: Roger Ludlow Esq', Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputyes: 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 Court 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 living
from neighbors and nearenes to the Indians, in case they should
all leaue there families together without any guard; doth free
one sooldger of the foremenconed families from training e
every training day; each family aforesaid to share herein ac-
cording to the number of sooldgers that are in them: provided
that man wch tarryes at home stands about the aforesaid howses
upon 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 he hath a warrant, enter his action with the
Secretary and then take out his warrant for summans to answer
the same, for wch they shall pay for every entry twelue pence,
and for every warrant fourepence, though they agree with their
defendts before the Courte. Also, if any other magistrate
shall graunt a warrant that concernes an action, they shall en-
ter 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 Sec-
retary of the Courte, as if they should haue had theire warrants
of him.

It is also ordered, that whosoeuer shall enter into any Re-
cogniscance 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 been occasioned, For preventing thereof, this Courte
doeth explaine themselues and order; that whosoeuer within this
Jurisdiction that are lyable to watch, shall take a journey out
of the Towne wherein he liueth, 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 house
hee shall bee called back to watch that turne past a weeke be-
fore.

[205] Jespar Gunn, of Hartford, is freed from watching during
the time that hee attends the servise of the mill.

This Courte, taking into serious considera6on what may bee
done according to God in way of reuenge of the bloude of
John Whittmore, late of Stanford, and well weighing all circum-
stances, together with the carriages of the Indians (bordering
therevppon,) in and about the premisses: doe declare themselues
that they doe judge it lawfull and according to God to make
warr vppon 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 about sending
out against the Indians, and to make returne of their apprehen-
sions With what convenient speed they may.

The Courte is adiourned to next Tuesday at noone.

A Session of the Generall Courte in Hartford, the
15th 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 In-
dians against vs, as by dayly experience wee finde; and where-
as the aforesaid French, Dutch etc. doe prohibitt all trade with
the Indians within theire respective Jurissdictions, vnder penal-
tye of confisscation; It is therfore hereby ordered, that after
due publication hereof, it shall not bee lawfull for any French-
man, Dutchman or person of any other forraigne nation, or
any English liuing amongste them or under the gouernment of
them or any of them, to trade with any Indian or Indians with-
in the limmits of this Jurissdiction, either directly or indirectly,
by themselues or others, vnder penalty of confisscation of all
such goods and vessells as shall bee found so trading, or the due
value thereof, upon just proof of any goods or any vessels 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 vessels trading with the Indians as by this law is prohibited; the one halfe whereof shall bee to the proper use and benefitt of the partye seizing, and the other to the publique:

This order, upon the recomendation of the Comissioners to the Generall Courtes of the seuerall Jurissdictions was confirmed by this Courte.

[206] The distribution of the souldgers that shall issue forth of each towne, is as followeth:

<table>
<thead>
<tr>
<th>Towne</th>
<th>Number</th>
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<tbody>
<tr>
<td>Hartford</td>
<td>13</td>
</tr>
<tr>
<td>Wyndsoor</td>
<td>11</td>
</tr>
<tr>
<td>Wethersfeild</td>
<td>08</td>
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<td>Fairefeild &amp; Stratford</td>
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<td>13</td>
</tr>
</tbody>
</table>

The Committee chosen by the Courte for the ordering of the setting forth of these souldgers for ammunition and provision, are as followeth:

**Magistrates.** Mr. Haynes, Mr. Hopkins, so farr as his buisines shall permit, Mr. Wells, Mr. Webster.

**Deputies.** Mr. Allyn, Mr. Taylecoate, Sam Smith senior.

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 plaintiff against John Cabell defendant the execution of the judgement is to bee suspended untill the Courte of Election in May, to which Courte the defendant doth appeale, and the plaintiff is to have 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 told 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; whereunto hee said little, onely professed his innocency in not selling any powder or shott to Indians, but onely the quantity of a pound whereof hee once gave to a Sachem. Hee was also told that if hee would enter into a bond to a double valew of what his last was, payable by him in case evident proffe were produced, and that vppon Christian testimonye, (whereof hee called for,) that hee is vnder greater guilt then hee yett will acknowledge, by that mischieuoustrade, the former ingagement should bee remitted; whereof hee refusing, the Courte further propounded to him either to pay the whole forfeiture 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 sufficient 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 adjournement thereof, applying himselfe to the Gouernor for an issue, hee condisscended by way of agreement to pay one hundred pounds, provided hee might not bee ingag'd to abide the tryall of the case; whereof was accepted by the Gouernor, and the said sum receiued.

The Courte is adjiourned 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'r.
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. whereof is receiued of Gouert Lockman, shall bee sequestred and reserued for the perfecting 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 house 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 NOVEMB', 1649.

John Haynes Esq'r, Gouernor.
Edward Hopkins Esq'r, Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputies: 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 repair forthwith to Chessbrooke of Long Iland: and to let him understand that the Govermn't of Connecticutt 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 therafter immediately: And that hee should repair to Capt. Mason of Seabrooke, or some other of the Magistrates vpon the Riuver, to give 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 Wethersfield, 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 vpon the Riuver, within this Jurisdiction.

The Courte is adiourned to this day month.
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[208] A Session of the Generall Courte in Hartford, the 5th of December, 1649.

John Haynes Esq', Gouv'no'.
Edward Hopkins, Esq', Deputy.
Magistrates: Mr. Woolcott, 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 their 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 their 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.

[209] A Particular Courte in Hartford, the 6th of December, 1649.

John Haynes Esq', Gouv'no'.
Edward Hopkins Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, Mr. Webster,
Mr. Cullick.
Jury: William Gibbens, Nath: Dickerson, John Bissell,
Hitchcock, William Wadsworth, Thomas Bull, Thomas
Bunce, John More, Antho: Hawkins.

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 pl<sup>t</sup> contra Jeruis Mudge defend<sup>t</sup>, in an action of debt to the value of 6l. 10s.

John Hudshon pl<sup>t</sup> as attorney to Sampson Shorye contra Will: Williams, in an action of debt and damages 8l.

Jeames Wakely pl<sup>t</sup> as attorney to Stephen Day contra Thomas Sckidmore defend<sup>t</sup>, in an action of debt and damages, 17l. 10s.

Thomas Demon pl<sup>t</sup> contra Sammuell Martyn defend<sup>t</sup>, in an action of the case to the damage of 10l.

Jeruis Mudge pl<sup>t</sup> contra Edmund Scott defend<sup>t</sup>, in an action of the case to the damage of 39s.

Richard Samwis pl<sup>t</sup> contra Thomas Barly defend, in an action of debt to the value of 5l. The defend<sup>t</sup> appeares not: And the pl<sup>t</sup> did not prooue that the warrant was serued.

Sammuell Gardiner and Thomas Edwards pl<sup>t</sup>s contra Benjain Hilliard in an action of the case to the damage of 3l. 10s. The defend<sup>t</sup> not appearing, the Courte graunts an attachm<sup>t</sup>. 

John Sable pl<sup>t</sup> contra Jeruis Mudge defend<sup>t</sup>, in an action of debt to the value of 44s. damages 15s. The defend<sup>t</sup> is to put in security to answer the pl<sup>t</sup>, next Courte.

This Courte doth sequester the howse, homelott and meadow of the relict of Abraham Elsing, now the wife of Jaruis Mudge, wch is mentioned and valued in the Ineuntory of Abraham Elsing's estate at 40l. 8s., for the vse and benefit 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 Ineuntory doth ammount vnto.

[210] In the action betweene Thomas Burnham pl<sup>t</sup>, and John Bennett defend<sup>t</sup>, the Jury findes for the pl<sup>t</sup>, debt and damage 1l. 18s. 2d. and costs of the Courte.

In the action betweene John Sadler pl<sup>t</sup> and John Bennett defend<sup>t</sup>, the Jury findes for the pl<sup>t</sup>, debt and damages, 1l. 11s. 3d. and costs of the Courte. Execution deliuered to the Marshall, the 10<sup>th</sup> January, 1649.

In the action betweene William Colefax pl<sup>t</sup> and John Sadler defend<sup>t</sup>, the Jury finds for the pl<sup>t</sup>, dañages 10s. and costs of the Courte.
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In the action betweene William Houghton pl and Jaruis Mudge defend't, the Courte grauntes the pl right to the cowe wch the defend't had formerly soould him, in satisfaction for the debt.

In the action betweene John Hudshon pl and William Williams defend't, the Jury findes for the pl, debt and damages 8l. and costs of the Courte. Execution graunted in 14 dayes, and deliuered, the 8th Jan', (49.)

In the action betweene Jeames Wakly pl and Thomas Sckidmore defend't, the Jury finds for the pl, debt and damages, 15l. 10s. and costs of the Courte. Execution graunted the 7th of March (49.) and delievered the 8th day of y' same month.

In the action betweene Jaruis Mudge pl and Edmund Scott defend't, the Court adiudges the defend't to pay the pl 10s. in satisfaction for the debt.

In the action betweene Thomas Demon pl and Samuell Martyn defend't, the Jury findes for the pl, 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 prophanes speeches and carriage, 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 month after that, except hee finde bayle to appeare when hee is called for againe to receive second correction, wch the Courte appoints and thinkes meete to bee next Thursday come month, excepte the Gouernor judgesthe 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 mar's service.

S'geant Barber, for his disorderly striking Leiftenant 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. Woolcott, Mr. Webster, Mr. Cullick.

Deputies; 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 Court, that Nehemiah Olmsted bring in to the Secretary a receipt under Mr. H[opkins] his 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 he fails so to do, Mr. Treasurer is desired to send the marshall to distress the said Olmsted.

The same is to be 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 be done by John Hawkes and Tho: Orton of Wyndsor, for the yeare 1649.

This Courte appointes San: Bourman of Wethersfield, to be 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 be 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 consideracon 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 yeares next ensuing; provided hee submitt
himselfe to such other exceptions and cautions as the Gouernor
and Deputy shall judge meett.

The Courte is adiourned to the 20\textsuperscript{th} of next March.

[2] A Session of the Generall Courte, this 20\textsuperscript{th} of March,
1649-50.

[Edw:] Hopkins Esqr, Deputy.

Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster,
Mr. Cullick.

Deputies: Mr. Phelps, Mr. Taylecoat, Mr. Trott, Mr.
Clarke, Mr. Allyn, Sam: Smith, Nath: Dickerson, Andr:
Bacon, John Deming, Edw: Stebbing.

Robert Haward, miller of Wyndson, is freed from seruing
vpon Juryes during his attendance vpon the mill.

The order about the wages of men and cattle is repealed.
Also, the order about the prises of all corne is repealed;
whereby all persons are left at libberty to make theire bargaines
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. pr 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 follow\textsuperscript{th}:—The Gournor, 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
follow\textsuperscript{th}:

The petition from the Inhabitants of Saybrook, presented by
Mathew Grisswold and Tho: Leppingwell, being read and con-
sidered, the Secretary was directed to returne the ensuing
answer:

Though the Courte yett see not any convincing strength of
argument in the reasons alledge to induce either an alltera\textsuperscript{con}
in their judgment touching the equity of what is imposed, or a necessity of leaving the determination 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 means, which prudence forbids, the interests of that place as really concerned therein as the other plantations, and in some respects more, the pretense of this Court's passing sentence in their own case, excluding all the inhabitants of the Riuers 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 their peace and comforts, without a foreign assistance,—the uncomeliness, yea, and unreasonableness whereof is easily obvious,) yet this Court, for the further satisfaction of the petitioners are content to give them full liberty 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 consideration, and either owned in their strength, (if they appear convincing,) or a return made thereunto in writing, if the validity be dissatisfactory; wherein the Court shall not deny them any liberty they desire of taking in the apprehensions of others, (not concerned in the case,) for their own relief and satisfaction: being no ways unwilling their actions should be brought to the light and judged by it, but ever resolved to give due respect to any beam thereof that may be presented by any, when it shines in its beauty: But in the meantime they advise the petitioners to address themselves to a ready observacion of what is imposed, until the Court see cause to make another judgment in the case.

This Court adds to the Committee chosen to prosecute the work about a dwelling house at Seabrooke, at the Court upon 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 room of James Boozy.

This Court appoints that next Wednesday come seven-night shall be kept a publick day of humiliation throughout all the plantations in this Jurisdiction, to seek 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', Gouernor.
John Haynes Esq', 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, Magist.
Mr. Woollcott, Mag.

Deputyes: Mr. Trott, Mr. Hull, Mr. Gaylerd, Mr. Steele, Mr. Taylor-coate, Mr. Allyn, Mr. Hollister, Mr. Warde, Nath: Dickerson, John Bissell, Andr: Bacon, Edw: Stebbing, Daud 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 Wentrope Esq', 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 wch belong to any Forreigner, for the space of one whole yeare after the said 29th of September next, vacpon 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 adiourned till Munday next.

The presentments of the Grand Jury vnto this Courte are vpon the fyle: wch were synyed by the perticular Courte vpon the 20th of Febr, 1650, as appeares by the Records of that Courte.
A Session of the General Courte, the 21st of May, 1650.

Edw. Hopkins Esq., Governor.
John Haynes Esq., Deputy,

Magistrates: Roger Ludlow Esq., Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Tylecoat, Mr. Steele, Mr. Warde, Edw. Stebbing, Mr. Hollister, Andr: Bacon, Nath: Dickerson, Will: Beardssly, Tho: Sherratt, John Dement, Steph: Harte, Tho: Tomson.

This Courte taking into serious consideration, the loss of time that the soldiers pressed upon the last expedition against the Indians, might sustain by their depending thereupon, doth allow to the common soldiers 6s. 8d. a piece, and the sergeants 10s. a piece.

This Courte grants execution to Newton against John Cable, according to the judgment entered the 7th of June, 1649.

This Courte, considering the Return of Danyell Titterton and John Hurd, about a parcel of land lying near the Towne of Fairefield, according to their order from the General Courte of Election, in May, 1649, doth grant unto the said Towne of Fairefield the said parcel of land to Sagatuck River: provided the said Sagatuck doth not exceed two miles from the bounds of the said Fairefield.

Whereas, a thousand acres of ground at Pequett were formerly granted to Capt: Mason, as a gratuity for his good service at the Pequett war; five hundred whereof he gave to five of his well deserving soldiers, where now the plantation of Pequett hath taken vp at the grant of the Courte; this Courte judgeth it meet that those five soldiers should be rationally compensated and satisfied for the same, either at Niantecut (if the Courte shall not finde it deeply inconvenient to the Common wealth or the Plantation of Pequett,) or else in some other place or way.

This Courte upon request made, adds to the bounds of the plantation of Pequett, two miles from the Sea northward, upon the same tearmes and cautions that their former bounds were granted. And to their proposition for a further addition of
meadow, where they desire may bee at Niantecutt, this Courte declares that when the said Niantecutt is viewed, and it doth appeare to the Courte that they may be accommodated there, 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: Rescews 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: Rescew 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 thing very disorderly, nevertheless 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 Gouernor and deputy to execute the place of Comissioners for this Jurisdiction, with the united Colonyes, for the meeting in Septembr next and for the yeare ensuing.

This Courte grants to Capt: John Mason fifty acres of ground near a brooke, about foure or six myles on this side Mohegin, where is in consideration for the land they granted him at Pequett vpon 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. Woollcott,
Mr. Cullick, Mr.Clarke.
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 confirms the said choyce.

Natha: Ely and Richard Olmsted in the behalfe of themselles and other Inhabitants of Hartford, desired the leaue and approbation of the Courte for planting of Norwaake, to whome an answer was returned in substance as followeth:—

That the Courte could not but, in the generall, approve of the indeauor of men for the further improuement 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 propper place, did manifest theire willingness to promote theire designe by all due encouragemt, in case theire way for such an undertakings were found cleare and good: and provided 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 theire 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 inhabitt, bee made by just rules and with the aprobacon 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 theire proportions in all publique charges, with a ready observation of the other wholesome orders of the Country.

The Courte is adjourned till this day month.


Edw: Hopkins Esq', Gouerno'.

Magistrates: Mr Wells, Mr. Webster, Capt: Mason, Mr. Woolcott, 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, Sam: 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 consideracon, 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 specialties of Mathew Allyn, with 10s. dammage and costs of the Courte:

For the 2d, wch was for vniust molestation and the dammage 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 five 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 five pounds over and aboue what was determined by the severall verdicts of the Jury, wch five pounds is for the said Thomas his charges of trauells.

This Courte desires Mr. Gouerno', 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 October, 1650.

Edward Hopkins Esq', Governour.

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 Jurisdiction, 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 Thanksgiving.

The Courte is adiourned till next Wednesday come fortighte.

A Session of the Generall Courte, the 31st of Octob', 1650.

Edw: Hopkins Esq', Gouerno'.

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 Standy, 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 militay discipline, vppon training days; this Courte frees the said Thomas Standy from his training, till they shall see just cause to aliter the same.

The Courte is adiourned till next Monday.
A Session of the Generall Courte, the 3d of November, 1650.

Edw: Hopkins Esq', Gouernor.
John Haynes Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woollcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputies: Mr. Phelps, Mr. Allyn, Mr. Steele, Mr. Taylcoat, 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 conueyed from the power of authority,) come aboard their shipp againe, either vpon the Riuver or at Seabrooke, to deliuer him vp to authority.

It is ordered and concluded, that whereas the Towne of Fairefeild hath not attended this Courte with a just and perfect list of the estate of their 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 their neglect if not contempt therein: and to pay to the Country, by rate for this yeare, according to the estate they formerly gaue in. The fyne of twenty nobles is remitted, as appeares by the Records of the Courte, 15a 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 adiourned to the first Wednesday in Feb' next.

A Session of the Generall Courte, this 5th of Feb', 1650.

Edw: Hopkins Esq', Gouernor.
John Haynes Esq', Deputy.
Magistrates: Mr. Wells, Mr. Woolcott, 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 particular persons within this Jurisdiction from buying any land of the Indians, either directly or indirectly, vnder any pretence whatsoever; this Courte addth therevnto and orders, that no particular person whatsoever 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 suerall Townes.

Whereas, it doth appeare that much hurt, loss and damage doth accrue to this Common wealth and to particular persons in the suerall plantations, by those hogs that are kept or hearded in the woods, by their rooting vpp and wronging otherwise the common feed of cattle, and by their hanging about and breaking through such fences as are suffitient against other cattle, into mens corne, and spoiling the same, It is ordered by this Courte, that if any hogs 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 piece, for every time they are soe found.

Whereas, by vertue of an order in May last, each Towne shall chuse among themselues five able men, to consider and order the best way of improing and fencinc common lands; It is ordered by this Courte that the service committed to them, in all the particulars thereof, wch appears 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 suerall Townes wherein they liue, within this Jurisdiction, and whatsoever the maior prt of the said Townsmen in their suerall Townes shall agree vppon, conclude, determine and order, according to the former order of five 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 Wyndson, being presented as vnfit 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 Wyndson 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 Wethersfield, they shall be allowed three pence pr bush: And Farmington three pence pr 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, ouer and aboue the aforesaid three pence pr 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 agreem', Mr. Clarke and Mr. Taylecoate, whoe are to draw out a true coppy of both the said agreements vnder Mr. Hopkins his hand, wch said coppiesshallbee kept vppon record and fyled by the Secretary. And this Courte grants 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 severall 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: wch said time of meeting for the Committee aforesaid, is the first Tuseday of the next month, being commonly called March, at the Gournor's howse; and the Deputyes of the severall Townes are desired to giue seasonable notice to theire 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. Mason 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 pr't of payment for his great paines in drawing out and transcribing the country orders, concluded and established in May last.

This Courte is adiorned to the 2d Lecture day in March next, after ye sermen.


Edw: Hopkins Esq', Gou'rnor.
John Haynes Esq', Deputy.

Magistrates: Mr. Wells, Capt: Mason, Mr. Woolcott,
Mr. Webster, Mr. Clarke, Mr. Cullick.

Deputyes: Mr. Phelps, Mr. Allyn, Mr. Tailecoat, Mr.
Trott, John Bissell, Sam: 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 Jurisdiction of New Plimouth,) had begunn to settle him-
selxe at Pacatuck, a place within the limitts of this Colonye,
order issued out to the said Cheessbrooke, vpon seuerall
weighty considera6ons, either to depart the place, or to make
his appearance, and giue an account of his proceedings, where-
vtto hee submitted, and by a pænall 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 intendment, his ayme being to settle at
Pequett plantation, but finding that place in seuerall respects
vnsutable to his expectations, and hauing disposessed himselfe of
his former aboade, hee was in a manner necessitated for the
John (Cicero)

(95 B.C.-43 B.C.)

In his later years, Cicero turned to philosophy and politics, and by a peculiar or gory condition of his system, it was as if he were not only contemplating the consequences of his actions, but also the results of his predecessors. He is said to have written over a thousand letters, most of which are lost. Among these, Cicero's letter to Atticus is perhaps the most famous. It is generally agreed that this letter, written in the year 54 B.C., is one of the finest examples of Latin prose ever written. In it, Cicero describes his meeting with Julius Caesar, who had just returned from Egypt, and the advice he gave him on how to govern the province of Egypt. Cicero's advice was to be lenient with the Egyptians, to respect their customs and institutions, and to avoid any interference with their government. The letter is a masterpiece of Latin prose, and it is widely regarded as one of the greatest works of Roman literature.
OF CONNECTICUT.

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 clearely appertaine to this Colonye, so his proceeding was vnwarrantable in sitting downe there without the knowledge and approbation of this Gouernemt; 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 liuing advantaged, to carry on a mischeiuoustrade with the Indians, professing to 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 uncomely 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 scrue 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 liberty might bee graunted,) in a shorte time to procure a competent company of desireable men, for the planting of the place.

The Courte duely considered all that was presented, & though they were willing to make the most favourable construction of his former proceedings, yet they exprest themselues alltogether unsatisfied in the aforementioned respects, for his continuance there in the way hee is in, and could giue no approbacon therevnto, 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 vppon his owne acco† and ingage himselfe in a bond of a 100l. not to proseceute any vnlawfull trade with the Indians, they would not comp[el] remoue.

* The whole of this last line, (at the bottom of page 13, in the original,) is nearly, and a portion of it quite obliterated.

20
And if before the Generall Courte in Septemb'r next, hee give in the names of a considerable company of such persons as the Courte shall approove, who will ingage for the planting of the place and sitting downe there before the next winter, and also submitt themselues to such wayes and rules as shall best promote the publique good, all meete encouragement shall be giuen in that way: wch being made knowne to William Cheessbrooke, hee thankfully acknowledged the Courts fauor, and acquiesced in theire determinacion.

The Courte is dissolved.

A GENERALL COURTE OF ELECTION, IN HARTFORD, THE 15th DAY OF MAY, 1651.

John Haynes Esqr, elected Gou'rnor.
Edward Hopkins Esqr, Deputy.

Magistrates elected: Roger Ludlow Esqr, John Winthrop Esqr, Mr. Wells, Capt. Mason, Mr. Woollcott, 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, Dauid 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.

Samuell Fittch, Jonathan Rudd, John Strong, Moses Ventris, made free.

John Dyer testifieth in Courte, that vppon a time this spring, Mr. Blinman and another of Pequett being at Seabrooke, desir'd this deponent to carry them ouer the Riu'r in a cannoe, 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 desir'd this deponent to sett them ouer in the cannoe, to Seabrooke, wch hee tould them hee would doe if they would worke,
because the cannooe was heauy; so hee brought them ouer, 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 cannooe 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 cannooe: 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, amonge the cloth, & in the meane time Mr. Augustine spake to this deponent to come ouer, wch he did, and after the said Indians had bee 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 bushells of wheat: then this deponent replied that two bushells of wheat was worth ten shillings. So having tarried some time, hee asked the Indians if [they] would goe ashoare; 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 sett the Indians ashoare, 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 their 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, which was seized by some of the Inhabitants of Seabrooke aforesaid, This Courte hath taken the same into consideration, and doe adjudge the said Herriman to pay unto the said seizures the sum of forty pounds sterling, in good pay: And that the said Herriman doe give it vnder his hand, that vpon 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 vpon the tryall of Goody Bassett for her life, and if the Gouernor 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 misdeamenos, from the seuerall vnited Colonyes, cannott but judge the same to bee extrimely prejudiciall to the peace and wellfare of the said colonyes, doe order that the premisses should be recomended to the serious consideracon 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 weh 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 8th July, 1650, this Courte frees the said partyes from their said fynes, and Thomas Staples fyne of forty shillings is brought downe to twenty.

Whereas in the order of Rating, the Comissioners of Fairefeild and Stratford are not inioyned and required to meete the Comissioners in the seuerall Townes vppon the Riuer; 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 Septemb're, meete with the Comissioners of the said seuerall Townes vppou the Riuer 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 unto the said Courte, to bee by them issued and determined; and their fine of twenty nobles at the Generall Courte, the 3d of November, 1650, is remitted by this Courte.

There being an occasion of debate in this Courte about Seabrooks non-payment of the proportion laid upon 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 themselves in the behalf of the said Towne of Seabrooke, that there shall be 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 be 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 desired 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 consideracon the proposition of the Inhabitants of Pequett for some inlargement of meadow at Niantecutt, and whereas there was 500 acres of ground lying in Pequett granted to five of Capt: Masons souldgers at the Pequett warr, wch being taken vp by Pequett, they doe desire may bee recompened 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 giuen to the said souldgers, and taken vp by Pequett, as before and then goe to Niantecutt and lay out there unto the said souldgers such and so much land as may bee fully equivalent 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 marsh there is above two hundred acres, it shall be reserved for the country's use [or] other and further dispose.

Mr. Deputy and Mr. Ludlow are chosen Commissioners for this Jurisdiction to attend the next meeting of the Commissioners of the united Colonyes, and so for the yeare ensuing as occasion may require, and if the Deputy should be gone out of the Country to England before the said meeting, then Mr. Cullick is to supply his place.

It is ordered, that those that live in severall companies at farms reemoate 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 arms, provided one man, (where more then one is,) shall tarry at home but one training day at a time, and that those who do stay at home be provided with arms, according to law; and where any one farme is so farre distant from the Towne as Mr. Fenwicks is, at Sixe Myle land, then one in like manner may remaine at home, for safety of the place.

This Court grants their consent that Nathaniell Rescaw should have Goodwife Johnsons child, which was borne in the prison, as an apprentice to him, till he is of the age of twenty one yeares, and that the said Rescaw shall have ten pounds with him, out of Newtons estate.

This day there was presented a letter to the Court, by the Deputy, from John Wentworh Esq'r of Pequett, directed to the said Deputy, the contents whereof followeth:

Worthy S'r,

It was my intent to have waited upon yourself and the Honored Court, but some occasions of absolute necessity (as Mr. Blinman can informe) require my hasting into the Bay, which should have been sooner if I had beene well to have gon by land, but I have expected a passage by water to Providence, which I am now promisssed by a pinnace that I expect to returne from Leiftennant Gardiners this day; therefore I desire to bee excused till some further opportunity.

There hath beene earnest motions to mee, from some well willers to the Company good, to make some search and tryall for mettals 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 bould to propound the inclosed graunt to yo'selle and the Court; professing this, that I neither know nor have heard of any
mynes or mettalls within this Jurisdiction, 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; wch is already done in the Bay, where I know of two places of lead, one at Lynn and the other at Nuberry, but that at Lynn being challenge 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 onely loose pieces that wee found. I doe not much desire to haue any thinge put in about gold and silver, yet if it be put in, it may incourage some, but I leaue all to the wisdome of the hono"ed Courte, and with my humble service to yo"else and the Deputy Gourno" and the Magistrates and Deputies I rest, Yo" humble servant, May 13th, 1651. John Wenthrop.

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 benefit of the country, in raising a staple commodity;—and whereas, John Wenthrop 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 Wenthrop Esq' in the said busines, It is therefore ordered by this Courte, that if the said John Wenthrop Esq' shalldiscouer, 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 Jurisdiction, 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 Wenthrop Esq', his heires, associates p'ners or assignes, shall injoye foreuer 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 worke and meinteining of workemen, and prouision of coales for the same; provided it bee not within the bounds of any Towne already, 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.
A Generall Courte in Hartford, 11th of September, 1651.

John Haynes Esq', Gournot.

Magistrates: Mr. Wells, Capt: Mason, Mr. Webster, Mr. Woolcott, Mr. Clarke.

Deputies: Mr. Allyn, Mr. Phelps, John Bissell, Dauid Willton, Mr. Trott, Sam: 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 theirs 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 tendered 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 hereupon order and give authority to the said Townsmen to require of the said John Lord the wearing apparell 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 unto her, and reasonable satisfaction shall bee gien if any person shall bee damnified thereby.

It is ordered by this Courte, that the lyne of the Towne of Naameage shall begin on the east side the great Riuer oppositt to the point Mr. John Wenthrop now liues uppon, and so to runn vpon an east lyne to Powcatuck Riuer, together with all the meadow, except it doth exceed foure hundred and ten acres, It is not intended that any p'rt of the former limmitts of the Towne should bee abridged.

Also the lland commonly called Chippachauge,* in Mistick Bay is gien to Capt: John Mason, as also one hundred acres

*Now called "Mason's Island."
or CONNECTICUT. 225

of vpland and ten acres of meadow neare Mistick, where hee shall make choyce.

The Deputies of Fairefeild haue, according to order of Courte in that behalfe, presented to the Courte a list of their names and estates, wch in the Totall amounts to the sufti of 8895l. 3s.

Thursday come seuen night is appointed by the Generall Courte for a day of Thanksgiuing in all the Townes in this Jurissdiction.

Vppon 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', Deputy.

Magistrates: Roger Ludlow Esq', Mr. Wells, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Phelps, Mr. Trott, Mr. Taillecoat, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, John Bissell, Andr: Bacon, John Deming, Sam: 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 their inhabitants to bee freed from traininge to morrow and next day, they doe graunt and consent that they shall haue libberty to take of so many from their 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 warrs, they doe referr the inquiry into the grounds and truth of the premisses vnto the magistrates of this Jurissdiction, and therefore doe desire that ye Governor 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 having 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 although 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 wh 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 seurall 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 vppon such a petition, but if hee shall see cause, in time convenient, to present to the Courte the consideracion of his former good service, they shall bee freely willing to attend it, and to allowe him convenient and reasonable encouragemt; the petition to bee taken of from the fyle.

Vpon the complaint of the Deputies of Strattford 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 vppon 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, wh 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 join with the magistrates for the execution of justice in the Townes by the sea side.

It was ordered that Thomas Staunton should goe to Narragansett and demand 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 soldgers at Farmington: John Steele Junior, Ensigne, and Thomas Barnes, Serieant.

A letter being received from Capt: Mason, wherein hee desires, among other things, the advice of this Court touching a motion propounded by some of New Hauen interested in Dillware designe, for his assistance of them in that businesse, with some encouragements for his settling there; The Court 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 Court that hee would not enterteine thoughts of removing his aboade out of this Colony, whereunto they cannot giue the least allowance or approbation; yet if his owne desire bee for the present service of that place, and there imports continue for his employment there, the Court cannot wholly deny him or them, the worke being that with 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 Commissioners about a mare of his, wilfully killed by a Pequott Indian, called Poquoiam, some after the fore mentioned warr, when all sorts of horses were at a high price; concerning which, Mr. Israell Stoughton, Generall for the Massachusetts, made an agreement with Meyantonime, one of the principal Narragansett Sachems, with or under whom the sayd Poquoiam liued, on behalf of the offenders: * * * * * * Upon consideration of the premises, the Comissioners thought fitt that the sayd monye be againe demanded of Ninigrett,” he being the brother in law of Poquoiam, and heir to Mianntonino, “or that hee deliver Poquoiam into their hands; but upon refusall or delay, that some fit man, duey accompa nied, be sent, by order & direction of the Government of Connecticut, to require it, with allowance of the present charges, and if it be not fortheith paid, to make seizure to the vallew of 40l. with the charges, and to bring it away with them; and hereof the Narraganset Indians now present were willed to informe Ninigrett; onely, if after such payment or seizure, Vncas or Wequash Cooke shall by entertaining, 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 Court hath allsospeken with Leiffenant Bull, about the land at Nihantecutt, laid out to him and others with him, who hath promised to conferr with Vncas and indeuo to give him reasonable content and satisfaction, in reference to the premises, wch if they shall not answerably attend, then vpon information the Court will take further consideracon thereof, in seasonable time. And whereas hee certifies in his letter that hee is not satisfied in Saquassens being exalted vnnder our power to great Sachemship, this Court 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't of the Treasurer of the debts of the Country, and how the last Country Rate is disbursed, and present the same to the next session of the Generall Court.

It is ordered, that Mattabeseck and Norwauke shall bee rated this present yeare in theire proporcon, according to the rule of rating in the Country, for theire cattle, and other visible estate, and that Norwack shall present to Mr. Ludlow, and Mattabeseck to Mr. Wells, in each Towne one inhabitant, to bee sworne by them, Constables in theire seuerall Townes.

It is ordered by this Court that Wednesday next come fort-night, there bee a day of fasting and humiliation throughout this Jurisdiction, for and in consideracon of some diseases or infection that is among e or neighbors & freind's of the Massachusettts, as also for and concerninge the affaires of e or native country, and prosperity of the Gospell of Jesus Christe.

* At a meeting of the Commissioners, in September, "Uncas complained that Sequassen 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 Sequassen (as he was informed,) is set up and indesier'd to be made a great Sachem, notwithstanding he hath refused to pay an acknowledgm't of wampom to him, according to his ingagements."

"The Commission* disclaimed any indeavors of theirs to make Sequassen great, and are ignorant of what he affirms concerning the other, yet recommend it to the Government 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.]
$ £ s.

Hartford estate was presented to this Court to be 22404:19.
Wyndsort,..............15435:
Wethersfield,.........12748:
Farmington,..........04741:
Seabrooke,...........04150:
Fairefield,...........08895:3
Stratford,............07118:8:6d.

75492:10:6

It is ordered, that warrants shall goe out from the Treasurer for a whole rate, and that every person, according to the order, to be rated at 2s. vid. per head, shall be brought down to 18d. per head; the whole rate to be paid 1/3 in wheat, and 1/3 in pease, and 1/3 in good peage or Indian.

The Court is adjourned to the first Wednesday in December next.

[23] A Session of the General Court, the 3d day of December, 1651.

John Haynes Esq, Governor.
Magistrates: Mr. Woolcott, Mr. Webster, Mr. Cullick.
Deputies: Mr. Phelps, Mr. Allyn, Mr. Tailecoat, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, Andr: Bacon, John Bissell, John Demyng, Steph: Harte, Tho: Judd.

The Court is adjourned to the first Tuesday in March next, by ten o'clock in the morning.


John Haynes Esq, Governor.
Magistrates: Mr. Wells, Capt: Mason, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke.
Deputies: Mr. Tailecoat, Mr. Phelps, Mr. Allyn, Mr. Westwood, Edw: Stebbing, Natha: Dickerson, David

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 granted and next to be collected, wch is for so much the Country is indebted to Edward Hopkins Esq'; 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, haung 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 graunts liberty to the Indians that formerly possessed and planted the same, to posess 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 fuen of Capt: Masons souldgers, that they shall have two hundred acres of that vpland wch lyes northward, next adioyning to the remainder of land already laid out to them, wch they accept in full satisfaction for the hundred acres they haue resigned as before.

The Courte is dissolved.


Magistrates elected:
Edward Hopkins Esq', Gou'nor.
John Haynes Esq', Deputy.
OF CONNECTICUT.

Roger Ludlow Esq', John Wentworth Esq', Mr. Wells, Capt: Mason, Mr. Webster, Mr. Woollcott, Mr. Cullick, Sec', Mr. Clarke, Mr. Howell, Mr. Tapping.
Mr. Tailecoate, Treasurer.

Deputies: Mr. Phelps, Mr. Steele, Mr. Tailecoate, Mr. Warde, Mr. Gayler, Mr. Westwood, Mr. Trott, Mr. Parkes, Edw: Stebbing, Natha: Dickerson, Andr: Bacon, John Deming, John Bissell, Tho: Coleman, Dauid Willton, Will: Hill, Will: Beardsly, Dan: Titterton, John Clarke, Tho: Chapman, Hugh Calkin.


This Courte having duey 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, defendé, 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 Commonwealth, there is to bee a particular Courte in Hartford the day before the two standing Generall Courtes, in May and September in each yeare, this Courte finding seuerall inconueniences that followes thereupon, doe hereby order that the aforesaid particular Courtes shall bee kept in Hartford aforesaid vppon 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 vessels and goods of Ulsterman, at Fairfeild, Dutchman, by John Cable and some others with him, the parties on both sides have left themselves with submission to the judgment of the said Courte, in reference to the premises, they doe order that the said Dutchman shall pay to the seizors the sum of five pounds, and all their reasonable costs and charges thereupon, wch being done,
then the said seizors are to deliuer 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 himselfe to meintaine 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 co[n] feild by mutuall consent is concluded to bee fenced proportionably, and it so falls out that the said fence cannot goe on comfortably except the Right Worshipfull Geo: Fenwick Esq' doth joine in proportion, by reason of some accomoda[con] that belongs vnto him, w[ch will necessarily fall in within the fence, and it hath beene objected by Capt; Cullick, the said Mr. Fenwicks agent, that the same will bee but little beneficall to the said Mr. Fenwick, and therefore conceiues that the said Mr. Fenwick 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, whoe vpon veiw 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 Jurisdiction, by the vnli[mit]ted examination of witnesses before the Magistrat[e] 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 (seinge 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 Connecticut, hee shall bee a meanes to prduce his witnessesto the said
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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 Magistrates in the said plantations, whereby they may bee inabled to keepe a Courte within the said plantations according to the combin[yon] 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 meete in a convenient time at their saied plantations, and elect such as they see meete to bee Assistants as aforesaid, whoe are to bee sworne before a Magistrate, and are capable to the intent aforesaid.

Vpon 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 their 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 meete and so ordered, that the inhabitants shall bee first serued before the Corne bee traded or carried forth out of the Riuier: this order to stand in force untill November come twelve 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 grante that hee shall have 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 vpon the said Coue.

Thomas Lord, hauing engaged to this Courte to continue his abode in Hartford for the next ensuing yeare, and to improve his best skill amongst the inhabitants of the Townes vpon the Riuere within this Jurisdiction, both for setting of bones and otherwise, as at all times occassions and necessiyes may or shall require; This Courte doth grant that hee shall bee paid by the Country the su[m] of fifteene pounds for the said ensuing yeare, and they doe declare that for every visitte or journye that hee shall take or make, being sent for to any howse in Hartford, twelve pence is reasonable; to any howse in Wyndsoe, 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 seuen nights shall bee kept a publique day of thanksgyuing 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 giuen to the Sachems of the Indians within this Jurisdiction, that no Indi:an shall walke or come neare vnto or amongst any English mens howses, in Townes or Farmes, on either side of the Riuer, or elsewhere, vppon the Lords day, except it bee in their 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 their 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 giue 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 return to Mr. Ludlow a true and perfect List of the persons and estates in their Towne, that a due proportion of all Common charges may be borne by them, with the other Townes in this Jurisdiction.

It is ordered, that warrants shall go forth from the Treasurer for halfe a Rate for the Country, according to the order of rating, to bee paid \( \frac{1}{4} \) in wheat, \( \frac{1}{6} \) in pease and \( \frac{1}{12} \) in Indian; wheat at foure shillings, pease at three shillings, and Indian at two shillings sixpence, pr' bushell.

The estates and persons of the severall Townes, presented to this Courte, were as followeth:

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<tr>
<td>Seabrooke</td>
<td>0 0630.00.0.</td>
<td></td>
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<tr>
<td>Wyndsor</td>
<td>1 4093.00.0.</td>
<td></td>
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<tr>
<td>Stratford</td>
<td>0 0704.19.0.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wethersfield</td>
<td>11499.00.0.</td>
<td></td>
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</tr>
<tr>
<td>Fairefield</td>
<td>0 0885.15.0.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmington</td>
<td>0 05164.00.0.</td>
<td></td>
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</tbody>
</table>

70911.13.0.

The Courte is adiourned to the last Wednesday in Feb't next, in the afternoone.

[31] A Session of the Generall Courte, called by the Deputy Governor, in Hartford, the 24th Febr. 1652.

John Haynes Esq', Deputy.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputyes: Mr. Talcott, Mr. Phelps, Mr. Steele, Mr. Westwood, Mr. Gayler, John Bissell, Dauid Willton, Nath: Dickerson, Tho: Colman, Andr: Bacon, Stephen Harte, Will: Smith.

Upon a due consideratyon of the scarcity of provisions in some of the Plantatyons within this Jurisdiction, divers persons already finding they are not sufficiently 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 quallity 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 color, plea or reason whatsoever, any quantity greater or smaller, of wheat, rye, pease, Indian corn, malt, biscuit, or any other graine or the proceeds of it, or beefe, porke, bacon, butter, cheese, or any the like provisions for meat or drink, before the last of March next, or the next Session of this Court, which is to be in April 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 mean time 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', Deputy.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Tailcott, Mr. Steele, Mr. Phelps, Mr. Gaylard, Mr. Trott, David Wilton, John Bissell, Andr: Bacon, Nath: Dickerson, Stephen Harte, Will: Wadsworth, Tho: Coleman, Mr. Westwood.

Wethersfield having presented Rich: Trott to be chosen Ensign to the trained band in that town, this Court declares that they approve of the choyse & conferme him in that place.

This Court 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 Court.

This Court being willing to attend all the ways 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 uppon 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 refu-
sall 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 legal.
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.

Deputies: Mr. Phelps, Mr. Gayler, Mr. Steele, Mr. Tail-
coat, Mr. Westwood, Mr. Trott, Jo: Bissell, Nath: Dick-
erson, 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 presents, 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. Cul-
lick; it is also ordered that 8 able men shall be impressed 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 severall quar-
ters, that they would, till they rec'e farther advice, speedily
gather their familyes togethier in to the towne as they tender
there 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 releiue them in such a scattered way as now they are in.*

Mr. Haines is desired to send downe to Capt. Mason, for the Corsletts 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 priuson, in all respects, & particulars sent from the Corporatyon of Eng: to the vnited Colonyes.†

It is ordered by this Courte that all fynes & penalities 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 forreigners with any Indyons within this Jurisdictyon, upon penalty of confisscation, as by the said order more fully appears, the said Symon Yeosens vessell & goods aforesaid to be justly seized & forfitted to this Common wealth, out of which the Courte allows him six pounds in wampom, togeather with his bedding & waring apparrell & chest.

* "The commencement of hostilities, the last year, between England and Holland, the perplicous 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 parcellof armes and ammunition, as a supply & for the convenyency of the United Colonyes, did order that the same should be devided as followh:

<table>
<thead>
<tr>
<th></th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>To the Massachusetts</td>
<td>234.</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>To Plymouth</td>
<td>43.</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>To Connecticut</td>
<td>45.</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>To New Hauen</td>
<td>37.</td>
<td>13</td>
<td>0</td>
</tr>
</tbody>
</table>

358. 12. 8.

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 appropriaated "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 Countr is to pay forbearance $l. p' 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 & tearms:

This Courte orders that the neighboring Indyons to the seural Plantatyons within this Jurisdictyon should be required to giue an evident testimonye of their fidelitty 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.

[35] MAY the 18, 1653. THE GENERALL COURTE.

John Haynes Esq', Gou'.
Edw: Hopkins Esq', Deputy, absent.
Magistrates: Roger Ludlow Esq', absent;* John Winthrop Esq', 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 Riuier are exempted from training with the Towns on the West side, this present time, & are to meete on the East side as Will: Hill shall appoint & traine their together, and so to continuue on theire

* 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 pleurse of the Courte.

Roger Ludlow Esq' and Capt John Cullick are chosen Commissioners for this yeare ensuing, and are invested with full power to agitate such occaytons as concerne the united Colloyes 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 pr Mr. Talcott and Sam: Smith, Mr. Hill & Dauid Wilton; they are also to p'portion for the p'visions suitable for such a servis, for two months time.*

MAY THE 29th, 1653.

Will: Lewis & Will: Phillips doe acknowledg themselues to be a hundred pounds indented unto this Jurisdictyon: the condition is, that yf Jo: Doyes shall be of good behauior to all pelll 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 Seabrooke, a pair of carte-wheels that the said Waler hath now in vse, within 8 days after this date, & the wheels are to be aprised by Francis Bushnell, Steeph: Post & Tho: Tracy, & what the said Waller is indebted 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 also 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 souldgers might bee requisite if God call the Colloyes to make war against the Dutch. & concluded that five hundred for the first expedition should bee the number out of the foure Jurisdictyon," apportioned this number to the several colonies as follows; to Massachusetts, 333; Plymouth, 60; Connecticut, 65; 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 bee now hath to view & observe the scituation & fortifications at the Monhatoe." [Records of U. Colonies.]
Capt: Sebadoe is this day fined ten pounds for bartering with the Indyons, powder & lead.

Forasmuch as John Dawes hath given forth threatening, malicious speeches against Mr. Hopkins his person, for his executing of justice (when he was Governor,) on the said Dawes his wife, this Courte censures the said John Dawes to banishment; that the said John Dawes shall within ten days ensuing depart from this Jurisdiction, and not to return again to any place within this Jurisdiction on the peril of his life.


Searjant Rich: Olmsted is allowed by the Court 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 Philip Groues are appointed by the Court to that servis.

The Courte hauing received order from the Commissioners that their are to be sixty five men to be prepared forthwith*, to be at a day's warning, with provisions suitable; 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 suitable provisions and ammunity shall be forthwith prepared:—

<table>
<thead>
<tr>
<th>Town</th>
<th>Men</th>
</tr>
</thead>
<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>
</tr>
<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>Seabrook</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 Cheiffe;
Lieutenant Bull, to be their Lieutenant;

* See note on page 241, ante.
Lieutenant Thomas Wheeler, of Fairfield, to be their Ensign; Rich: Olmstead, of Norwocket, to be a Seriant, & the other Seriant is to be chosen by the officers of this Company; Hugh Wells, to be their drummer.

The Court 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 & Dauid Wilton; for Hartford, Mr. Webster, Mr. Westwood & Good: Bacon; for Wethersfield, Mr. Wells, Nath: Dickerson, Sam: Smith; for Farmington, Mr. Steele, Good: Harte; for Pequott, Mr. Wintropp (if at home,) Capt: Denison, Good: Calking & the Constables; for Seabruock, Capt: Mason, [37] Good: Clarke & Good: Chapman; || for Stratford, Good: Groues & Good: Thorenton; for Fairfield, Mr. Ward & Will: Hill.

The Court orders that the milletary officers of Stratford shall remaine as they were before Mr. Ludlowe went away, untill Mr. Ludlowe returne againe.

Granted to John Winthrop Esqr, the trees or timber of three or foure swamps where he can finde any Pine, Spruce or Ceder, 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 provissons 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 uncapable 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 Governor see cause to call it sooner.
A Session of the General Court, in Hartford, called by the Governor, this 25th of June, 1653.

It is ordered by this Court that their shall forth[with] bee presented to the Bay, the present stresses, fears & dangers that the English bordering upon the Dutch, both upon the mayne & Long Iland, are in:

Secondly, to present the judgment of the Court concerning the power of the Commissioners about making war:

Thirdly, to present the reasons & grounds of the Court's judgment, as aforesaid:

Fourthly, humbly to crave that the designe may goe on according to the consult of the Commissioners & therefore that three Magistrates may give a call to the Commissioners to meete in these parts for the managing of the present occasions of the Colonyes, according to the Articles of Confederatyon. & that if these things bee denied, then in like manner to desire that we may have leiberty to gather up voluntiers amongst them, to enable us to promote or own safety & effect what necessarily conduces thereunto.

June the 27, 1653.

Whereas there are certaine barrells of powder and ammunition* that came out of the Bay into this River & Jurisdiction due to this Colony from or friends in England for reasonable pay, it is therefore ordered, that the same be kept intire, not divided, untill the expedition now in hand bee over, or else this Court give other order to the contrary.

It is ordered that Mr. Haynes & Mr. Ludlow shall treat 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 Court 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 General Court in Hartford, this 28 of July, 1653.

John Haynes Esq', Governor.

Magistrates: Mr. Woolcott, Mr. Webster, Mr. Cullick.

Deputies: 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 Court desires the Governor to write to Capt. Mason, yt hee would hear ye difference between James Ellis & Pataquack Indyons, & if hee can, to end it, and to let them know from the Court that if hee doe not end it they must come up to the Court.

The Court is adjourned to this day fortnight, at one of the clock in the afternoon.

A Session of the General Court, 11 Aug: 1653.

Mr. Haynes Esq', Governor.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Gaylard, Mr. Phelps, Mr. Trott, Mr. Tailcott, Mr. Westwood, Edw: Stebbing, John Bissell, Andr: Bacon, Dauid 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 Court appoints the Governor, Mr. Webster, Mr. Cullick & Mr. Tailcott, as a Committee to treat 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 Court consents that the Treasurer should receive of Capt. Cullicke, ye some of 10l. or 20l. for ye Countries vse, which they will repay.

The Court is dissolved.

22*
A General Court held the 8 of September, 1653.

John Heynes Esq', Governor.

Mr. Webster, Mr. Woolcott, Mr. Clarke, Mr. Welles.

[Deputies:] Mr. Steele, Steev: Harte, Mr. Talcott, Mr. Westwood, Andr: Bacon, Edward Stebbing, Mr. Gaylard, Dauid 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.

Lieutenant Cooke is allowed fifty acres of medow in Massacoe. This L' Cooke owenes to be in his father Ford's improvem', 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 togeather, & they haue liberty to send to Capt. Mason to desire his presence & to giue him a call to command in chief, & to appoint the day; provided that each Towne shall haue power to reserve a guard at home, for the safty of the Townes, as occa-tyon 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>Estate</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 libberty to improue for his own pryvicle, ten acres of grownd, 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 libberty to finde out a place for the setting up a saw mill where it may not preiudice the plantatyons or farms allredy giuen out.

Lieutenant Cooke is to haue 50 acres in Massacoe, on boath sides the Riuer, next aboue the Fauls. John Bissell is allso
to have 60 acres on both sides the aforesaid River, next the Lieutenant.

There is also granted to Tho: Ford 50 acres at Massacoe, whereof four & forty hath been improved by him by plowing & mowing as it was measured by Mathew Grant, bounded by the upland south west & compassed round by the River, unless it be about 30 Rodde on the south east against another strip of meadow.

There is five pound to be paid by the aforesaid partyes to the Treasurer, which was formerly disbursed by the Country.

It is desired, that Mr. Woolcott & Mr. Clarke should dispose of the remainder of the ground at Massacoe, to the inhabitants of Windsor, as they judge convenient, & to order the laying out of the former grants.

Whereas it is observed that many seamen, divers times weigh anker in the harbours of several Plantations within these liberties, & pass out on the Lord's Day, to the grief & offence of the beholders; for the preventing whereof, it is ordered, that after the publishing this order, no vessel shall depart out of any harbour within this Jurisdiction but the master of the boat or vessel shall first give notice of his removal to the head officer of the Town next the said harbour where they see anchor & obtain license under the hand of the said officer for his liberty therein; otherwise they shall undergo the censure of the Court.

The Court is adjourned to the last Wednesday of this month, at 9 a clock.

A General Court in Hartford, called by the Governor, upon speciall occasion, 21th Octob', 1653.

John Hains Esq', Govor.

Mr. Wells, Mr. Woolcott, Mr. Webster, Mr. Cullick, Mr. Clarke.

Deputies: 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 & preiudice, & to order the same as they judge meete, for the preventing of inconveniences for the future.

Mr. Gouorno⁦, Mr. Ludlow, Mr. Tailcott & Dauid Wilton are chosen for a Committee to goe next seacound day to New-hauen and meete with their Committee to consider aff.*

[42] A Speciall Generall Courte, caled by the Governo-or, held in Hartford, the 29 October, 1653.

John Haynes Esq⁧, Govern⁧.

Magistrates: Mr. Wells, Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: Mr. Tailcott, Mr. Westwood, Mr. Phelps, Mr. Trott, Mr. Hollister, Mr. Dan: Clarke, Edw: Stebbing, Andr: Bacon, John Bissell, Nath: Dickerson, Dauid 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 haue beene read in the Courte, shall be sent to the Bay, and to Colonnell Fenwick, Mr. Hopkins & Collonell Haynes,† vnder the

* 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. 5312.]

† 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 wisdome & light.

It is ordered & granted that warrants shall issue forth from the Tresurer, to the seuerall Townes in the Jurisdiction, for the leving of a Rate & halfe, for this yeare, to be payd $ in wheate, at 4s. pr. bush: $ in peass or rye, at 3s. pr. bush: & $ in Indyons corne, at 2s. bd.

Mr. Ludlow, Mr. Wells, Mr. Westwood & Mr. Hull are desired to keepe a particular 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 Govornor see cause to call it sooner.

A Session of the Generall Courte, in Hartford, the 23th of November, 1653.

John Haines Esqr., Govor.

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 Wilcock, doe order, that John Wilcock shall, within 12 moneths from this time, build a tenetable house 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 injoyned & haue agreed to liue upon 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 aptaining shall returne to the Towne & bee to ym & at their dispose, as if they had never beene laide out to him.
This Court approves that the name of the Plantation commonly called Mattabesick shall for time to come bee Middletowne.

This Court 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 Esqr, Governor.
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 Wednesday 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 inioye their planting ground at Pauca- tuck, 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 p't or whole uppon Paucatuck River, & they to make report to the Courte of w't they shall finde & the true bounds of what is desired.

This Courte being informed that the inhabitants of Pequett haue taken possessyon of Vncus his forte & many of his wig-wams at Monheag, doe order, that a letter should bee wrtten 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 haue done as is complayned, the Courte expects they should giue an account of their soe acting.

The Courte is adiorned till Munday next, at 8 a clock.

[44]  

THE 6th OF MARCH, 1653–54.

In respect of a sad breach God hath made amongst us, in regard of the sudden death of our late Governor,* & the like mortallity of or neibours in the Bay, & some eminent removalls of others, & spreading opinions in the Collonies, the condityon of or natie 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 Jurisdiction, 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.

Deputies: 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. Sañ: 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 special warrant granted to Jonathan Guilbert to arrest Tho: Baxter for his several misdemeanors committed within this Jurisdiction, to the disturbance of the peace thereof, & the said Jonathan to have power to raise such considerable forces as he sees meete to execute his warrant.

Mr. Westwood & Rich: Goodman are desired to view the prison & cause such repercussion 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.

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[45] ATT AN ASSEMBLY OF FREEMEN, IN HARTFORD, THIS 16th FEBRUARY 1653, TO CHOOSE A Moderator.

Mr. Thomas Wells was chosen Moderator for the present Generall Courte under adiournt: & was invested with full power by them to call the next Generall Courte of Electyon.

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Magistrates: Mr. Wells, Moderator. Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke.

Deputies: 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.

Upon 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 contrary.

* This was rendered necessary by the death of Gov. Haynes, and the absence of Deputy Governor Hopkins, who was now in England.
This Court having duly considered the insufferable, reproach-full speeches of Thom: Baxter against the Cheif of this Jurisdictyon, & his insolent carriages in seuerall pt'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 sayd Tho: Baxter shall pay as a fine to the Common Treasuory the summ of fifty pounds, besides the 20l. alredy seized for the breach of his Recogniscance, & that he shall alsoe putt in 200l. 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 lland 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 prvisions from October last to this day, whereby it appearst that the ground of Baxters running away from Road Iland was not through want of prvisions 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 receved from Roade Iland, hauing duely 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 dañage 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 particulars 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 1 bb of tarr, 1. 4. 0
For expences in trauell in pursuance, 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 prowided & 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 demene our selues against the Dutch as against those that haue declared themselues enemies to the Common wealth of England, doe therefore order & declare, that the Dutch howse the Hope, with the lands, buildings & fences thereunto belonging, bee hereby sequestred & resarued, all perticular claimes or pretended right thereunto notwithstanding, in the behalfe of the Common wealth of England, till a true tryall may be had of the premises, & in the meane time this Court prohibitts all persons whatsoever from improouing 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 aprobayon 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 have
OR CONNNECTICUT.

beene acquainted with and exposed unto the commission of a grievous sinn to the great dishonor of God, abuse of themselves & 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 feamale, 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 fife pounds for a pinte, for every pinte of either wine or liquors aforesayd, & forty shillings for the least quantity; one third part of the penalty to bee & belong to those that shall informe & proue any delinquency, * to the publique Treasury.

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 soould in any vessell, lying in any harber or roade in this Common wealth, after publicatyon of this order, shall be all forfited & 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 10ss. & every butt of wine 40ss. or hodshed of wine 20ss. or quarter cask 10ss. wheather they are full or noe. This order repealed, M'rch 12th, '58-'59.

It is also 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 20ss. 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 Governor. absent.
Mr. Wells, chosen [Deputy] Governor.

Magistrates chosen: Mr. Webster, Major Mason, Mr. Winthrop, John Cullick, Sec'; Mr. Woolcot, Mr. Clarke, Mr. Willis, Mr. Tailcot, Tres'.

Deputies: Mr. Steele, Mr. Westwood, Mr. Trott, Mr. Phelps, Mr. Fitch, Capt. Denison, Mr. Warde, Hugh Calking, John Bissell, Daud Wilton, Tho: Peard, Andr: Bacon, Will: Hill, Dan: Titterton, Tho: Coleman, John Hollister, Phill: Graues, John Lattimore, Mathu: Griss-wold, 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 pt of the Magistrates, in the absence of the Governor & Deputy, shall have power to call any Generall Courte; and that any Generall Courte, being legally called & mett, the maior pt of the Magistrates & Deputies then mett (in the absence of the Governor & Deputy,) shall have power to chuse vnto & from among themselues, a Moderator; which being done, they shall be deemed as legalla Generall Courte to all intents & purposes as if the Governor or Deputy were present.

The names of those who at this Courte were 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-
or connec... 257

Norwack; Mathu: Camphile, Thom: Hanford:


It is ordered by this Court, that Mr. George Hull & Alexander Knowles, of Fairfield, Phillip Graues, of Stratford, & Mathew Camfill, of Norwack, shall be Assistant to such Magistrate or Magistrates as the Court shall at any time send amongst them, in the execution of justice, & they hereby impower them to examine misdeameanors, to grant out sumons, or bind over delinquents to Court, 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 giving an account to this Court of the same, when required thereunto.

This Court taking into consideration the complaint of Vncus agst some in Pequett for laying out & taking up parte of his land which he conceives they have no right unto, doe desire, with the consent of the said Vncus, that Major Mason would as speedily as he may, taking Mathew Grisswold, of Seabroocke, with him, goe to Pequett & joyn with Mr. Winthrop to draw the line betwne Pequett & Vncus according to the bounds granted that towne, beginning their line & soe carrying it on in the most indifferent place & way, that noe advantage (as near as can,) may be taken by Points or Coues, either to them or this Jurisdiction, but that which is most equall on both sides to be attended; which being done, they are desired to sett downe where they finde the line to end, & endeavor to compose differences bet: Pequett & Vncus, in loue and peace; and what they shall doe in those premises, in every respect, they are desired to make report of to the Generall Court.

Mr. Hopkins & Mr. Wells are chosen Commissioners for the yeare ensuing, & if Mr. Hopkins come not in season to attend that service, then Mr. Webster is desired to supply his absence.

It is ordered by this Court, that the Assistants at the sea side shall have liberty & power to examine those present misdeame

ors amongst them, & as they finde cause either to sende up

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delinquents to come to there tryall at Conettycut, 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 pettition 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 Jurisdiction with Colonell George Fenwick Esq', about the forte.

Whereas, notwithstanding an order of this Comon wealth that noe corne or provityons mentyoned theirin shall be transport out of this Jurisdiction upon penalty of conffiscayon, except they enter the same with the Commity appointed by the Courte, & giue in security to them or either of them that the premises shall be deliuered 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 heereby authorize Capt. Denison, of Pequett, upon all vessells that come into y Harber, and for y end hee is farther authorized to goe aboard any such vessells & to require an account of their 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 over 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 Jurisdiction, according to that order, to whom he 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.
OF CONNECTICUT.

This Court declareth to Herman Garritt, yt for the present they judge the proofe 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, & theirfore they advise Herman Garritt not to molest Mrs. Haynes in the improument of it, hauing sufficient libertie of planting by it for himselfe & 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.


Mr. Wells, Deputy Governor.*

Maior Mason & John Cullick are chosen Commissioners for the yeare ensuing, and are desired to goe downe to the Bay, and attend the seruice there as occasions present.

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 Connecticut, assembled in Hartford aforesaid, this 13 day of June, 1654:

Whereas, the Generall Courte of Connecticut haue rec'd a letter from his highness Oliver, 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 Colonye 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 uppon all occaytons what shall bee the result & issue of y'r negotiations in reference to the premises.*

Instructyons for Maior John Mason & Capt. John Cullick, sent as Agents from the Generall Courte of Connecticutt, 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 Colonies, to whome hauing (at request,) shewed y'r Commission, veiwed & p'reused theirs, according to the contents thereof you are to treate & negotiate with them about p'suance of an expedition ag't 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 meet 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 p'portyon in the aforesaidservicedz; 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, pr'vided 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, pr'vided they all ingage to be under the co'mand & at the dispose of such co'manders as you shall approue or appoint; if neede bee you may ingage, if the rest in counsell see meete, the ordinary wages for souldiers, & their proporyton of the spoile with others in that servise, if God in his mercy giue 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 General 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 knowe that our Colony will with all thankfullness imbrace this favour and respect from his Highness, and with all readines 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.]
[52] A Generall Courte caled by the Deputy Gov'r, the 11th of July, 1654.

Mr. Wells, Deputy Gov'r.

Magistrates: Mr. Webster, Maior Mason, Mr. Woollcott, Mr. Cullick, Mr. Tailcoat.

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 Comittee to drawe up and sende one letter to the Coporatyon, one to Generall Monck and one to Mr. Hopkins, & to provide for the Commissioners.

The order for restraint of trade with the Dutch & other foraigne natyons is repealed.

It is ordered, that there shall bee a man provided to bee with Maior Mason upon the service 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 Gov'r.

Magistrates: Mr. Webster, Mr. Woolcott, Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailcoat.

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 devison of men to bee pressed out of each Towne to attend the expedition to Narragansett,* according to the conclusion of the Commissioners, is as followeth:

* The Commissioners, at their meeting in September, had resolved upon war with Ninigret,
Windsor, 8 persons. Wethersfeild, 6.  
Pequott, 4. Farmington, 2.  
Mattabeeseck, 1. Seabrook, 4.  
Norwacke, 0. Fairefeild, 6.  

The persons that are to goe first, which are 24, are to bee out of the Townes following;—Windsor, 4; Pequott, 4; Matabee-seeck, 1; Hartford, 6; Wethersfield, 4; Farmington, 1; Sea- brook, 4;—24. The remainder of the first numb're being 21, which are to attend & be in reddines as a reserue, are to goe out of the towns folowing;—Windsor, 4; Hartford, 3; Wethersfield, 2; Farmington, 1; Fairefild, 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 uppon by them and under all their hands, and baring date the 30th September, 1654, the Courte allowes the said distributyon & orders it to bee recorded.  
The Courte alalso allowes and approues of the judgment and apprehensions of the Comittee, (viz: Mr. Cullick, Mr. Steele & Mr. Allyn,) about Mr. Whitings will, so farr as they all agree, & order it to be recorded.  
This Courte giues Mr. Will: Goodwin libberty to make vse of wtt Timber from the waste land belonginge to the Country,hee shall haue occasion for to keepe his sawe mill in imploy-ment.  
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 alalso further graunt unto the said Mr. Cullick, free license and libberty for the futur to draw out or sell to his friends & neighbours wtt wine & liquors hee shall see cause, free from the Countryes excise.  

[55] It is ordred 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 con- ceded 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, strong Beare or Syder, & sell it out by retail 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 great & crying sin of Drunkenness reigns amongst them, to the great dishonor of God & hazard of the liues and peace boath of the English & Indyans, which 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 libertes, directly or indirectly, to sell, lend, barter or giue to any Indyan or Indyans whatsoever, small or great, one or other, any wine, liquors, beare, syder* or metheglin, or any sorte or kinde whatsoever except it bee their ordinary how should heare, for which they shall haue noe recompence, upon the former penalty of five pounds for every pinte & 40ss. 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 Plantations in this Jurisdiction, to seeke the presence and blessing of the Lord uppon the present expedition to the Narragansetts, according to the conclusion of the Comissioners, wherein or future peace & comforts are much concerned.

This Courte desires & appoints the Magistrates to take the most seasonable time to give order for a publique day of Thanksgiving throughout this Jurisdiction.

This Courte frees Thom: Allen, the sonn of Mr. Mathu Allen, from his fine of 20l.

The Comitee chosen by this Courte to press men and necessaryes in each Towne, for this expidition, 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 Magistrates there:
For Farmington, Mr. Steele & the Constable:

*[In margin.] "The p'ticular respecting Sider in this law, is repealed, March 11th, '58-'59."
For Wethersfield, Mr. Hollister, Thomas Coleman, & Natha: Dickerson, to join with the Deputy Governor:
For Middletowne, Rob: Webster, Tho: Whitmore, with the Constable:
[56] For Seabrooke, John Clarke & Robert Chapman, with the Major:
For Stratford, Tho: Sherwood & Tho: Fairechild, with the Assistant & Constable:
For Fairefield, Mr. Ward & Alexander Knowles, with the Constable:
For Pequett, Capt: Denison & Hugh Calkin, with the Constable. One drum & 1 pr Cullers, from 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 upon their 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 adjorned to ye 1 Wednesday in March next.

A Session of the Generall Courte, at Hartford,
September 14th, 1654.

Mr. Wells, Deputy Governor.
Magistrates: Capt: Cullick, Mr. Woolcott, Mr. Clarke, Mr. Willis, Mr. Talcott.
Deputies: Mr. Steele, Mr. Trott, Mr. Phelps, Mr. Gaylour, 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 several Townes within this Jurisdiction:
Persons. £.

Hartford, 177. 19609.
Windsor, 165. 15833.
Wethersfield, 113. 12602.
Midletowne, 31. 2173.
Farmington, 46. 5519.

Persons. £.

Norwoake, 24. 2309.
Stratford, 74. 7958.
Fairefeild, 94. 8634.
Pequott, 2173.
Seabrook, 53. 4437.

The lists of the persons & estates of Pequott is to bee perfected & returneth thereof bee made to the Magistrates when they keep the particular Courte there, as is after ordered.

This Courte orders that the estate of Capt: Baxter, attached by the Constable of Fairefield for the forfeiture of his recognizance, shall bee remitted.

This Courte orders that when executyon is ion uppon the goods of Tho: Staples of Fairefeild, upon a verdict granted to Capt: Baxter, forthwith attachm bee granted 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 beene attended through want of an able Interpreter, this Courte being earnestly desirous to promoate & 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 hee would forthwith send his sonne John Mynor to Hartford, where this Courte will provide for his meintenance & schooling, to the end hee may bee for the present assistant to such elder, elders or others, as this Courte shall appont, to interpret the things of God to ym as hee shall bee directed, & in the meanse 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 General Courte of Connecticut, to take into ye consideration ye instruction of ye Indians in their Jurisdiction, in ye knowledge of God, and their desire ye John Minor might bee entertained as an interpreter to communicate to ye said Indians those instructions with shall bee delivered by Mr. Stone, Mr. Newton or any other allowed by the Courte, and also ye said Minor may bee further instructed and fitted by Mr. Stone to bee a more instrument to carry on the works of propagating ye Gospel to ye Indians, ye Commissioners conceiving ye said propositions to bee much conduc-
It is ordered by this Court, that Capt: Cullick, Mr. Steele, Mr. Allen, as a Comitie by this Courte apointed, are to consider of Mr. Whitings will, & a right interpretaty on thereof, to-geather with the SuPre[...]'s of the said will & make report thereof to this Courte.

It is ordered by this Court, that Mr. Talcoat, Mr. Allen, Mr. Hollister, shall joyne with Capt: Cullick in receivng the ac-counts 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 graunts 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 Treasuror for a whole rate for the Country, according to the order of ra-ting, to be payd ¾ in wheate, ¾ in peas, ¼ in Indyan : wheatt at 4s. peas at 3s. pr bush : Indyan at 2s. 6d.

It is ordered by this Courte, that the next Wednesday come three weeke, bee kept a day of Publique Thanksgiuing in the severall Plantations within this Jurisdictyon.

The Courte is adiorned to the first Wednesday in March next except the Deputy Govern or see cause to call it sooner.

Articles of Agreement, made and concluded betwixt George Fenwick Esq' of SeaBrooke Fort, on ye one part, and Edward Hopkins, John Haynes, John Ma-son, John Steele and James Boosy, for and on ye be-halfe of ye Jurisdiction of Connecticott 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 hopcfull work, doe desire ye Magistrates of Connecticott to take care ye said Minor bee entertained at Mr. Stones or some other meet place, and they shall or-der ye due allowan ce 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.]
OF CONNECTICUT.

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 injoyed 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'rs, and two hammered peeces; two barrells of Gunpowder:
Forty musketts, with Bandaleers and rests, as also foure 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 all so 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 shall bee carried on according to such agreements, and in ye way which is allready followed there and attended betwixt Mr. Fenwick and ye Inhabitants there.

It is all so 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 housings 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, ye hee give halfe a yeares warning thereof, ye provision may bee made accordingly; onely it is agreed ye there shall bee some convenient part of ye housings reserved for a Gunner, and his family, to live in, if ye Jurisdiction see fitt to settle one there.

It is further provided and agreed bettwixt ye said partyes, that George Fenwick Esq' shall injoye to his owne proper use, these particulars following:—

1. The house neare adjoyning 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, whch is already taken of and inclosed with 3 rayles by ye said George Fenwick; onely there is lyberty granted to ye said Jurisdiction, if they see fitt, to build a Fort uppon ye wessterne point, whereunto there shall bee 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 theire aboade.

All ye formentioned graunts (except before excepted) ye said George Fenwick Esq' doth ingage himselfe to make good to ye Jurisdiction 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 Jurissdiction of Connecticutt, if it come into his power.

For and in regard of ye premises and other good considera-
tions, ye said Edward Hopkins, Jn° Haynes, Jn° Mason, Jn° Steele and James Boosy, authorized thereunto by ye Generall Courte for ye Jurisdiction of Connecticutt, doe, in behalfe of ye said Jurisdiction 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 suifs hereafter following:—

1. Each bushellof Corne of all sorts, or meale yt shall passe out att ye Rivers mouth, shall pay two pence pr bushell:

2. Every hundred of Biskett yt shall in like manner passe out att ye Rivers month, shall pay six pence:
3. Each milch cow, and mare of three years old or upwards, within any of ye Townes or farms upon the River, shall pay twelve pence pr annū: during ye foresaid term:

4. Each hogg or sow yt is killed by any particuler person within ye River and the Jurisdiction aforesaid, to bee improved eyther for his owne particuler use, or to make marketts of, shall in like manner pay twelve pence pr annū:

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 agitation proceed, this tax upon Beaver, mentioned in this and ye foregoing article, shall fall:

7. The sayd Committie doe, by the power aforesaid, consent and agree to and with ye sayd George Fenwicke Esq', yt hee ye said George Fenwicke and his heires shall be 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 be due from ye graine that is exported shall bee paid in graine according to the proportion of the severall kindes of graine that doe pass away, att the common current price, neyther attending such prizes on ye one hand that the Courte may sett, nor yet on the other hand such as Corne may bee sold att through the necessityes of men; and in case of 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, barley, 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

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* See page 113, ante; Rec. of U. Colonies, in Hazzard's St. Papers, II. 19.
take note from some deputed by the Courte in each Towne, what quantityes and kindes of graine are aboard the said vessels, and to deliver to Mr. Fenwicke or his assignes att Sea-Brooke, so much as will bee due to him according to the foregoing 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 Coppy this 4th of March, 1655-56.
John Cullick, Secr.

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 theire owne intendments.

It was also agreed betwixt George Fenwick Esq' and the Committee mentioned, the 11th of Octob', 1645, in regard there hath not beene 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] allwayes 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] be-halfe 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 Esq', 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 quantities of grayne,] || with the several 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 Connecticott, for preventing of any indirect or collusive proceedings in violation of the sayd Agreement. And whereas several penaltyes 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 Committie, that the one halfe of that wch is so forfeited by any shall bee and appartayne to the sayd George Fenwick Esq', 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 Copy, this 4th of March, 1655-56.

John Cullick, Sec't.


It was agreed betwixt Edward Hopkins on ye behalfe of George Fenwick Esq', and John Cullick, John Tallcott, John Porter and Henry Clark, James Boosie and Samuell Smith, on behalfe of ye Jurisdiction of Connecticutt, 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 heereafter expressed: viz: there shall, yearely for ten yeares payd to Mr. Fenwick or his Assignes, one hundred and eighty pounds pr 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 be appointed, or to such houses in Wethersfield or Hartford as he shall direct and order, to be paid $1 in good wheat at 4s. pr B: $3 in pease at 3s. pr B: $3 in Ry or Barley at 3s. pr B; and if Ry or Barley be not paid, then to pay it in wheat and pease in an equal proportion; only this present year, some Indian corn shall be accepted, but as little as may be; also there is to be received by the said Geo. Fenwick, what shall be due from Springfield for the fore-said term of 10 years, as also what else may be due upon the Beaver trade, according to the former Agreement with him: Also, whereas the Towne of SeaBrooke is to pay, in this sum of 180l. for this year, 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 Farmington doe pay, they shall increase their pay to Mr. Fenwick accordingly: also, whereas Mattabesuck may hereafter be planted, they shall pay to Mr. Fenwick in the same proportion they pay other rates, to these Townes: These four Townes being accounted at one hundred and seventy pounds.

Edward Hopkins, John Talcott, John Cullick, James Boosie.

I have examined and compared this writing with the original and find it to be a true copy, this 4th of March, 1655-56.

John Cullick Sect.

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[64] A Session of the General Court in Hartford, the 7th of March, 1654-55.

Mr. Wells, Deputy.

Magistrates: Mr. Webster, Mr. Woolcott, 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 allows the souldiers ye went uppon the last expedition to ye Narragansetts, by vertue of the determination of the Comission, as followeth:

To the common souldiers, 16d. a day;
To the Drummers, 20d. a day;
To the Serieants, 2s. a day;
To the Ensigne, 2s. 6d. a day;
To the Lieutenant, 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 Treasurer's account 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; upon severall grounds they doe mitigate the penalty of the said order, and doe adudge the said King to pay for his transgression aforesaid, 20ss.

This Courte advises that it bee presented to the Gen: Courte in May next, that it may bee ordered, that notwithstanding the former order wch req: that such goods as are distreined uppon execution should bee apprized by 3 men, as ye Lawe directs, wch 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 without the apprizem 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 Governor.
Mr. John Webster, Deputy Governor.
Mr. Hopkins, Magistrate; Major John Mason, Magistrate; Mr. Winthrop, Magistrate. Mr. Woolcott, Magistrate. Mr. Cullick, Magistrate & Sec'y; Mr. Clarke, Magistrate; Mr. Willis, Magistrate; Mr. Tailecoate, Magistrate, Treasurer; Mr. John Cosmore, Magistrate; Capt. Thomas Topping, Magistrate.

Deputies: 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: Camfield, Thomas Fairechild.

The names of those w'ch 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 Commission's for them, for the yeare ensuing.

A letter is to bee sent to East Hampton, in ans: to theire, yt it can bee no advantage, but rather the contrary, to theire 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 w't is theire just dues to this Comonwealth.

Math: Camfield, for Norwaack, & Phillip Groves, for Stratford, are confirmed Assistants, according to former order, in May (54.)

Major John Mason & Capt. John Cullick are chosen Commission's 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. Gov'nor, Mr. Deputy & Mr. Clarke are desired to goe downe to the sea-side to keepe Courte at Fairefeild or Stratford.

Major 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 maintaine theire owne seizure of ye premises, according to the end and extent thereof. 2dly, yt they see not cause to warrant his seizure, neither shall they allowe or approve of his sale thereof, to any person wthsoever, from this Jurisdiction.*

Concerning Mrs. Styles petition, ye Courte declares yt if the Comittee yt goest to keepe Courte at Strattford and the Towne of Stratford sees cause, they may settle uppon Mrs Styles wth shee desires.

[66] This Courte considering the sad complaint of Goody Beckwith, of Fairefield, in reference to her husbands deserting of her, doe declare yt by wth evidences hath beene presented to them of ye manner of her husbands departure and discontinnuance, they judge that if the said Goody Beckwith, wife of Thomas, shall upon her oath testifie to the Magistrates that are shortly to keepe Courte at Strattford, that her husbands departure was as others have testifie it to bee; and yt shee hath not heard from him nor of him any wayes 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 thereto 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 "Tows & 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 18th of July following, executed a deed of the premises to Wm. Gibbins & Richard Lord. [Tows & Lands, 1. 82.]
judge and declare, that as things have appeared to them they
cannot but justify the said Woods appeal against John
Cooper, and do judge that Cooper hath unjustly molested,
troubled, grieved, and disparaged the said Wood, in a special
manner in and about his telling Wood that he layed against his
knowledge and conscience, which charge of his hath evidently
appeared to this Court to be altogether groundless and scandalous. The promises being considered, they do adjudge the said
John Cooper to pay as followeth:

1. To Wood, for his charge upon the first Jury, and all
other charges for his own defence and clearing, at the several
other Courts at South Hampton, wherein he was defend, and
all other charges of evidences, wittnesses and otherwise, in
order to his appeal to this Court, £30. 0. 0.

2. To Wood, for slandering of him, as aforesaid, 05. 0. 0.

3. To the Country, in their charge in attendance upon the aforesaid appeals, 05. 0. 0.

It being the true intent & meaning of this Court, notwithstanding the promises, that John Cooper should pay all the charges of the two last particular Courts at South Hampton and of the General Court there, over and above the aforesaid sum of forty pound, that is, so far as Cooper as plaintiff procured ye charge for himself or for the maintenance of his cause against Wood; but so far as Wood procured any charge for his own defence & clearing, Wood is to pay out of the aforesaid sum of 30l.

If John Cooper shall not satisfy & discharge to Jonas Wood the judgment 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 Court allows Cornelius Hull, out of the publique Treasury, for his charge and expence in coming up hither to give in testimonie concerning Baxter, 20ss.

John Elderkin, of Pequett, being presented to this Court as chosen by ye Towne of Pequett to keepe an ordinary, accord-
of Connecticut.

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ing to order of Courte, who hath accepted of to attend after 29 Sep: next, the Court confirnmes him in that place.

[67] This Courte allowes 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 with they purchased of the Indians, not of right belonging to the plantation of Fairefeild.

This Court orders, that in the intervalls of Generall Courts, ye Magistrates shall have power to appointe publique dayes of Thanksgiving & Humilliation, in this Jurisdiction, as they shall judge meete.

It is ordered by this Courte, with the approbation of ye Depuytes 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 Secr 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 Secr shall have 2s.; And that if any Magistrate grants 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 their warrants to, and at every Courte, make due payment thereof to him:

It is also further ordered, that the Secr 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-
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 particular Townes or persons makes ye Sec'y, at any Generall Court or session thereof, they shall pay and allowe, without any delay, good recompence & satisfaction to his reasonable content. For every Recognise: entering in Courte, upon the entry thereof 2s.

The Courte is adiourned to the 1 Wednesday in July next.


Mr. Wells, Govnor.
Mr. Webster, Deputy.

Magistrates: Mr. Cullick, Mr. Clarke, Mr. Willis, Mr. Tailcoate.

Deputyes: 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 fined 5s. for not returning the warrants seasonably for Deputyes, 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 & Farefeild are fined 40s.

*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, 176. 19525.</td>
<td>Sea-Brooke,</td>
</tr>
<tr>
<td>Windsor, 152. 15595.</td>
<td>Norrwake,</td>
</tr>
<tr>
<td>Wethersfeild, 102. 12404.</td>
<td>Stratford, 65. 8165. 10s.</td>
</tr>
<tr>
<td>Farmington, 52. 5910.</td>
<td>Fairefield, 90. 9255. 18</td>
</tr>
<tr>
<td>Midletowne, 32. 2315.</td>
<td>Pequett.</td>
</tr>
</tbody>
</table>

The last Wednesday in this month is appointed by this Courte to bee solemnly observed a day of publique Thankesgiv to ye Lord (for renewed mercyes,) by all the Plantations in this Jurisdiction.

This Courte adiudges yt Wm. Lewis as Attornay to John Cogg[ ] shall pay unto James Wakely thirty shillings for his charges, damages & uniuset molestations hee has sustained, by reason of his Attornayshipp to Stephen Day, of Cambridge.*

[69] 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 Danniell Porter shall bee allowed and paid out of the publique Treasury, as a sallery for the next ensuing yeare, the sum of six pounds, and six shillings a journey to each Towne uppon the River, to exercise his arte of Chirurgerie.

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 theire: 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 grant 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 true 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 seale of the Collony.

The names of the Committee now chosen to subscribe ye aforesd coppys are, Mr. Welles, Mr. Webster, Major Mason, Mr. Tallcott, 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 Governor sees cause ye to call it.
Brewster, Mr. Trott, Mr. Ward, Mr. Hull, absent, Mr. Westwood, Mr. Newberry, Nath: Dickerson, Sañ: Smith, Nath: Ward, Edw: Stebbing, Andr: Bacon, Tho: Coleman, Edw: Griswold, Math: Campfeild, Hugh Cal-kin, John Brunson, John Hurd, John Welles, John Clarke, Robert Webster, absent, Tho: Allyn.


This Court doth graunt that John Bissell shall keepe the ferry at Wyndor for the next ensuing yeare, being ingaged to performe the former terms 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 teares 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 Fairefeild, Good: Campfeild for Norwalke; Good: Campfeild is ordered to give the oath vnto the other two Assistants.

Mr. Governo½, Mr. Deputy, Mr. Cullick & Mr. Tailcoat are desired in some convenient time to advise with the elders of this Jurisdiction about those things that are presented to this Courte as grevances to several persons amongst vs; (and if they judge it nessary,) to crave their healep & 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, several complaines agt some persons in South Hampton mentioned in the sd writing, & hath given bonds to prosi-cute his complts. to abide by the judgment of the Gen: Courte
in Octobr next: This Courte desire the Dep. Governor to write to Capt. Topping & Mr. Ogden & acquaint 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 appear in their own defence at the aforesd Gen: Courte, the first Thursday of Octobr next.

Geo: Fenwick Esq', having manifested his respect to this Collony in granting that the Towne of Seabrooke should have the use of the Western necke, for their young cattle & sheepe or goates, till further order be given by him or his assigne, he reserving to himselfe ye proprietie notwithstanding; The Courte declares themselves, that is their apprehensions yt ye benefit & advantage of the aforesd grant should belong only to those persons that cohabitt in the towne platte, till such time as the aforesd necke be called for again by & for the use of the aforesd Geo. Fenwick Esq' or his assigne.

This Courte grants Mr. James Fitch a competent farme, containing betw: 2 & 300 Acres, at Menunketeseck, so far as it is within their power to make the aforesd grant.

[71] It is ordered by the Courte, yt the Assistant & Clerke of the Trained Band in each town of Stratford, Fairefield & Norwalke, shall hereby have power committed to them to examine & censure all defects of armes, in their several townes; and also defects upon training dayes, both in not coming late or otherwise; and to grant out distresses against the respective delinquents for the same.

The Courte is adjourned to the day before the Quarter Courte in September next.

A General Court held at Hartford, Octobr 2d, 1656.

Mr. Webster, Governor.
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,
OF CONNECTICUT.

John Herd, John Wells, Lifeten 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 excution 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't it is or can be found.

It is ordered by the Courte, yt w't person so ever, either Indians or English, shall take any Wolfe out of any pit made by any other man to catch wolfes 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 whiped 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 thereof, yt none in this Common Wealle shall sell any strong liquors after, above 8s. p'r gallon by retail, sil: any yt are lycenced except ye ordinary keep'rs, who shall not exceed 14s. p'r gallon by retaile: this order to begin at ye 1 Decemb'r next, & this order to continue for one yeare: & none in this Common weale lycenced shall sell wyne at above 18d. p'r quart, except to ordinary keep'rs who are not to exceed 2s. p'r quart, & this order to continue for one yeare and to begin 1 of December next.

Good: Mygate is lycenced to sell strong lyqours 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 retale* to sell.

It is ordered by this Courte & the authority thereof, that no towne wthin this Jurisdiction shall entertaine any Quakers, Ranters, Adamites, or such like notorious heritiques, or suffer to continwe 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

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*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 until they can conveniently be sent out of the Jurisdiction.*

It is also ordered, yt no master of any vessell shall land any such Heritiq: 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.

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 w:t was commended to the severall Courtes, to have vpon recorde to posterity the most memorable passages of Gods providence & settliuge & 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 occurrences by the sea-side.

It is ordered by this Courte, that such Constables‡ within this Jurisdiction shall make returne of their warrants at Octobr Courte, which they received the spring before, & ishue 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 Colonies, 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 barks or any tackling belonging tharunto be sold to any Indian, vnder the penalty of five for one." [Rec. of U. Colonies.]

† Blank in the original.  ‡ For 'each Constable'
This Court grants a Rate in the Country, to be levied by virtue of the Treasurers warrants to the Constables in each Towne, for three farthings in the pound, to be pd half in wheat & half in pease.

This Court orders, that when John Elderkin doth lay downe the ordinary att Pequott, yn & not before Geo. Tounge may have a lycence from any one Magistrate to keepe an ordinary according to the orders of this Court, in the aforesd towne of Pequot.

It is ordered, yt next Wednesday come 3 weekes shall be kept a publique day of Thanksgiving to the Lord, for the gen: concurances of many mercyes the yeare past, by all the plantations in this Jurisdiction, notice being to be given to ye officers in each towne by the Deputyes of the Courte from the sd townes.

This Court orders, that in ye action whearin Satin Smith as Attourny to Tho. Stephenson, did cast Mr. Robbins, 10l., yt execution shall be respited vntill better prooфе appeare, provided he bring it in at ye Quarter Courte in Septem: next.

The Court is dissolved.

Some other orders made at the Courte in Octobr 4th, 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 Wyndso, Good: Olderige, Jobe Drake; For Seabrook, Jonath: Rudd, John Olmestead; For Stratford, Good: Groves, & Robert Rice; For Norwaack, Richard Olmestead.

Octobr 2d, (56.)

This Court taking into serious consideration the severall 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 accrues to the several members of this Commonwealth by leather not sufficiently tanned and wrought, which is occasioned by the negligence & vnskillfullness of thos several 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 thereof,

That no Butcher, by himselfe or any other person, gash or cutt any hide of ox, bull, steare or cow, in fleaving hearof, whearby the same shall be impayred, vnder the penalty of 12 for every such gash in hyde or skin.

Nor shall any person or persons vseing 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 dryed, 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 dryed as aforesd.

Nor shall any person or persons vseing or occupying the mistery of tanning set any of their fats 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 wsoever, on paine of 20l. for every such offence; nor shall any person or persons vseing or occupying the mistery or facultye of curreing, burne or scauld any hide or leather in the curreing, but shall worke the same in all respects with good & sufficient liqvor both for quality & quantity, suitable to the condition of the Leather dreast by him or them, on paine of forfeiture, 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 handling, which shall be judged by two or more sufficient and skillful persons, curreors 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 towne-shipps, & present them to ye Courte or one Magistrate or As-

* 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
kepe the same & therewith shall seale such Leather as they
shall finde sufficient in all points, one or other; and if the sd
searchers or any one of them shall finde any Leather sold or
offered to be sold, brought or offered to be searched or sealed,
which shall be tanned, wrought, converted 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
retenaine the same in their custody, vntill such time as it bee try-
ed by such tryars & in such manner as in this order is appoint-
ed, viz: vpon the forfeiture of any Leather, ye Officer so seiz-
ing ye same shall within 3 dayes call to him 3 or 4 men, honest
& skillfull in such ware, to view the same in the presence of
the perty, who shall have timely notice thearof, or without him,
who shall certefye 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 searchor or sealer of Leather refuse with convenient speede
to seale any Leather sufficiently tanned havinge timely notice;
nor shall any such searchor or sealer seale that which is insuffi-
ciently tanned, vpon the forfeute for every such offence [of]
10s; & the fees for searching & sealing of Leather, shall be
2d p' hide for every number vnder 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 & forfevres in this order mentioned, be eqvally devided
into 3 parts; one part to the Common Treasuror of the Country,
3 parts to the Common Treasury of the towne where the offence
comitted, one 3d part to the seizor or seizers of such Leather
which is insufficiently tanned, curried or wrought fro 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 Gouernor & Magistrates, this 26th of Feb., 1656.

Joh. Webster Esq', Gouernor.
Tho: Wells Esq', Deputy.

Magistrates: Major John Mason, Capt. John Cullick, Mr. Clarke, Mr. Willis, Mr. Tailecoat.

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. Gailerdr, Mr. Phelps, Mr. Clarke, Nath: Ely, Sam: Hale, Cornelius Hull, Henry Grey, John Clarke, Robert Chapman, Mr. Lord, Will': Wadsworth, Joseph Mygat, Richard Butler.

This Court desiresthat Major Mason doe warne John Olmsteed, Constable in Seabrooke, to appeare at the next session of this Court in Hartford, to answer such irregularities in attending his warrant for choise of Deputies for this Court as shall bee charged & proued, complained of here by William Waller, where the said Waller is also in like maner to be warned to make good his compl'. Voted.

This Courte appointe Mr. Steele, Mr. Allin, Mr. Dan: Clarke, Mr. Lord, William Wadsworth, Mr. Hollist', John Deining, Robert Webster, wth the Magistrates, to bee Committee, to giue the best safe advice they can to the Indians, if they agree to meete & being mett shall craue 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 p'pounded to them by that Court or by or owne, wth 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 copy of the former order bee sent to the foure Eld'rs chosen for the Synnod, wth a copy of 12 questions more, wth this Court hath agreed should bee sent by the first opportunity to the Gouernor in the Bay, for the Synnod to consider wth the former questions. Excluded.
OF CONNECTICUT.

It is also ordered, that the Deputies, with the Deacons of the Church in each town, take care that their said Elders be comely & honorably attended & suited with necessaries in their journey to the Bay and home again; and that the same, with their proportion of charge in the Bay, during their abode there upon this service, be discharged by the Treasurer; and also the Deputies are empowered to press horses (if need be,) for the end aforesaid. Voted.

It is ordered, that the levy upon the several towns for the Country, by the last Court, shall be made for a penny upon the pound. Voted.

This Court doth grant liberty to Samuel Marshall of Windsor, to sell strong liquors by retail, for the space of one year.

This Court confirms the former grant (proved to them) of 20 myle land, with the meadow adjoining on the east side the great River, & commonage appertaining, to Robert Chapman of Seabrook.

Robert Webster is confirmed Recorder for the Towne of Middletowne, according to their desire. Voted.

Whereas, there is provision made formerly, against all unlawful games, but the Court hath not explained themselves so far as there may be need, what games they judge & condemn as altogether unlawful, in the very nature of them, It is now ordered, that if any person or persons, of what rank or quality so ever, in this Jurisdiction, shall after the publishing of this order, play at Cards, Dice, Tables, or any other game wherein that great & solemn ordinance of a Lott is expressly & directly abused & profaned, the persons playing or that shall play, more or less, at any of the aforesaid games, shall pay for every offence 20s. a piece to the publick Treasury; & the head of that family where any such game shall be used or played, (if he or she know of, bee privy 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 privy or knowledge of theirs, then that otherwise should have bene paid by them shall bee paid by the said gamesters or players, 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
It is ordered, that the salary formerly allowed Daniell Porter shall be continued to him for the next ensuing year, after the end of his last salary. 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 haue free trade amongst o' selues; p uided 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 severall townes, of their peaceable and honest converstion, and those and only those of them wch the Gen: Court shall approve shall bee made free men. Voted.

[76] The Deputies are desired to bring a list of the names of the Freemen in their severall Townes to the Gen: Court in October next.

The Court hereby manifests their desires that the reuerend Elds of the Counsell who formerly transacted the differences of Hartford Church,* would give a meeting to the reuerend Elds 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. L 997.]
come vp hither to consider and consult w^th 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 themselues in this Interim: if not the former request to bee attended.

3. That there may be letters gratulatory returned to the reuerend Eld'^s 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 w^th their letters of request to the former Counsell, declare also vn.to one or more of them, in writing, the particulars wherein they are not sattisfied w^th the determination of the Counsell. Mr. Dan: Clarke is desired to draw the letters to the Eld'^s in the Bay, and to the former Counsell.

At the same time, Mr. Gouerno', 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 w^ch they haue done was (all things considered) the next way of peace according to God, they w^thheld 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 24 Thursday in Aprill.

Whereas, there is great complaint of the damage that doth acrew vn.to this Comonwealth by the vnruleiness of Swyne, It is ordered by this Court & the authority thereof, that after the publication of this order, no Swyne shall goe w^thout 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 haue sixpence a peice, besides 2d. a peice due to the pound keeper & just damages. The Court doth also re- 
terr it to the seuerall Townes, to appoint some that shall attend the execution of this order. This order to take place vpon 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 without rings, at any time of yeare, that are 
out of mens owne yards or within three miles of the great Riever. 

Those that were made free men at this Court, are as follow- 
eth:—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 Paucauack, 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 
joynt way.

Sam;l Smith of Pequett is confirmed Leiuten1 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 Sec't, to let him understand that this Court allows 
him to keep the Mohegins or others of Vncasses men that are

* Elsewhere, Cassaminamon, or Robin Cassinomon; 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 Naywunckque (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 Comissionr, to whom they haue writ for advice, except
Vncas desires them & they desire themselues to goe to Vncas.
This Court doth order, that by admitted inhabitants, specified
in the 7th Fundamentall, are meant only housholders 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 at-
tempt vpon any Indian or Indians in any Town or house in this
Jurisdiction, neither shall they march through any Towne wth
theire armes, or in a hostile manner.
This Court orders that next Wednesday come fortnight, being
the 25th of this instant, shall bee obserued & kept a day of pub-
licke humiliatiion, by all the Plantations in this Jurisdiction,
to seeke the presence, guidance & direction of the Lord in ref-
erence to the Synnod, & the other waigthy concernm't & dif-
ficulties of this Jurisdiction; & the Deputyes in each Towne
are desired to acquint their respectiue EId's wth the same.

[78] AN ADJOURNM' OF THE GEN'LL COURT, APRILL 9th, 1657.
Mr. Webster, Gou'rno'r.
Mr. Wells, Deputy.

Magistrates: Major Mason, Mr. Clarke, Mr. Cullick,
Mr. Willis, Mr. Talcoat.

Deputyes: Mr. Allin, Mr. Phelps, Mr. Gaylerd, Mr. Trott,
Mr. Clarke, Mr. Lord, Will: Wadsworth, Mr. Robbins,
Leiftr Hollistr, Joseph Mygatt, John Deining, 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.
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 actor, yet the accessories are not yet clearly discou'ted, and none brought to a legall triall, It is ordered, that Tekomas, Agedowsick & Vonanntownagun alias Great James, should bee kept as pledges in the prizion till the murtherers & accessories are brought forth to due triall & judgmt; only the Court orders that when Tekomas his 2d sonne shall be deliver'd up as a pledge in his Fathers stead, then Tekomas shall be free.

Also the Court orders, that all the estate of Wepaum in the hands of Mr. Newton, shall bee sequestred for the Countreys security, till the murtherer & accessories are deliver'd vp to the justice of this Court.

Instructions to those who are to goe to Norwootuck & Pacumtuck; 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 put cured by them, & tell them that wee shall looke at them or any other that detaine Mashupanan or any that are accessorie in this act, as our enimyes.

The persons the Court appoynts with all speed to attend this service 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 Towyne or house in this Jurisdiction till the Court shall take further order.

This Court also desires that the inhabitants of Farmington would use their best indeauor to search out, apprehend & bring before the Gouvernor, 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 Genll 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 seu'all Magistrates & Deputies, as a Committee appointed by the last Gen: Court, to attend any cause or exigent that might accrew wch concerns this Commonwealth, but especially concerning the Indians, before the next Genll Court of Election.

May 15th, 57. Whereas the aforesaid Committee have received credible information of seuerall insolent injuries & insufferable outrages committed against the inhabitants of South Hampton, by some Indians vpon Long Island neare to the said South Hampton, but such as owne the Montacutt Sachem as their Sachem or chiefe, they doe therefor hereby send you (as their Agent, in the behalfe of this Collony,) wth 19 men vnder your command, to South Hampton vpon 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 wth Commission from the Committee appointed by the Gen: Court of Connecticut, Aprill, 1657.

You are wth all convenient speed to saile wth yo' men to South Hampton, where you may meet wth the Magistrates there belonging to this Collony, taking in Leiften't Bull, wth such assistants there in counsell 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 Commission's, wch Mr. Ogden will shew you, in the transcript hee hath from hence, & a copy left wth 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 value of the damage.
3. If you finde it or any part of it to bee done by the Indians or any of them under 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 accessaries.

4. You are to require of the Montacutt Sachem such damage as you shall find done by any Indian or Indians vnder him, or otherwise the injurious agents & accessaries, according to law & the articles of agreemt betwene him & vs.

5. If hee declares himselfe vnwilling to attend this, so farre as hee is able, you are speedily to informe thereof. [80] 6. If hee declares himselfe willing to attend it, but pleades his inability to effect it, and therefore desires the assistance of the English, you are (wth 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 damage done, which if denied or delayed, then that hee demands of them the agents and accessaries, (wch you or hee shall find out,) to the aforesaid injury, that they are by them speedily deliuered vp to yo'rselves & the Magistrates in that Towne; if attained, you are to leaue them wth those that are injured, for their satisfaction, according to the act of the Comissionrs. If peremptorily denied, you are speedily to informe the next Gen: Court, Gouernor or Magistrates of the same, except the strength wth you & there can compell them. If delayed, then if you see they will come to any termes that will be for the hono'r of the English and the sattisfaction of the injured persons, they may agree wth them as they can, any thing herein to the contrary notwthstanding.

7. You are to take charge of the aforesaid men sent you wth their provision & 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 yo'r command at all times & in all things, both for assisting or freinds there in their iust defence, by watching, warding, or otherwise, as you & those in counsell wth you shall iudge the case doth require.

8. Wee doe not iudge it convenient that you should in yo'r 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 with all the power hereby committed to you.

**AT A GENERALL COURT OF ELECTION, 21th OF MAY, 1657.**

*Magistrates elect:*

John Winthrop Esq', Gouern'.

Tho: Wells Esq', Deputy.

John Webster Esq', Magist: Mr. Tailcott, Mag:

Major Jn° 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 Deming, 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,
Will: Filly, Nath: Seely, John Cole,
John Denslow, Sam: Cheesbrook, John Butler,
Sam: Bissell, Will Hought, Sam: Moody,
Jonath: Gillet, Junr, Tho: Adgate, Robert Warner,
James Egstone, Francis Grizwald, Willi: Cheeny,
Thomas Huntington, John Norton, Willi: Warde,
Ambroze Fowler, William Goodwin, John Gilbert,
John Graues, Robert Lay, Michael Omphries,
[81] Sam: Rockwell, Joseph Bird, James Treat,
Sam: Gibbes, Rich: Wakely, John Deming Junior,
Edw: Andrewes, Andrew Sanford, Nath: Graues,
Begatt Egstone, Josias Elseworth, Mathias Treat,
Sam: Church, Nath: Winchell, John Palmer,
Tho: Burnham, Fra: Hall, Jonath: Smith,
John Baily, Symon Lobdell, Sam: Belding,
John Root, Geo: Woolcot, Henry Palmer,
Tho: Fitch, John Harrison, Tho: Dickerson,
John North, Enoch Buck, Mr. Sam: Wells,
Will: 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 Riuer, 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 defectiue, the sealers haue 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 with Major John Mason to Long Island.

[82] More acts of this Court, May, '57.

The testimony of G: Bcon vpon oath, that hee heard it expressed by those that heard it expressed by those that spake in the behalfe of Fairfeild at a Gen'l 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.
O F C O N N E C T I C U T .

John Nott, John Gilburne & John Betts & John Dickerson are confirmed to bee Serjeants at Wethersfeild.

Good: Groues  
Good: Fairchild  
Walter Gailard is appointed Leather sealer at Windzor, instead of old Oldrige.

This Court doth confirme Mr. Gold to bee Leiften, Nehe: Olmsteed & Robt Loockuet to bee Serjeants at Fairfeild.

Mr. Deputy & the Magistrates, together wth Mr. Allin, Mr. Steele, Mr. Phelps, G: Migat, Willi: Wadsworth, and Mr. Hollister, are chosen as a Committe to attend any occasions as the State of Commonwealth 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 Commissionrs 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 duely 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 military officer of Middle-towne, wth Geo: Graues, shall haue power to judge of the defects in traynings, watchings & armes.

[88] 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 approue of whom they see meet, there being to bee added to the former preuiledges, that if any troopers horse, being called forth by authority, bee killd in warre, the country shall pay for him; which troop 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, soil: 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 leaue things, at the next Generall Court.

This Court doth declare that any Assistant, either at Stratford, Fairfield 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 Esqr, 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, testifyed 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 p'sent, hee heard the said Staunton say that the Comission had cast of Vncus, & hee had it in his pockett to shew.

This Court orders & appoints that Leiften: 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 forthwth sent to Mr. Wells, Deputy Governor, or else take security for 40l. that hee will appeare before
OF CONNECTICUT.

the Gen: Court at Hartford, on Tuesday next, & abide the
judgment of the Court, in reference to such things as shall be
testified against him by Major John Mason.

Copia.

You are to bring or cause Thomas Staunton to be brought
before the Gen: Court in Hartford, on Tuesday next, then &
there to answer unto such things as shall be alleged against
him by Major John Mason & for so doing this shall be your

By order of the Gen: Court in Hartford,

J: C: Seer'y

To Lieutn: Wm. Lewis.

This Court duly & seriously considering what evidence
hath been presented to them by Robert Wade, of Seabrooke, in
reference to his wife's unworthy, sinfull, yea, unnaturall cariage
towards him the said Robert, her husband, notwithstanding his
constant & commendable care & indefatigable to gain fellowship
with her in the bond of marriage, and that either where she is
in England, or for her to live with him here in New England;
all which being slighted & rejected by her, disowning him & fel-
lowship with him in that solemn covenant of God betwene
them, & all this for near fifteen yeares; They do hereby de-
clare that Robert Wade is from this time free from Joane Wade,
his late wife & that former Covenant of marriage betwene them.

This Court orders, that Mr. Winthrop, being chosen Governor
of this Colony, shall be again desir'd to come & live in
Hartford, with his family, while hee governs, they grant him the
yearly use or profits of the housing & lands in Hartford belonging
to Mr. John Haynes, which 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 with Mr. Winthrop
for that end.

The Court adjourned to Tuesday next, 9 a clocke.

The Narration of Major John Mason, presented to the Court,
about the Narragansetts beleaguerings of Wnicas, at Niantick, is
by this Court accepted, thankfullnesse acknowledged, & order
the same to be recorded on the back-side of the said Narration.
This Court ordered the Sec' to write to the Com' in reference to Thomas Staunton, w'ch letter was read & approved, & the Sec' 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 days for his defence against the Narragansets, & after that bee so in readiness that if Vncus bee againe assaulted by the Narragansets, they w' th 10 or 20 more, prouided by Mr. Brewster, shall beare full witnesse against the Narragansets carriages, till Vncus his returne home from the Com' & that speedy notice or intelligence shall bee giuen to the Deputy Gournor (if any fresh assault should happen,) or to the Com'.

Mr. Tailcoat is desired to write to the Norwuttuck & Pocomtuck Indians to informe them of the time of the meeting of the Com' & that if any of them haue ought against Vncus, his purpose & resolution is to bee there to answere them, or any others.

A true copy of the Counsell's answere to seuerall questions sent to the Massachusets from or Generall Court, being present 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 seurall 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: 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, seur all yeares since, at Hartford, to answere at the Court his abusive cariage & expressions before seur'all of Seabrooke, w' th to this time hee hath not attended, they order that vpon the payment of 5l. to the Treasur' 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 forfeit-ure of bond & contempt therein, w' th 5l. being paid by Codnam

* See Rec. of U. Col., in Hazzard's St. Papers, ii. 369.
for Edward Layes disappearance, according to ingagemt, they judge that Edward Layes estate should satisfy Codnum for the same.

This Court being duly sencible of the danger this Comon wealth is in of being poisoned in their iudgm & 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, wth in this Jurisdiction, shall giue any vnnecessary entertainmt to any of the aforesaid knowne hereticke, vpon penalty of fiue pounds for each Hereticque entertaindt, to bee paid by that inhabitant wch giues such entertainment to them or either of them, & fiue pounds a weeke for each Hereticke, to bee paid by each Towne that shall suffer the entertainmt of any such Hereticks, as also 5l. a person that shall at any time vnnecessarily speake more or lesse wth any of the aforesaid Hereticks, except the Magistrate, Assistants, Eldr or Constable in this Jurisdiction; all wch 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, wth the helpe of their Eldr or Elds in each plantation, examine the said suspected person or persons, & if vpon examination hee or they judge any to bee such Hereticke, the said Magistrate, Assistant or Constable shall forthwth send them to prizon, or out of this Jurisdiction. This order to bee added to the former order in Octobr, (56.)

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 wth 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 paymt to bee made
in October next ensuing, at the Session of the General Court, & so to be paid yearly at the Sessions in October, until the term be expired (that is to say) seven payments. To which agreement the said Indians have signed, the day & year above written.

the mark of Nequittacussan: Homes:
the mark of Nequittacussan

Cowasecutt.

the mark of Taccamus. Mamunto.

These have signed in the name & with consent of the rest.

A relation of the carriage of the difference that fell out betwixt Vneas & Seoquassen of the one side & Totaniimo & the Potunck Indians, At the General Court held at Hartford, in May, in the year of our Lord, 1656.

That upon the murder of a Sachem of Connecticut dwelling near 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, with said Seoquassen tooke Vneas in to him for help, to be revenge for the said Sachem's death, who was enraged with the like accident of entertaining a murderer 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 several wrongs done to him by Tantoñimo, especially his intising of many of his men & their protecting a Murderer; & thereupon the Magistrates ordered that the Sachems of both sides should appear at Hartford at the Generall Court: who all appearing, Seoquassen first declared of the fact done by a meane fellow vpon one that was allied 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 murderer; the other Sachems pleaded unjust, because the Sachem that was slayne had murdered the young man's Uncle wilfully. The Court many of them spake their minds to & fro. The Governor shewed the Indians what of law is in such cases, that onely the murderer or any that were accessory to it should bee punished, & so hee & many Deputies pressed both sides for peace, & not to fight upon such a quarrell.

The Potunck Sachems preferred 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 satisfied with the death of 6 men. The Court wearied with their speeches pressed the Potunck Indians to deliver vp the murderer, the which Totannimo promised, but privately stole out of the Court & went with the rest of the Sachems to Potunk forte: whereupon the English & Indians were offended & agreed to send a messenger to deliver vp the murderer, as Totannimo had promised in Court. In the mean time the Court appointed 4 Deputyes to bee a Committee to treat with the Sachems of both sides, to see what could bee done for peace. This Committee privately brought Vnquas to accept of the murderer only, for full satisfaction. But those Potunck Indians said they could not deliver vp the said murderer, his freinds were so many & potent with in the Forte.

In the afternoone the Committee & the Sachems made knowne to the Court, who then agreed that by no means the English would be engaged in either of their quarrells, but would leave them to themselves, whereupon the Governor made a long speech desiring to bee at peace one with another, & take wampam. If they would not, then hee declared that the Court would not hinder them, but left them to themselves, & whatsoever fell out afterwards upon either of them, they brought upon themselves. But so were engaged, that they should not fight upon this side of the river of Hartford, nor to hurt any of the English houses or any thing of theirs of the other side of the river; with many expressions more to the same effect, was spoken by the Governor & 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 Gourn', 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 Sec's hand, that to their satisfaction 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.
*Deputyes:* 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 whom offence the Court fines the said Thomas, ten pounds.

This Court orders, that the Treasurer 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 Treasurer to provide horses & men to send for Mr. Winthrop, in case hee is minded to come to dwell with vs.

This Court appoints Mr. Allin & Jo: Gilbert to goe to Pacomtuck, to declare to the Indians the mind of the Commission'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 seuerall persons & estates of the seuerall Townes within this Jurisdiction:—

Fairfeild, persons, . . estates, 11410. 1. 0
Stratford, . . 63. . . 8400. 0. 0
Seabrooke, . . 72. . . . 581. 7. 0
Mr. Fenwicks farme, . . . 200. 0. 0

A note of Mr. Fenwick's cattle upon the farme, Good: Clarke is to send vp to the Treasurer, which are to bee rated according as the law of the Country requires.

The Cattle of Capt. Cullick's 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 fiue pounds for his going to Long Iland besides his expences in that service.

This Court doth allow the Treasurer, for incouragement of him in his place, 10 pounds p' annurn.

This Court doth grant a rate of a penny upon 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 sollemn day of thanksgiving (for the mercyes of God the yeare past,) in the seuerall plantations in this Jurisdiction.

[A list of the persons & rateable estate of Connecticut, taken Sept 23, 1657:

It is ordered, that Vnckas bee required to p'mit 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 incouraged & invited so to do, by the Government of Connecticut.

And the Government of Connecticut is desired to signify to the Pocomick and Norwootick Sachems our charge upon 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 hostility against Vnckas till the next meeting of the Commission. [Records of U. Colonies, Sept. 1657.]
£. ss. £. ss. d

Imprs the estate of Hartford, 17045. 8
The persons, 186, that is, 3348. 0
The estate of Windzor is, 12999. 0
The persons are 161, 2898. 0
The estate of Wethersfeild is, 10758. 0
The persons come to, 1854. 0
The estate & pr'sons of Farmington come to, 4852. 0
The estate & pr'sons of Midltowne comes to 2416. 0

Sume tot'. 56170. 8. 0

pr nos, Richard Treat,
Henry Woolcott,
William Westwood,
Rob Webster.

This Court orders, that noe person wth in this Jurisdiction shall kepe any Quakers bookes or manuscripts containing their errors, except teaching Eldrs, vpon the penalty of 10ss. a time for evey 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 Gen: Court in Hartford, 11th day of March, 1644.

John Winthrop Esq', Gourn'.

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, Rob Webster, Geo: Graue Junior.

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 give notice thereof in their respective Townes.

The listed persons for Troopers presented to, & allowed by this Court, under the command of Major John Mason, are as follow:

In Hartford: Mr. Willis, Mr. Lord, Mr. Tho: Wells, Jacob Migatt, Jonathan Gilbert, Nicho: Olmsteed, John Stedman, James Steele, Dan: Pratt, Andrew Warner, Will: Edwards, Richard Fellowes, Robert Reiue, John Allin.


In Wethersfield: John Lattimore, John Belding, Richard Treat, Mr. John Chester, Antho: Wright, John Palmer.

The aforesaid Troopers presented to this Court their choice of officers, with the Court did confirme: Richard Lord, Capt.; Dan: iell Clarke, Leiften; John Allin, Cornett; Nicho: Olmsteed, Corporall; Richard Treat, Corporall; Sam: Marshall, Corporall; Mr. Tho: Wells Junior, Quart Mr.

Richard Haughton, of Pequett, petitioning this Court for their fauo to consent (that hee the said Richard may haue liberty to agree with Vncus for a certaine neck of land called Massapeag, betwene Pequett & Mohegin,) They haung considered the low estate of this man, his charge of children, with other things as further motiues to them, doe hereby declare, that they thus farre consent to his petition or motion, that in 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 with Indian or Indians, pruided the said Haughton or his assignes neuer make any further or other vse of it, but only to plant or sowe therevpon in the summer, and kepe cattle therevpon in the winter: and that no swyne shall bee kept vpon the pmisses at any time, neither shall bee any otherwise improued to the trespasse or
prudence of Venus in any such kind, or trouble of this Common wealth.

This Court grants liberty to the persons already allowed by this Court to cohabite at Bankside, (a place between Fairfield Towne & Norwalk,) to take in as a cohabitant with them in that place, Robert Beacham, who lately liued at Norwalk.

The Deputies nominated to this Court, to be proposed at the next Gen: Court of Election for choice to be Magistrates in this Jurisdiction, Mr. Phelps, of Windsor, and Mr. Matthew Allin; Mr. Treat Senior, of Wethersfield; Mr. John Wells of Stratford, and Mr. Alexander Knowles, of Fairfield.

Phillip Galpin, of Fairfield, 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 several inhabitants in Fairfield, 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, with a preamble to be inserted about the same, (which is inserted in the closure of ye Acts of this Session.)

The Court frees Thomas Coleman from watching, warding & trayning, if he makes it appeare that he is above 60 yeares old.

Mr. Russell, of Wethersfield is also freed.

This Courte doth grant to & agree with John Bissell Junior, of Windsor, that the Ferry there, over the great River, shall bee & belong to him for the space of ten yeares next ensuing, vpon the limitation & termes hereafter expressed, to which hee doth in Court agree & ingage to attend:—

1. That there shall bee always maintained in readiness on all occasions, an able & sufficient boate & man for the safe passage of horse & men.

2. The said John Bissell shall have 8d. a head for any beast, & 2d. a head for any person that commeth with them, & 3d. for any single person.

3. That each Trooper listed and allowed in the Court, & the horse he rides, is only freed from the ferridge going to Springfield Towne, or as far as Springfield Towne, or further.
4. That no person of Windzor shall have liberty for to helpe 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. pr head for their passage as before.

There was a list of the persons & estates of the west side of Pequett Riuвер presented, wch 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 Riuver shall bee taken & presented to the next Court, that so their list may bee perfected.

Sam: Welles is confirmed Ensigne for the soul'dir at Wethersfeild.

William Blumfeild is freed from training.

This Court having read & duely considered a letter from the Gen: Court in the Massachusets about the land on the east side of Pequet riuver, doe desire the Gou'nor & John Cullick to draw vp a letter in an answere thereunto, & send the same signed by the Sec'r in the name of this Court.*

It is agreed by this Court that Wednesday, the last of this moneth 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 bee no ministry or Ch: ad

administration entertained or attended by the inhabitants of any plantation in this Collony, distinct & seperate from, & in opposition to that wch is openly & publickly obserued & dispensed by the settled & approved Minister of the place, except it bee by approbation of the Genrall Court & neighbor Chs: pruied alwayes that this order shall not hinder any priuate 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

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* See Appendix, No. iv.
hindered by any just impediments on the Sabbath day, from the publick assemblies, by weather or water & the like.

[93] This Court appoints that Will: Waller should be required forthwith to make due satisfaction to those who are appointed by the Townsmen of Seabrook to levy the rate for Mr. Fitches maintenance, or otherwise to make his appearance at the Gen: Court in May next to give an account of his neglect.

It is voted by the Court, that Windsor petition shall be deferred until the next Session of this Court, & then to be taken into consideration; as also the several Deputies are desired to acquaint of Elds respectively that the Court desires them to attend the next Session of the Court to advise & consider what way may be 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 several Chrs: in this Collony, & in speciall betwixt the Ch: of Christ at Hartford and the withdrawers, & to prevent further troubles & such sad consequences that may issue from the promises to the whole Common wealth, It is desired & required by this Court, that there bee from henceforth an utter cessation of all further prosecution, either on the Chs: part at Hartford towards the withdrawers from them, and on the other part, that those that have withdrawn from the Ch: at Hartford shall make a cessation in prosecuting their former positions to the Ch: at Wethersfield or any other Ch: in reference to their joining there in Ch: relation, until the matters in controversy betwixt the Ch: of Hartford & the brethren that have withdrawn be brought to an issue in that way that the Court shall determine.

It is ordered, that the Court shall meet together on Wednesday seacennight, being the twenty fourth of this instant, at Hartford, where the neighbor Elds are desired to attend the Court, that so their advise & helpe may be improved to settle upon some speedy course for the issuing the present troubles that the Churches, & in speciall the Ch: of Hartford lyes vnder, in respect of the separation by them that have withdrawn from that society.
OF CONNECTICUT.

* Whereas, it hath bene a comendable practice of ye inhabitants of all the Collonies of these parts, that as this Countrey hath its denomination from our deare natieue Countrey of England, and thence is called New England, soe the planters, in their first setting of most new Plantations haue giuen names to those Plantations of some Citties and Townes in England, there-by intending to keep vp and leaue to posterity the memoria-llof seuerall 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 Riuer of Monhegin, in ye Pequot Countrey, it being an excel lent harbour and a fit and convenient place for future trade, it being alsoe the only place wch ye English of these parts haue possessed by conquest, and yt by a very iust 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, 1662.

John Winthrop Esq', Gournor.  
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 Treasur' account in the behalfe of this Co'mon 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, deliever in their account to the Treasurer, vnder his or their owne hand or hands, & the hands of two of the Townes men in their

* Here folows the 'preamble,' to the order of the Court changing the name of the plantation of Pequot, referred to, on page 318, ante.
respective Townes; and where any Magistrate or Assistant
dwelleth, under their owne hand & the hand of one of the Mag-
istrates or Assistants that liueth in the same Towne wth them.

Sam: Smith, Senior, moouing this Court that hee might bee
freed from training as a co'mon souldier in that Towne, they doe
upon severall grounds grant his request, especially 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
upon some mutuall conclusions that may put an end vnto their
vnhappy discention. The Gou'nor & Deputy Gouerno* 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'tties at difference cannot agree vpon a way
to put an issue to their troubles, that then there bee lett"s sent
to the Bay Eld"s & to any among vs or in the other Jurisdic-
tion, for advice what the Court should doe in the pmises.

The Gou'nor, Mr. Willis, Mr. Talcott, & Mr. Stone, & Mr.
Lord are hereby desired, that in case there bee no agreem*t
amongst the Church & withdrawers, to send lett"s in the name
of the Court, as before.

William Kelsey is freed from watching, warding & trayning.*

[95] AT A Gen'l Court of Election, May 20, 1658.

Magistrates elected:

Thomas Wels Esq* Gou'nor.
John Winthrop Esq*, Deputy.
Mr. Webster, Mr. Mathew Allyn,
Maior Mason, Mr. Phelpe,
Mr. Clarke, Mr. John Wels,
Mr. Willis, Mr. Treat,
Mr. Talcott, Mr. Baker,
Mr. Ogden, Mr. Mulford,
Mr. Cosmore, Mr. Alex: Knowles.

*This is the last entry in the hand writing of Mr. Cullick. In May following, Mr. Dan-
diel Clarke was chosen Secretary, and the records which next follow are in his hand.
OF CONNECTICUT.


Commissioners chosen, for this Colony:—Mr. Winthrop Esq', Mr. Talcot; Reserue, Maior John Mason.


[95] This Court orders that Esq' Winthrop, Maior Mason, Mr. Allyn, Mr. Brewster, shal, vpon some seasonable opertunity, attend to keep a Court at Pequit, to settle the affayr of y place; Mr. Winthrop to appoynt ye time.

Will: Welman, of New London, is discharged from his Recognisance, about a marriage in Virginia.

The Magestrates granted 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 3d Mathew doth fully consent thereunto and hath promised to give a full discharge unto his Master Williams from ye engagement 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 Navigatn, 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 unto 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 repayr to any Court held at New London for help in any Controuersy

This Court approeving the pious care of the Towne of Fairfield, in procuring help for Mr. Joanes by his owne consent thereunto, as far as appeares by a paper 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 Reveral 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 Ann. for the four first [97] yeares, || and fourty pounds pr Ann. 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, shall make distribution of that paynt that the Indians make, to them that haue sufferd loss by fire; only Mr. Fordom is exempted 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 ye 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 fro 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 unto the Gen: Court, March 25, '58, a petition wth certayne positions, it was vpon 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 or withdrawen Brethren, or some other whom they shal provide, wil reason with me, face to face:

Quæs. 1. The former Councel at Hartford June, 56, is utterly cancild and of no force.
2. There is no violation of the last agreemt (made when the Reuerend Elders of Massachusets were here,) either by the Ch: of Christ at Hartford or their Teacher.
3. The withdrawen Brethren haue offred great violence to ye formentioned agreement.
4. The withdrawen Brethren are members of the Ch: of Christ at Hartford.
5. Their withdraweing from the Ch: is a sin exceding scandalous & dreadful and of its owne nature destructiue to this and other Churches.
6. The contouersy 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.


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.

In reference to a complaunt 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 particulars, presented the last session to ye consideration of this Court, This Court sees cause to defer the consideration of the complnt unto the Court in Octob', 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 Comittee to treat with Capt. Cullick about the purchase of the River, and to ppropound that in case Capt. Cullick will allow to ye Countrie 500l. and demand nothing from Seabrook nor Middletown, and returnes such security to ye Countrie as he can or as in his power, that then there shalbe acquittances granted, each to other.

The Comittee is to make report to morrow, wt the result of ye Treaty is.

19 Day. The Comittee returned answer to ye Court, that Capt. Cullick is willing to quit acc° wth the Countrie, 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 entertainm of strang Indians, contrary to their agreemt wth 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 prvide another place for their habitation and desert that place wherein they are now 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-
with send away al such strangers as haue not bin knowne inhabitants in that place, according to forementioned agreemt.

Mr. Steel, L: Lewis, Ensigne Steel, Thom: Judd, are desired to communicate 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 p'vsall of the same the Court returned this answer:—

In regard of a complayn't, in the Petition, of a scandalous oath taken by Mr. Russel, whereby the inhabitants seem afraid to adventure themselues vndr his ministery, the Court hath considered the nature of the Oath and ye witnesses, and tho there are diuers apprehensions of it, yet to ye purpose of the allegation to wch Mr. Russel testified, the oath was ambiguous: but that it should be strayned to such a height as in the Petition is declared, this Court judgeth it not meet, and in that respect the Petitioners blameable, and that he is not hereby rendred 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, especially in way of testimony; and yt the Petitioners should carefully avoid all unnecessary strayneing of words or expressions (yt are in

* This Petition (in "Ecclesiastical" Papers, Vol. i. No. 1,) is signed by John Holister, Thomas Wright Sen., John Demminge Sen., John Edwards Sen., and Rich'd 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 passed in March 1657-8 (see page 311, ante,) that no ministry or church should be entertained or attended by the inhabitants of any plantation, dist and seperate 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 proceeding spring, he had sent them a writing to provide for themselves,—whereby they consider themselves freed from their former obligations to him: these obligations they profess themselves unwilling to renew, since they "are afraid to venture [their] souls under his ministry." They further represent that he had brought great scandal on the church, by "a greivous oath, acknowledged by himselfe to bee ambiguous, rash and sinfull,—and what more may be made evi—

For a further account of the dissenslons in the Church at Wethersfield, having a similar origin, and intimately connected, with the troubles of the Hartford church, see Trumbull's Hist. of Conn. i. chap. xiii.
yon nature dubious) to such a particular sense as may occasion trouble.

To ye busines of their liberty, wch 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 vndes 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, subject to various interpretation, and therefore should be explyaued and retracted by Mr. Russel. And the Court adviseth each party, that they walk louingly together, without disturbing carriage each to other.

In reference to ye differenc twixt the Church at Hartfd and the withdrawers, it was ordered, that the ensuing particulars should be presented to each party, as ye mind and desire of ye Court:

1. It is conceaued that they should observe and attend that rule of Christ, Acts, 15. To debate and dispute their differenc amongst themselues, in the first place.

2. That the Questions in controversy 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 indifferent as times wil afford, before whom (the Quæst. beinge beforehand playnly stated,) the case in difference shal be publiquely disputed, who shal lend what light and help they can, to ye issuing the controversy according to God, vnto wch both parties shall peaceably subject themselues.

4. And in case either the Church or withdrawers refuse to chuse, then the Court to chuse instead of that part ye't disrects, leaving liberty to ye't other part to make choyce for themselves such able and indifferent men as they can agree upon to be instrumental in issueing 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 ye't 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 proposed the withdrawers were willing to chuse, as in 3d Propos: 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 ye withdrawing, 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 Lr's of request shalbe sent from the Court and both parties, to ye several Elders and Churches, for to effect the same.

Mr. Allyn, Mr. Phelpes, Mr. Henry Clark and the Secretary, are appointed to write and indite the sayd Lr's, in behalf of the Court, and to send them.

Mr. John Allyn, Edward Stebbing, Nath: Ward, John Bernard, are appointed to take in the account respecting all ye Elders attending the last Council, and the man [101] ye was maimed, and to distribute it by rate vpon both parties, viz: the church at Hartford and ye withdrawing.

In regard that the Court apprehends ye the order concerning the stating and drawing forth of the Questions in controversy twixt the Church at Hartford and the withdrawing, hath not bene fully attended, it is therefor ordered, that twixt this and the 8th of September next, each party shall attend the foresaid order, in drawing forth and plainly stating all such Questions as they desire to have debated before the Council. And in case they attend not to deliver the sayd Questions or Positions each to other, before that day appointed, whatever is neglected to be presented as aforesaid shall not be attended by the Council; and it is also required that each party doe playnly declare what it is that they will maintaine in their Questions, either negatively or affirmatiuely, as matter of offence. And in case there be no more Questions delivered in by that time appointed, then ye Questions already presented shall stand as that with 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. Gouernor and Mr. Allyn, in reference to Isbrand Goodheart, It is ordered by this Court, That Isbrand Goodheart, now in durance, shall be returned unto Jasper Varleet, to be at his dispose, to improve him for his use, until the remainder of that debt for which he is now in durance be satisfied,—Provided the sayd Varleet make not sale of the sayd Isbrand to any forreigne Inhabitants or Pagans. And the sayd Jasper is to return both Isbrand and an account of the debt unto the next Court.

This Court is adiourned vntil Munday next, 23 Augst.

Augst 23. This Court, having 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 Esq'r deceased, or George Fenwick Esq'r deceased, be known to remayne, shall speedily take an Inventory of the sayd estate and present it, and the hands of those yt order the prudentials of the Towne, to ye Court in Octobr next.

It is ordered, that the several Constables in the Plantations vpon the Riuers, that haue had to doe in gathering in and delivering the paym't for ye purchase of the Riuers, shall bring in their receipts respecting the sayd paym', 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 togeth-
[102] er this year, as he judgeth most suitable, || for time and place. And the three pticular 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 proportion of powder that ye Order of the Countrey imposeth on him for his store.
OF CONNECTICUT.

This Court Orders, upon 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 Secretary, for yt purpose.

On Wednesday, the 8t of September, is appointed a solemn humiliation, in al the Plantations in this Collyony, to implore the fauour of God towards his people, in regard of the intemperate season, thin harvest, sore visitation by sicknes in several Plantations, and the sad prolonged differences yt yet remaine vnreconciled in Chi: and Plantations; and that God would succeed such meanes as are appointed to be attended for the healing of the foresayd differences.

Mr. Mathew Allyn is appointed by the Court, to stand as a Comittee wth Mr. Henry Clark, of Windsor, to act in the disposing of lands at Mussawco, according to former order of Court.


Thomas Wells Esqr, Gou'r.

Magestrates : 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'r, Edw: Griswold, Lieut Hollister, Mr. Sam: Wells, Jo: Demant, Sam'l Boreman, Mr. Brewster, Goodm: Morgan, Mr. Ward, Mr. Hill, Thom: Fairchild, Joseph Judson, Nath: Richards, Walt'r Hoyt, Goodm: Judd, Rob': 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 River, 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 persons deceased, at Fairfeild, This Court doth appoynt Mr. Ward, Mr. Hill, with the Townsmen of Fairfeild, to assist Mr. John Wells and Assistant Campfeild in proueing Wills and takeing in Inventories, and distributeing estates of persons yt
dyed intestate, and to appoint administrators; and in case any are unsatisfied with their determinations herein, they have liberty to make their address to ye next Session of this Court. This ordr respects Stratford, Fairfield and Norwalk.

The list of the Persons and Estates within this Jurisdiction, presented to this Court:

<table>
<thead>
<tr>
<th>Location</th>
<th>Persons</th>
<th>Estate</th>
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</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>187</td>
<td>20547</td>
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<tr>
<td>Windsor</td>
<td>160</td>
<td>16209</td>
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<tr>
<td>Wethersfield</td>
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<td>12397</td>
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<td>Fairfield</td>
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<td>Norwalk</td>
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<td>Middle Towne</td>
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<td>Farmington</td>
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<td>5761</td>
</tr>
<tr>
<td>New London</td>
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<td>5793</td>
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</tbody>
</table>

This Court grants a Rate of a penny per pound to be levied upon the estate of this Colony.

This Court having considered the former ordr about Quakers and such like Heretics, doe now see cause to leave it unto ye discretion of the Magestrates or Assistants, within this Jurisdiction, where any such persons shall be found fomenting their wicked Tenets and shall be legally convicted to be disturbing to ye publique peace, to punish the sayd Heretics by fine or banishment or corporeal punishment as they judge meete. And the same to be inflicted upon any persons or persons that shall be instrumental to bring any such persons, viz: Heretics, by sea or land, into any Plantation in this Colony, 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 Colony, by assault of Indians or any other Enemy, to ye disturbance and hazard of the Publique weale, that then it shall be in the power of the present Milletary officers belonging to ye place soe disturbed, to require and call forth the soldiery that are belonging to their comand in ye place, to marshal them and order and dispose them as need and present 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 obtained, 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 particular Court in March.

The Magestrates appoynted the first Wednesday in Novemb a publique Thanksguiueing, 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 paym'ts for ye purchase of Seabrook Fort etc.

1647 I doe acknowledge hereby to haue receaued of the Windsor. Constables of Windsor, for ye year 1647, vpon the composition wth Mr. Fenwick, the sum of thirty seauen pounds fiue shilling and seauen penc, I say recd. for ye vse aforesayd, 37l. 5s. 7d.

04. 19. 6.

6th Feb: 1647. 42. 5. 1. Ed: Hopkins.

Rec'd more, of Aaron Cook, 0. 17. 0.
Jno. Bissel, 1. 00. 0.
11½ Bush' wheat, 2. 06. 0.
4 Bush: pease, 0. 12. 0.
Jno. Tink's Farm, 0. 04. 6.

4. 19. 6. 4. 19. 6.
37. 5. 7.

3d March, 1655.

1655 Receiued of Bartholomew Bernard and Will' Par-Hartford. t rigge, Constables for ye Towne of Hartford, in ye yeare (55) the sume of Sixty pounds fiue shil-lings, for ye vse of George Fenwick Esq', vpon ye Agreem't about ye Fort at Seabrook, I say rec'd the day and yeare above-
PUBLIC RECORDS

said, in part of what is payable to him by the Townes upon the River for ye yeare past, 60l. 05s. 00d.

John Cullick.

1654 Rec'd of Saml Smith and Jn°-Demming, Constables in Wethersfield, in ye year 1654, the sum of Twenty one pound eight shillings six pence, wch was payd in April (54.) And Rec'd of ym in Corne in April (55) the sum of Twenty eight pounds one shilling and sixpence, both wch payments are made in reference to their portion in Wethersfield for ye composition for the Fort, and for the aforesaid yeare of their Constableship; both wch payments were not made neither for time nor kind according to the Countreyes agreement wth Geo: Fenwick Esq'. Witness my hand this seventeenth Feb: 1655.

John Cullick.

1654 Rec'd of John Standley, of Farmington, last spring Farm: twelve month, Thirteen pounds, seauenteen shillings, and last summer, one pound eight shillings, wch he payd upon the acc°. of the Fort Rate for Farmington, in the year of his Constableship there, wch was 1654. Witness my hand, this 30th Nouemb', 1655.

John Cullick.

1656 Rec'd by me, John Cullick of Hartford, of Jonathan 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 use in ye year of their Constableship, and the rest the day of the date of these presents, wch aforesaid sum is in part of payment of their Townes portion, in the aforesaid year of their Constableship, for ye Composition wth George Fenwick Esq', in reference to ye Fort at Seabrook, I say Rec'd this 25th day of June, 1658, the sum 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 portion in the yeare of their Constableship, of the composition wth George Fenwick Esq', about the Forte, I say Rec'd as above this 16th of March, 1656-57, Witness my hand.

John Cullick.
Hartford, 28th Feb. 1654. Rec'd of Will: Lewis and Gregory Wilterton the sum of Sixty pounds five shillings, which is for Hartfords portion (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 unto me upon the acco: of the Composition for ye Fort at Seabrook betwixt Georg Fenwick Esq' and ye Colony of Conecticut, the sum of Fourteen pounds sixteen shillings and eight pence, and John Brunson, of Farmington, doth now promis to pay the remainder next March, which is eight shillings and fourpence; the said John Brunson alsoe affirming that I gave him no receipt for the same, I doe hereby declare that I owne the receipt of so much vpon the Acco'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, which is for that Townes portion in the year of his Constableship, of the composition for the forte, I say receaued this 30th of November, 15d. 5s. 00d.

John Cullick.

[106] Connecticut. For severall good considerations mouing 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 improue the estate of George Fenwick Esq', lying in
this Collony, according to ye true intent and meaninge of ye last Will and Testam of George Fenwick Esq', as alsoe this Court graunts vnto the said Cap. John Cullick full power of administering to ye foresaid estate in behalf himself, his wife and h' 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 intrest to, and further and future demands respecting a legacy of five hundred pounds, specified in ye last will of George Fenwick Esq'.

4. The Generall Court doth hereby, for themselues and their successors, fully and forever 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 moneyes expended by ye Colony or p'ticular Townes therein, in reference to ye purchase of ye Riuer, and acquittances giuen for ye said moneyes.

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 Riuer.

The forementioned graunts are confirmed by the Generall 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 moneyes paid and other discharges, more largely specified in specialties giuen by the said Cap. Cullick vnto this Court.

The true intent and meaning of ye fift p'cular 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 Esq' and this Generall Court.
In confirmation of ye premises & by order of ye Gen: Court, I have caused the seal of ye Coll: to be hereunto affixed as aboue appeareth on ye margin. Jo: Winthrop, Gou'r.

This writing is a true copy of an Original d'd pt ye Gen'l Court, to Capt. Jn°. Cullick, transcribed pt Dan'l Clark, Sec'y.

[107] A discharge from Capt. John Cullick and his wife, to ye Gen'l Court of Connecticut.*

These points testify to all to whom they may be of concernment, that we, John and Elizabeth Cullick, of Boston, in New England, upon good consideration moving us hereunto, doe, for our selves and heirs and ye legates to ye estate of Georg Fenwick Esqr, lying or situate in New England, hereby fully and freely and for euer acquit and discharge 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 Agreement 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 vndr vs or any of vs, in reference to any moneys that have bene alredy paid or yt may be deemed to be due by virtue of the said Agreement. In witness to ye premises we, John and Elizabeth Cullick haue hereunto fixed of hands and seales, this instant October the seveneth, 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 pt me Daniell Clark, Sec'y.

* See Appendix, No. VI.

29*
AT A Session of the Gen: Court, at Hartford, Mich 9, 58-59.

Thom’s Wells Esq’, Gov’t.
Jo: Winthrop Esq’, Deputy.

Magestrates: Mr. Webster, Majr Mason, Mr. Willis, Mr. Talcot, Mr. Phelps, Mr. Allyn, Mr. Treat, Mr. John Wells.

Deputyes: Dan: Clark, Secret: Mr. Steel, Mr. Gaylard, Mr. Brewster, Capt: Lord, John Bissel, Will: Wads-worth, Joseph Migat, Mr. Sam’l Wells, Goodm: Morgan, Goodm: Demant, Rich’d Butler, Edw’d Griswold, Rob’t Webster.

This Court hath remitted a third part of the fine imposed on Nicholas Palmer, by the Court of Magestrates, for giving Cider to Indians.

Upon consideration about a request of Lt Hollister, presented to this Court, respecting the charges of the Ch. of Wethersfield against him, upon which he was excommunicated, the Court finding that former endeavours have not prevailed to obtain them, do hereby declare, that this Court judgeth it agreeable to y’s General practice of the Ch’s amongst vs, to deliver unto the delinquent the particulars of his offence in writing (if he desire it,) before they proceed to excom: or else they, by the Elders, seasonably after the sentence, doe give in the charges for delinquent’s benefit and conviction;

The which this Court doth judge ought to have bene attended by the Ch: of Wethersfield, and the particulars wherein Lt Hollister hath offended (for which he was censured,) sent to him from the Church, or else that the Ch: doe order or enable the Elder to deliver the said charges to y’s Lt Hollister or to some trusty messenger improved by him to fetch them at the Elders house. But in case y’s motion or advice of the Court prevail not to procure the charges forementioned, then the Court orders Mr. Sam’l Wells and Sam’l Boreman seasonably to repair unto 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 which Mr. Hollister was censured, and having 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:; or p'sons may be thought on, to heare and determine the same; It is desired by the Court, that Wethersfeild Ch:, w'th 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 ord'r 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 w'th, all fit for the purpose.

Its ordered, that for the future it shalbe left w'th the Magistrates in this Jurisdiction, in cases respecting the selling of Liquors to ye Indians, to weigh and consider such tests as are presented, w'th circumstances accompanying the same, and to judge and determine the cause, as reason and justice in their judgment and app'r'ension doe require.

Its ordered by this Court, that for the future none shalbe presented to be made freemen in this Jurisdiction, or haue the privileidge of freedome conferd vpon them, vntil they haue fulfild the age of twenty one years and haue 30l. of proper personal estate, or haue borne office in the Comó wealth; such persons qualified as before, and being men of an honest and peaceable conversation, shalbe presented in an ord'ly way at the General Court in October, yearly, to pr'vent 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
shal 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 payd to ye publique treasury, fieue shillings, soe proportionably for al greater or lesser casks or quantities. Al wch wines or liquors shall be entred at such place and by them yt are appoynted herevnto by the Court. This order to be duly observed, vpon 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 p'sons appoynted for entry and recording such Goods as are subject to Custome, by the forementioned order, are—

For Hartford, Jonathan Gilbert,
[110] Windsor, Walter Filer,
Wethersfield, Sam° Boreman,
Fairfeild, Mr. Will: Hill,
Stratford, Rich° Butler,
N: London, John Smith,
SeaBrook, John Westall,
MiddleTowne, John Hall,
Norwalk, Mr. Camfield.

These p'sons appoynted for this service are allowed for ye° 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 p'son in this Collony shall draw and sel Wine or Liquors to the English, by retayle, without licence, vpon penalty of fieue shillings for every Quart. And yt none yt are licenced ordinary keepers shal sel liquors for aboue foure shillings by the Quart, and soe proportionably, after that rate, for other quantities. And that such as Stil liquors, and are licenced to sel by retayle, shal not sel for aboue 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 p'sons 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 graunted for
OF CONNECTICUT.

the future, they shall proceed immediately from ye Genl Court; And yt there shall be 2s. 6d. payd to the Secretary by him yt procuresthe licence.*

Itso rdered 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 every transgression of this nature, vnto the publique treasury, and the owner of the house where the person is found and proved to be made drunk, shal pay 10s.

Its ordered and required by the authority of this Court, that the Constables in each Towne shall make diligent search uponal occasions when there is suspition of miscarriages by disordered meetings of persons in private houses to splice together; and having discovered they are to make presentment thereof to publique authority, and such as are convicted to be guilty of the breach of this order shall pay five shillings, one half to ye publique treasury, the other halfe to ye person discovering.

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 soldiers 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 appoynted by this Court, to discover what lands are adjacent to ye Riuier, about Thirty Miles Island, on both sides, for the space of six miles vp and downward the Riuier, as alsoe eastward and westward from the Riuier.

The Treasurer is ordered to send downe Warrt to ye Constable and Townsmen of Seabrook, requiring them to make a valuation of all the land and ratable estate at the Farme at 6 Miles Island, and returne a list thereof to ye treasurer.

This Court, taking into consideration the continued troubles and distance twixt the Ch: at Hartford and the wthdrawn party, after further indeaours for a concurrence and unanimity 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 (leauing each party to ye liberty whether they wil send or noe,) to be helpful in issueing the Questions in controuersy.

* [In the margin ;] "This order concernes not Ordinary keepers."

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It's ordered that those Chs: (whose Elders were requested to come hither) should be desired by Lrs from ye Secretary, in the name of the Court, to send vs one from each Ch: of their ablest instruments, to be present at Hartford, by the third of June next, to assist in hearing and issuing these differences.

It's alsoe ordered and expected by the Court, that the Quests in controversy shalbe publiquely disputed in the presence of the Council, according to former order. And yt each party, both ye Church at Hartford and ye withdrawers, shal jointly concur in bearing the charges of the former Council, and in preparing 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 entertaynemt of this Councill.

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Magistrates chosen:
John Winthrop Esq', Gour.
Thom: Wells Esq', 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, Robt Bond, Dan11: Clark, Secret'y.


The freemen voted to leave the choice of ye Commissioners with ye Gen11 Court.

Commissioners chosen for ye ensuing year; John Winthrop Esq', Gour; Thomas Wells Esq', Deputy. Reserve, Maior
Mason, who is to act in behalf of this Collony in ye busines respecting Mistick & Paukat: at ye next meeting of ye Com: The Secretary 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 Genl 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 Com: and therefore desire them of ye Massath: to provide to attend ye transaction of ye matter forementioned.

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 henceforth 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 wthin ye bounds of Fairfield, for ye use 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 claines 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 \( y^t \) \ wch they receaued in consideration of the sayd land.

The Co\( m \)ittee appoynted by the Court to see this order put in execution, are, of Norwalk, Mr. Campfield, Mr. Fitch, Richard Olmstead, Nath\( ll \) Elye, who are to bound out the lands at Gold Hill, about 80 Acres, beginning at \( y^e \) foot of \( y^e \) hill where \( y^e \) Wigwams stood, and soe to run vpwards on the hill and within Fairfield bounds, as is aboue mentioned. And the sayd Co\( m \)ittee is to make returne to \( y^e \) Court in October, what they doe in reference to this order.

Mr. Campfield prsenting from the Towne of Norwalk, Rich\( d \) Olmstead for yr Lieutenant and Walter Hoyt for their Sergeant, they are both confirmed by this Court.

Mr. Talcot, Cap\( t \). Lord and Joseph Migat, are appointed to take and pr\( s \)ent an Inventory of \( y^e \) estate of Sam\( ll \) Fitch, at \( y^e \) next June Court, and to be assistant in \( y^e \) distribution and man-\( g \)ement of \( y^e \) sayd estate.

[114] Hartford, May 20, (59) This Court ha’eing consid-\( er \)ed the petition pr\( s \)ented by the inhabitants of Seabrook, doe declare \( y^t \) they approve and consent to what is desired by \( y^e \) petitioners, respecting Mohegin, pr\( v \)ided \( y^t \) within \( y^e \) space of three yeares they doe effect a Plantati\( o \)n in \( y^e \) place pr\( p \)ounded.

The Court ordered the Secretary to send an Attachm\( t \) to be serued on the estate of Arthur Bostock.

Its ordered \( y^t \) \( y^e \) Assistants in this Jurisdiction shal haue power to send forth destreints for leyng rates to grant replevins, to pr\( c \)ceed according to law in punishing Drunknes, Lying, Theft, w\( h \)thin their respectiue pr\( c \)incts, as any pr\( t \)ticuler Magistrat may doe.

Its desired by this Court, That \( y^e \) Gour\( n \)no\( r \), Mr. Willis, Mr. Allyn, Mr. Trat, Mr. Brewester, doe assist each other in keep-\( ing \) Court at N: London, on \( y^e \) first day of June, to transact such occasions as are necessary and shalbe pr\( s \)ented vn\( t \)o them.

Thomas Basset of Fairfield, is freed from watching, warding and traininge.

V\( p \)pon consideration of what hath bin propounded by Mr. Baker, respecting East & South Hampton, It is judg\( e \) by this Court to be very advantagious to \( y^e \) safety and comfort of \( y^e \) Planta\( t \): aforesayd, that v\( p \)pon any necessary occasion there
should be liberty allowed unto ye Magistrates, or ye major 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 matters of Judicature, but only by the Gen: Court at Connecticu.

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 trial at Long Island, but by way of appeal, and ye in all ordinary cases it is very meet and expedient ye all testimonies should be taken by 2 Magestrates, before Plt & Deft, upon oath, and sent over hither, if occasion soe require, and not trouble men to come to give personal testimony here.

4. Respecting matter or charge for Magistrates coming for information in cases to this Court, It is judged ye 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 Esq', Gou'.
Tho: Wells Esq', Dep:
Magistrates: Mr. Willis, Mr. Talcott, Mr. Allyn, Mr. Phelps, Mr. Goold.

The Gouverneur Wm 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 having 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 prejudicial to any Plantation, nor take in above 150 Acres of Meadow.

This Court doth hereby manifest their acceptance of the inhabitants of Quinibaug under this Government, 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 repeal of former orders prohibiting selling Cider to English and Indians. This Court to prevent the excess of drinking Cider, and drunkenness thereby too frequently observed in ye Indians, and ye by Cider as is judged, doe hereby order, that whooeuer sells Cider to Indian or Indians, shall for future sell none by bottles or in Casks, greater or lesser, but only such quantities as they themselves shall see drunk before their eyes, in ye presence, ye drunkenness and the evil effects thereof may be avoided and prevented.

It is ordered, that the former order respecting 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 examining the suspicions 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 provide for ye Towne of Wethersfield, in reference to ye ministry.

This Court observing the neglect of their former order in reference to ye Inventories of the estates of ye honour'd freinds deceased, Edward Hopkins and George Fenwick Esqrs. It is therefore now ordered and required by this Court, ye whatsoever persons or persons in this Collo: have in ye present possession or improvement any estate ye either is or hath bin reputed or accounted the estate of either ye aforesaid Gent: since their decease, that they secure and preserve the said estate in their own hands, or ye value thereof, (casualties excepted,) to be accountable to this Court when required thereunto, untill ye wills and inventories of ye sd Gent: be exhibited into ye Court, and right
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, prvided 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 solemn Humiliation, partly for England and partly for or owne selues, in regard of the vunsetlednes of their and or 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 Chs. of X't in the Massatsuset 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; seaven 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 desisue power, the withdrawen partie is required, the Ch: at Hartford freely engaging to submit according to the order of ye Gosple.

Its the rather desired that those Reuerend Eldrs and Messengers of ye former Council, with ye other two conioyed, should be requested to be helpful now againe to heare and determine these irreconciled differenc at Hartford twixt the Ch: and wthdrawn 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 Augst, the time of their hearing the matters in differenc
publiquely debated, according to former ord', to be with al convenient speed after their comeing vp.

The former ord' respecting charges in and about [the] former Council, and p'videing for this Council, to stand in force.

The Deputy Gouerno' is desired to inquire into ye busines about ye Monheags comeing and abideing with Seano, and to act by way of advice as his Worsp 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'vided it doe not damnify the Indians nor ye Planta: of N. London, or any farme now layd out; Goodm: 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', to answer for his former cariage complayned of to ye Court, and Lt Bull is required to proseute his formr complat at ye Court aforesd.


John Winthrop Esq' Gou'.
Thoms Wells Esq' Dep.

Magestrates: Mr. Willis, Mr. Phelps, Mr. Allyn, Mr. Treate, Mr. Gould.

Deputies: Dan'l Clark, Sec: Deaco Gailard, Mr. Rich: Lord, Willm Wadsworth, Mr. Robbins, Joseph Migat, Rich'd Butler, Mr. Sam'l Wells, John Deminge, Sam'l Boreman, Edw'd Griswold, Mr. Hill, Josias Hull, Thoms Fairchild, Joseph Judson, Jehu Burr, John Gregory, Walt'r Hoit, Sam'l Stockin, Nathan' White, John Clark, Robt Chapman, Thoms Judd, John Hart.

This Court haueing considered the Petition of Arthur Bostick, and what hath bin prsented in behalfe of his wife, according to ye desire and p'position of the said Arthur, haue appointed Mr. Blackman, Goodman Beardsley, Mr. Fairchild and Joseph Judson, as a Comittee to considr the state and condition of the said Bostock and his wife, and to ord' what they think
suitable therein; 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 foresaid Committee. And the Committee to make returne at ye next Session, what their determination is about the premises. But in case Bostock rest satisfied with what is done by the Committee, this Court doth free the Attachmt ye former laid on ye estate of the said Bostock.

Cromwel Bay being propounded to this Court to be admitted and receuued under this Gouernment,* The Court considering the same, haue and doe declare their willingnes to accept the said Plantation of Setauke under this Jurisdiction, soe far as they may not any way intrench upon the Articles of Confederation with the other three Collonies, and thersfore 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 premises.

The last wills of Edward Hopkins and George Fenwick† Esqrs being exhibited into this Court, it is thought meet by the Court y 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, alias Setauke, August ye 6. 1659.

It having pleased God to dispose the harts of vs the inhabitants of the place aforesaid, to subject our plantation, persons and estates under the prtection and gouernment of the Colloney of Coneticoke, for the full accomplishment of the premises, wee the said inhabitants doe request the favour of our trusty and beloved associate Ensigne Alexander Brian and Samuel Shermann to solicit our vnion with the sayd Colloney that wee may be accepted a member of the sayd body politic; the terms specified in all humberness, three years rate free, in respect of our low estate and charge in point of purchase, secondly, in regard of our remotenes from the head Court, and the vncertaine passage ou the Sound, that like privilege might be granted vs living on Long Island equal wit South and East Hampton; the aforesaid terms being granted vnto vs, wee the said inhabitants authorize the sayd Alexander and Samuells to ratifie and conclude the said vnion as if wee the said inhabitants were personally present. Subscribed with a vnaminous consent, day and date above written." Signed by, John Vnderhill, Richard Woodhull, Roger Choston, John Jeener, William Fare, Thomas Harlow, James Coke, John Diar, Edward Roues, Thomas [ ], Thomas Mabbes, George Wood, Henry Rogers, Roett 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. 1656-7. An abstract of it is given in a note to Savage’s Wint. 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., do 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 themselues, upon a way [118] and means of hearing and healing the said differences, and not concluded of, This Court doth therfore desire the 2 Chts of Christ at Hartford and Windsor to send 2 or 3 Messeng'rs a peice, to examine and search into ye nature of the differences, and haueing heard what may be said by both parts, to giue 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 Messeng'rs may be presented vnto ye Court ye see it may be duey considered. And the whole Church belonging to Mr. Russel's charge lately of Wethersfield, is to be acquainted herewith, yt they may prepare themselves for this hearing. It is further desired that ye Messeng'rs may be sent at Wethersfield ye first Tuesday in Novr. and that provision be made for their entertainm't by those yt are now resideing at Wethersfield.

A list of the Estate of the several Plantations was presented and is as followeth:

<table>
<thead>
<tr>
<th>Location</th>
<th>Estate and Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartford</td>
<td>21128</td>
</tr>
<tr>
<td>Windsor</td>
<td>15345</td>
</tr>
<tr>
<td>Wethersfield</td>
<td>12103</td>
</tr>
<tr>
<td>Farmington</td>
<td>05548</td>
</tr>
<tr>
<td>Sea Brook</td>
<td>05215</td>
</tr>
<tr>
<td>Middle Town</td>
<td>02543</td>
</tr>
<tr>
<td>Fairfield, Persons</td>
<td>80. 10442</td>
</tr>
<tr>
<td>Stratford, Persons</td>
<td>65. 08434</td>
</tr>
</tbody>
</table>

Mr. Willis and Mr. Allyn are desired to goe down and assist in keeping Court at Fairfield, on Thursday, the 20th of this instant. Mr. Campfield is desired to assist them, especially in the business respecting Mr. Gould and Galpin.
OF CONNECTICUT.

This Court is adjourned to ye 2d Wednesday in No-br next. The estate of Norwalk is 3829 £.


This Court doth grant a Rate of a penny ½ penny pr £. to be levied upon ye estate of ye Collony.

In consideration of Gods goodnest to this Collony, in ye fruitful and seasonable haruest, the general restoration of health to ye Plantations, and the success of ye indeauurs of ye Reuer-end Eldrs 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 thanksgieuing throwout this Collony.

Jonathan Gilbert is appointed to require the paymt of that wch Farmington Indians are engaged to pay to this Court, in Octo-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 inquiere ye nature of ye troublesom differenc fallen out there, and to indeauour a composition thereof; but if they cannot issue it, the Comittee is desired to make returne to ye next Session, what they shal doe in ye premisses.

David the Jew, for his misdemeanour in going into houses when the heads of ye families wr absent, and tradeing prvison from children, and for such like misdemeanors, is fined 20s.

This Court adiournes to ye last Thursday in Feb-rary next.


Jo: Winthrop Esq', Go:

Magestrates: Mr. Willis, Mr. Phelps, Mr. Allyn, Mr. Treat.

Deputies: Mr. Gaylard, Capt. Lord, Dan'l Clark, Sec'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 traineing but he is to maintain watch and ward.

John Allyn and Jacob Migat, in behalfe of the Artillery, pursuing a former graunto of this Court of 300 Acres of land, for encouragem't to ye Artillery successiuely, doe desire that this Court would be pleased to grant to them 30 miles Island, with those two parcels of meadow on ye 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'rengaged to any particular person, by this Court.

This Court considering the low estate of Willm Clarke his family, doe order respecting the fine imposed on him for trading Liquors contrary to law, that he shall pay to ye publique Treasurie 40s. p'y yeare, for foure yeares, the first payment to be made this spring, at ye demand of the Treasurer.

Daniell Harris is approoued for an Ordinary keeper, in Middle Towne.

To prevent 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 ye power of the milletary officers belonging to each Towne yearely to call out and appoint soe many of the Traine Band as the order of Court requires for each Plantation, to attend that seruice, 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 ye ser-vice.

[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 ye Com'trs orders in 58 & 59, hereby fully ratifyinge and confirming 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-
merly 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 Committee to be granted and allowed by the Indians to be Tant*: particular propriety, the Court is willing to allow of and confirm to ye English according to their bargain, vid: to Thom* Burnam and his partners. And what winter graine is sowed on the land, there shalbe liberty and allowance from ye Indians to reap the same by those that haue sowed it. The Committee haue full power given them by this Court to make a ful issue about the p*misses accordinge to ye order abouementioned. And if the Indians be willing to part with some planting land, the Committee may lay it to Tanto: part, for those English abouementioned. And to make returne to ye Court what they doe in and about the p*misses.

Whereas there hath bin complaint made and presented by ye inhabitants of Hartd, Windsor & Wethersfield in referenc to ye bargain made wth Mr. Fenwick, This Court doth order that a Committee be chosen to treat with Capt. Cullick, as agent to G. Fenwick Esq, about the differenc that hath bin and yet is in referenc to ye Agreement made with him. Vnto wch Committee 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 Committee chosen to treat with and pursue to effect the order of the Court with Capt Cullick, are The Worl1 Gouernor 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 s* estates be inventoried and ye Inventories presented and administration granted by this Court.

This Court adjournes to ye 2d Wednesday in Aprill,
[123]  A Session of Gen: Court, Aprili 11, 60.

Jo: Winthrop, Esq', Go:

Magestrats: Mr. Hen: Clark, Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.

Deputies: Mr. Gailard, C: Rich: Lord, Dan: Clark, Sec'; Willm Wadsworth, Mr. Robbins, Mr. S. Wells, Joseph Migat, Richd Butler, John Deminge, Edw: Griswold, Thom: Judd, Jo: Hart, Sam'l Boreman, Sam'l Stockin.

A Lr from ye Dutch Gouerno to or Worll Gouerno was read, as also or Worll Go: returnethervnto, wch was approved by this Court.

This Court considering the necessity of altering that particular in ye 3d Law, respecting the choice of a Gouerno, vidz: That noe person be chosen Gou above 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 Warrts for ye choice of Deputies, and request the return of ye remote Plantar (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'r forementioned.

This Court appoints Wm. Wadsworth and Jo: Deminge Sen', to assist Mr. Jo: Cotton in administration to ye Estate and as overseers of the last will of Thom's Wells Esq'.

This Court hauing heard the returne of the Comittee for Podunk lands; That since they came to a conclusion respecting Thomas Burnam his contract with Tantonomo, It appeares that part of the lands laid out to the said Burnam and his co-partners doth belong to Foxen's successors, by a gift from Foxen to his allies: This Court doth therefore order, That those Podunk Indians shal enjoy and possess their lands according to former order. And that those English men that contracted with Tantonomo shall enjoy and possess according to their bargain only that wch is ye particular propriety of Tantonomo, that the Indians doe yield or that Tanto: can prove to be his propriety.

Mr. John Allyn and Jonath: Gilbert are to bound out ye said Tanton: part to Tho's Burnam and his partn'rs and this shal stand vntil further proof appeare about Tantonomo his right.
This Court having heard and considered the Petition from N. London doe at present so 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, until 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 deferred until ye Court of Election.

Willm Douglas is chosen Packer for N. London, for a full yeare, and to be allowed for his pains herein according to what is allowed in ye Massachusets collony, and whateuer he packs or repacks shall pass under his scale.

A COURT OF ELECTION HELD AT HARTFORD, MAY 17, 60.

Magestrates Elect:

Jo: Winthrop Esq', Go:
Maior Jo: Mason, Dep:
Mr. Henry Clark, Mr. Willis, Mr. Phelps, Mr. Allyn,
Mr. Treat, Mr. Gould.
Long Island. Capt. Tho: Topping, Mr. Ogden, Tho:
Baker, Rob't Bond.
Dan'l Clark, Sec'y.

Deputies: Wm. Gaylard, Wm. Wadsworth, Jo: Talcot,
Joseph Migat, Edw: Griswold, Jo: Deming Sen., Mr.
Sam: Wells, Rich'd Butler, Josias Hull, Stephen Hart,
Antho: Howkins, Sam'l Boreman, Wm. Gutridge,
Mathew Griswold, Rob't Chapman, Jno. Tinker, Hugh
Caulkin, Math. Campfield, Sam'l Hall, Wm. Cheny,
Rob't Warner, Phillip Groues, Tho: Fairchild, Jo:
Wheeler, Cornel: Hull.

It was voted by ye freemen that ye particular in ye 4th Law,
respecting the choice of the Gouvernor, should be alt'd, and that
for future there shalbe liberty of a free choice yearly, either of
ye same person or another, as may be thought meet, without
prudence 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 ensueing, is left by the freemen to this Court to issue and effect.

The Worfl Gouernour and Dep: Gouerno: are chosen Comrs for this yeare ensueing, 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 vndr this Gouern: vpon the same tearmes y't Southampton stands w'th 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 United Collonies, and therfore 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 shall bear all the charges that may be contracted by any occasion wherein this Collo: doth, according to Articles agreed on, afford them assistance.

Wm. Palmer Sen't, is freed by this Court from watch: ward: and traineing.

Vpon 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 conducele to ye p'servatn of ye estate for ye legatees.

This Court haueing considered the petition of Goodman Jackson, doe accept of his request and are willinge to allowe this
libertie, that provided there be 15s. fine paid to ye publique treasury by the transgressour, then the formr sentence adiudging corporall punishmt vpon ye delinqt shalbe revoked, but if this fine be not embraced and accepted of, then the corporall punishmt is speedily to be inflicted, according to ye appointmt of ye Magestrates.

It is ordered by this Court, that neither Indian nor negar servis shalbe required to traine, watch or ward, in this Collo:

In consideration of much inconvenience that appeares to accrue 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 conveighing away the kind of pay that many times is preingaged, It is therfore ordered, that it shalbe 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 demanded,) to take out an attachmt and lay it (if it can be found out) vpon such estate as is engaged by the debt, or other estate ye may be found such as ye creditor liketh, provided it be not prohibited by law, and secure the said estate attached, to a trial at ye next Court appointed for ye end. And whateuer estate thus attached vpon a trial and iudgmnt of ye Court comes to be apprized, the said Court ye issues the case that shall appoint those ye shall prize the estate, the valuation whereof shalbe regulated according to ye worth and nature of ye pay contracted for.

The price of Sheep, in ye list of Rates, shal for future be valued at 15s. p' sheep, vntil the Court further advise on it.

This Court orders that ye Grand Jury hereafter mentioned shal inquire and considr of ye misdameano's and breaches of the orders of this Collo: in ye several Townes, and make presentment thereof at ye particular Court in October next, and likewise at ye particular 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, Saml Boreman; Farm, Anthony Howkins; Middle T.; John Hall; Sea Brook, Robt Chapman; N. London, John Smith; Stratford, Goodin Groues; Fairfield, Jehu Burr; Norwalk, Richard Olmsted.
It is ordered, that all defects in Armes or neglects in training, watch, etc. shall be determined by any one Magestrate or Assistant, where such are inhabiting; and by two of them your order the prudentials of your Towne where is neither Magestrate nor Assistant; and that those who determine the case shall have power to issue forth order to your Clarke of your band to levy the fine imposed. This order to take place notwithstanding former orders.

This Court frees the Assistants and your Deputies chosen to attend your severall General Courts, while they stand Deputies, from training, watching and warding.

It is ordered, that your Grand Jury men shall repair speedily to some Magestrate or Assistant to be sworn to your seasonable and effectual execution and attendanc on their worke.

It is ordered by this Court, that no Towne in this Colle: shall suffer any Indians to dwell within a quarter of a mile of it, nor shall any strange Indians be entertained in any Towne, upon penalty of 40s. a month, to be paid to your publique treasurie by each Plantation which shall be found transgressours herein. This order to take place and be of force, in your begin: of July next.

[128] This Court doth order, that no man or woman within this Coll: who hath a wife or husband in forraigne parts, shall live here above two years, upon penalty of 40s. per month upon every such offender; and any that have bene above 3 years already, not to remaine within this Coll: above one yeare longer, upon the same penalty, except they have liberty from your Gen: Court.

This Court observing an omission or neglect of a former order respecting the Inventorying the estates of Edw: Hopkins and Geo: Fenwick Esqrs 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 accorded part of that estate your dispozyed by them or either of them,) shall make diligent inquiry in their respective Plantations to find out the said estates according to a true value and to inventorize the said estate and to make presentment thereof at your particular Court in Septbr next. And all and every person in each Plantation, as before, is hereby required to give in a just acco of to their select men, of all the estate that either is, or hath bin in their possession
or improvement since ye° decease of ye° aforesaid Gent:. And who-
soever is knowne to conceale any of the said estates, or not to give
in a true acco° as before required, or if any select men doe neg-
lect to attend this order, he or they shall pay unto ye° publ:
Treasurie, 5l. for every such default.

This Court orders, that if any Indians shall 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, wch 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 judge
requisite to make distribution to both parties of that wch 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-
walk shal gather out of their said Townes a small
Troop of Horse, with two meet officers added to exercise them
of their owne choosying, and the Troopers to be such as are ap-
proved by Mr. Gould and Mr. Fairchild and Mr. Campfield and
the officers to be approved 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 ye° 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 alsoe ordered, that noe Inhabitant shall haue power to
make sale of his accommod° 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 Rob° Chapman for an Assistant at Sea
Brooke.

This Court, for many good considerations, doe see cause to
allow or Wor° Gouernor° 80l. for this yeare ensuing.

This Court doth confirmes and establish ye° Act of the Com-
tee at Stratford abont Arthur Bostocks estate.

This Court haueing intelligence ye° 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 evidenc 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 couent 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 Resuces 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 haung considered the perticulers in it, doe order for ye present, that there should be an Assistant and 3 Com" in that Towne, who shal haue ful power to issue small causes, and ye punishing small 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: Governo & Math: Griswold shal lend vnto N. London two great Guns, from SeaBrooke, wth shot such as yr judge may be convenient to be let goe from thence. And if they judge that N. London be capable to secure themselues 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 Com" Mr. Bruen, James Rogers, John Smith, for ye yeare ensuing.

Stebbins, the Constable of N. London, hath liberty of reviwing his action yt G: Tong commencet agst him, at ye next Court held at N. London, and ye Worsfl Deputy is desired to
assist in keeping a Court for ye 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 Inhabitants and ye Indians there.

This Court doth order, that noe person in Hartford, except Jer: Adams, shall sell wine under a quart cask, nor liquors under 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 called thereunto.

This Court haueing heard some orders presented by Sea Brook Deputies respect: their Townes, doe approve of them in reference to ye Towne, and doe grant liberty of a summons to fetch vp several to ye Court haue transgressed those orders.

This Court, in consideration of the several affronts of the Indians, and hostile attempts and abuses offered to ye English subjects, doe order, that the Secretary, in ye name of the Court, shall write to ye Com: of the several 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 means and effectual, speedily to fetch in such Indians to receaue condign punishm*, and to intreat a returne to ye Worshipfull Governor, to ye prmisses.*

Mr. Bray Rossetter 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.

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Jo: Winthrop Esq:, Go:

Magestrates: Mr. Willis, Mr. Clark, Mr. Allyn, Mr. Phelps, Mr. Treat. Sect:y, Dan: Clark.

Dep: Cap Rich: Lord, Mr. Gailard, Cap: Tailcot, Mr. Henry Woolcot, Wm. Wadsworth, Joseph Migat, Edw:

* See Appendix, No. VIII.

31*

This Court vnderstanding the great abuse of yt liberty yt hath bin allowed of selling Cider to ye Indians, by virtue of former order, Doe now order the repealing of yt 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' pint, and p'portionably for other quantities, a third part whereof shalbe to him yt discouers ye offence.

Severall members of this Collony prsenting their desires vnto this Court of setteling a Plantation at 30 Miles Island, in consideration thereof, this Court doe order a Comittee 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 Sen', Sam' Boreman; Farmington, John Hart.

What right appeares that ye Indians haue there, it is left to ye Comittee to ord'r 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 yt was kild.

[132] This Court, haueing heard and considered the case de- pending twixt Willm Parker and Wm Waller, about Wallers detineing a mare and her increase, doe declare this as their sentence, that each party shal beare 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 Sen', 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 wch 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 pירושing nature, they are desired to improue 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 shal attend yᵉ Law provided as a rule of Rate-ing for yᵉ future.

It is ordered, that the Magestrates, at al times, and yᵉ Deputies, when yᵉ are vpon pub: employment, themselues and their horses, shalbe 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 pretence 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 have address to yᵉ Worl Deputy Gou, 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 yᵗ case, || doe order, That Mr. Varleet shalbe repaid by Mr. Thomzsche Wells only the ouerplus that by execution was taken from Varleet, aboue wom-pom at six pʳ 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 assessd by yᵉ Comrs to pay to this Jurisdiction. This order repealth, the 31 Octo. '60.

This Court haueing formerly accepted and manifested their
acceptance of the accounts 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 Thomes Greenhils Will, and to settle a way for payment of debts.

Mr. Treat, Mr. Tho. Wells and Samll Wells and John Chester are appointed to administer unto ye estate of Mr. Robins, and to take care to preserve it for ye Relicts.

Itso rdered by ye Court respecting Mr. Stow of MiddleTown, there appeareing such vnsutablenes in their spirits, that MiddleTown shal haue free liberty to provide for themselues another able, orthodox and pious minister, as soon as they can, who is to be approoued by Mr. Warham, Mr. Stone, Mr. Whiting, takeing in ye help of ye Worll Gournr and Mr. Willis, weh being done, Mr. Stow is to lay downe his preaching there. The said Towne giueing Mr. Stow Testimonial Lrs such as the Gent: forenamed judge fit. In ye meane 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 give, sell or exchange any horse, mare or colt, thereby to conveigh them out of this Jurisdiction, vnles 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 Corpons or kept, he shal forfeit Twenty pounds to ye Pub: Treasury, and ye Recorder is allowed to take sixpence for euery such record or entrey.

The Magestrates haueing considered the case of John Bissel, about tradeing liquors to ye Indians, doe adiudge him to pay (for breaking the Law of this Como wealth) 40L; the weh 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.

a Publique Thanksgiuing to God, for his mercy, in our Peace, Plenty, Health and Liberties yt we enjoy.

[134] It is ordered, that ye Ferrey at Niantecut shal from henceforth belong to ye Farme of or Honrd Gouernor Jn° Winthrop Esq', 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 Cap° Cullick, now haueing ripened their treaty to an issue, are impowered by this Court to perfect writings, and what is requisite to be confirmed and signed by ye Court, the Worship° Gouernor is authorized to act in ye name of the Court, and to fixe ye seale of ye Collony thervnto and to deliver the writings to Cap° 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 Esq' is now taken of, and free possession and power of administration granted vnto Cap° Jn° Cullick to ye said estate, in behalf of ye Legatess.

The List of ye Estates presented to this Court are,—

<table>
<thead>
<tr>
<th>Estate</th>
<th>Value</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 Plantation of Stratford, Fairfield and Norwalk, haueing 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 prsons delinquent to ye Quarter Court in March next, to answer for their transgression herin.

Mr. Willis and Capt Lord are appointed to audit ye Treasurer's accot for ye year past.

The Treasurer and William Wadsworth are appointed to take in Jeremiah Addams his accot.

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 unwritten grants, bargaines, sales or mortgages, It is ordered by this Court, that from henceforth all grants, bargaines, sales or mortgages of hous and lands, shalbe in writing and subscribed by the granter with his owne hand or mark, vnsto wch mark his name shalbe annexed, and also subscribed by two witnesses at least, with their owne hands or markes, vnsto wch marks their names shal be annexed, & that noe grant, sale, bargain or mortgage shalbe of value but such as written and subscribed, as abouesaid. 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 judgment of the Court being delivered vnsto ye Recorder, vnde the Secretaries hand, shalbe his Warrt 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 mortgage, 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 abouesaid,) be testified and subscribed by one witnes at least beside ye Recorder.

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HARTFORD. SESSION GENII. MARCH 14. '60.

Jo: Winthrop Esq', Go:
Jo: Mason Esq', Dep:
Magestrates: Mr. Clark, Mr. Willis, Mr. Allyn, Mr. Treat. Sec': Danll 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 repair; and Mrs. Wells is to keep it and to returne it in like repair.

It is ordered by this Court, that Lt Hollister, Mr. Chester, with their fellow Townesmen, shal within one weeks time after the receipt of this ord'r, prefect the gathering the Rate for Tho: Lord, by destreint or otherwise together with ye Court charges respecting the action of Tho: Lord contra Lt Hollister, and for two executions, 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 yt 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 with ye consent of Maior Mason, That Vncus & Wawequa and their Indians and successors shalbe supplied with sufficient planting ground at all times as ye Court sees cause out of yt Land. And ye Maior doth reseve 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 yt Mr. Tinker desires, or some other meet for him, not prejuditial to others, and to make report thereof to ye Court.

In reference to Mr. Rosseters desiring respecting Land vpon Stratford River, at Paugusset, the Court approues of his purchase, accepts it vndr this Gouernm't, and allowes liberty to purchase one hundred acres more.

It is ordered, yt 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 disposing ye estate (left by Thomas Greenhill to Goodwife Adams) into his wifes 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 Commission 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 Prticuler, put a stop to those Troopers.

John Tinker hath licence to retayle liquors 'distilled by him, vntil Octob', 1662, and to indeauour to suppress others that shall sell by retaile in ye Towne.

In ye appeale of Robert Reeues in ye case twixt him as pt contr John White, this Court finds for ye Defendant.

In ye case twixt him as pt 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 appertaine to John Skinners estate.

It is ordered by this Court it shalbe in the power of the Treasurer, at all times, as cause requires, to issue forth his warrant vnto the Constables in ye respective Plantations where any Comissioner or select men shal fail in prefecting 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. vpon the Town of Norwalk, for ye neglect in transmitting their list according to order at October Court last.

Received 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 Atourney. I say receaued by me.


Transcribed out of ye originall.

In answer to Simon Lobdels Petition:

1. This Court admits not a further hearing of ye case.
2. Its ordered that ye spetiall verdict drawn vp by the Prticular Court, respecting Simons case agst Jared and Hannah Spencer, shal stand firme to issue that busines.

3. In referencto ye just expences mentioned in ye verdict, Its ordered that Jared Spencer shal pay vnto 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 spetiall verdict. And this is to be a final issue.

Jeremiah Adams acknowledging himself indebted vnto ye estate of Mr. Hopkins the sum of Twenty pounds wherein 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 paymt thereof.

This Court haueing heard and considered the differenc twixt ye Towne of Middle Town and Mr. Stow, and their allegations and answers, doe judg and determine, that ye people of Middle Town are free from Mr. Stow as their enganged minister. 2ly. That the people of Middle Town shal giue to Mr. Stow L's Testimonial, according as was drawen vp, and presented by the Worshipfull Gouerno 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, shall be kept and improved in pursuance of our Address to his Highnes our Soveraigne Lord Charles etc.

Mr. Willis, Mr. Allyn, & Wilm 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 sehtence and conclude, that ye said sale of ye lot by Edward Stebbing to Mr. [139] Goodwin is a legal sale: the sale being || acknowledged 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 shall 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 ye 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 coniugal bonds.

Its ordered by this Court, that ye people of Middle Town shall 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 ye the Comissionrs 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 give power and order to ye new Constable at Sea Brook to levy the sum of 9l. 6s. 1d. vpon William Bushnell, and likewise 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 defectiu in their Rates and to prfect his Accot 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 yet are yet imperfect; and in case of defect herein after the 10th of April next, the Treasurer is ordered to send forth warrants to ye present Constables to desist from 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.

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 approbation of neighbour Churches, and whereas there are diverse of ye members of ye said Church removed from thence without any notice giuen to, or allowance and approbation 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 vpon that occasion some, through misapprehension of the true state of that Church, there still resident and remaineinge, haue taken occasion vnjustly to question the station and being of ye said Church of X: as some of that Church doe complaine, and yet none haue charg'd 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 of this Court, whch heard and examined their case openly, the reality and trueth 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 14th of May next ensuing, and shal 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 discharg 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 wtsoeuer 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 vnto him, that in case the Indians there shal depart from that place and leaue it, that then the said Thomas, wth ye free consent of ye Indians there, shal improue the Indians lands in ye time of their absence, wch consent of ye Indians shal be declared before the Magestrates. Thomas Burnam doth engage to this Court that whensoeuer ye Indians desire to returne to and improue their lands themselues, he the said Thomas wil freely, readily and without any trouble, surrend' ye possession vnto ye Indians agayne. This liberty to continue til his lease be expired.

It is ordered, that Capt Lord and the Treasurer shalleuel ac-counts, and the Treasurer is to pay what is due to Capt Lord, wth 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 Genll 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. Willis,
Mr. Gould,
Mr. Topping,
Mr. Allyn, Mr. Rainer,
Mr. Phelps, Mr. Baker,
Mr. Treat, Mr. Bond.

Treasurer, John Talcot.
Sec’y Danl Clark, et Dep:

Dep: C. Rich: Lord, Mr. Henry Woolcot, Mr. Gaylard,

The Freemen voted that ye Genll Court should choose Comrs and invest them with full power for this yeare ensuing:
And likewise that ye Court should choose Assistants, as need requires in ye several Plantations.

Mr. Tinker, Mr. Campfield and Robt Chapman are chosen and sworn Assistants.

The Assistant and Comrs at New London are desired to take a stricktc care to suppress disorders in that place.

The Gour and Dep: Gour 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 Gour and Dep: Gour, both for Genll and Prticuler 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 trading Liquors.

This Court hath added 20s. to that which the Prticuler Court allowed to Stephen Taylor out of John Bissells fine.

This Court vndrstanding the Comrs consent therunto, doe accept of ye Plantation of Setauk vndr this Gouermt, upon 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 Iland, under their Gouernment." [Rec. of U. Colonies, Sept. 1660.]
ampton; and for two yeares doe free ye 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: Peirce are chosen by the Court to officiate in ye place of Magestrates in that Plantat: for ye yeare ensueing. Mr. Wodhul sworne.

Mr. Pel and Alexand: Knowles chosen Assistants for Fairfield, and in case either of them refuse, Mr. Wm. Hil is chosen to supply that defect.

This Court doth ord', 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 into ye Countrey, on ye east side the River, according to ye ordinary way of laying out of bounds in this Colony. N. London people have 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' respecting Mr. Jno. Tinker is still to be attended by him in viewing a convenient place at or neere Monehgin, to take vp some Land.

Respecting Mr. Bruens letter for advice, the Courts mind is to take the matt' into further consideration before they give direction 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 Fairfield, in case that Towne admit her.

Execut's 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
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Math: Griswold and Renold Marvin, and confirm their determination about the Horses.

This Court grants that the one half of ye horses in controversye shalbe devided twixt Math: Griswold and Reynold Marvin equally, and ye other half the Court ord'r 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'r, Math: Griswold and Reynold Marvin shal sell the Horses to make paymt and distribution according to this Order. Goodm: Marvin is to see ye Horses brought in, that see this ord'r 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'r for paying the Indians for such Wolves as they kill or steale.

Respecting Cap't 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 drawn 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 present 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 iudge most convenient, provided ye substance be stil attended and reteined.

The Comittee chosen to compleat ye Address and draw vp the Petition to his Matie or any other Lr's to any noble personages in England, and al other matters respecting or address, Petition or Patent, are as follow: John Winthrop Esq', or Gour;
Also, ye Dep: Gou', Mr. Willis, Mr. Allin, Mr. Warham, Mr. Stone, Mr. Hooker, Mr. Whiting and ye Secretary.

It is agreed between Capt Topping, Mr. Halsey, Mr. Stan-bourough and John Coоп', in behalf of all of Southampton [145] unsatisfied 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 over the Island by a strait line to ye eastern 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 Hoble Earle of Sterling. It is further understood that what agreement is here made doth noe way intrench vpon any of ye rights, privileidges 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 Nobies.

This Court is adiourned til ye last Wednesday in Augst next.

Postscript.

This Court doth desire and authorize or Worll 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 receave further instructions from the Comittee appointed to compleat those matt're, takeing in the advice and counsell and consent of such Gentlemen and freinds as may be excited and procured to be actiuie wth him in and about the premisses.
HARTFORD. SESSION GEN II JUNE 7th: 61.

Jo: Winthrop Esq', Go:
Magestrates: Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.
Sec': Dan II Clark.

This Court hauing considered the Address and Petition compleated by the Comittee, to be sent and p'sented to his Matie, or Soveraigne Lord Charles the 2d, and also the Instructions drawen vp for or Worll Gouerno', Agent for this Colony in ye p'misses, doe approue of that wch ye Comittee hath done. And doe further add to ye Instructions, that they doe leave ye matt'res respecting any L' 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 or Worll Gouern'; and as he shall see cause, to draw vp, and in ye name of the Colony to subscribe, seal and deliuers such L', 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 or Worll Gouern' shalbe allowed out of the Treasurie, for this ensuing yeare, the sum of Eighty pounds. And in reference to his intended voyage to England, if his purpose and resolution doe still continue to goe, in regard this Court hath made choice of his wors' to be an Agent to further our welfare, in p'senting or Address & Petition to ye Kings Maiestie, and to improve his abilities to procure vs a Pattent, This Court doth hereby order and enact, that whatever charges or expenses the attendance on those affaires of this Colony shall require in England, shalbe defraied out of that 500l. that is by ord' of Court appointed and set apart for yt service.

This Court doth desire and appoint Capt. Lord, Mr. Henry Woolcot, John Allyn, Will'n 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 yt it may answer such Bills as may be charged on this Col: by or Worll Gouvernor or his order, in pursuance of our Pattent, in England.

[147] The Treasurer is appointed to signe ye Lr of Credit, whereby the Gouvernor 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 Treasurer is appointed to signe ye Lr of Credit, whereby the Gouvernor 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 deliver to ye Gouvernor coppies of ye same; and in case it be judged expedient the Gouvernor is desired to subscribe ye Address and Petition.*

Elrwead Pomrey hath receaued the 10L. in Wompom, from ye Gouvernor, that the Court formerly granted him.

SESSION, JUNE 8: 61.

This Court takeing into consideration ye estate yt is in John Coles improuement, yt formerly belonged to Edward Hopkins Esq', Doe order, that ye Treasurer shal require and take into his custody and improuement 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 improuement of ye Farme according to his Lease; and its left wth them to informe him that ye Court desires and are ready to incourage him in this busines for ye future.


Majr Jo: Mason Esq', D: Go: Magestrates: Mr. Allyn, Mr. Phelps, Mr. Treat.

Secret'y; Danll 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.
OF CONNECTICUT.


This Court doth order that it shalbe comended to y:e consideration of y:e Com''s that an order may be established, That noe Indians weuer shal attempt any hostile act, or wage or carry on any warr within y:e limits of y:e several Colonies or Plantations, but shal first make y:e justice of their cause appear to y:e Authority of y:e Colony wherein the Indians liue, and haue liberty from y:e Authority of y:e Colonie to proceed on in their warr:

And in case the Indians doe violate y:e Com''s former order, in hostile attempts as before, or in marching throw y:e Townes wth armes, what fine or punishment is to be inflicted on offendors, 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, vpon righteous and honerable termes; as also to indeaour to settle Farmington Indians, and to purge out strangers from them. And to enioyne both Podunk and Farmington Indiansto cease their warr and not to entertein strang'', and also to require y:e Captiues.


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' Welles, John Deming, Sam' Boreman, Anthony Howkins, Thomas Judd.

In reference to y:e case depending twixt Caspar Varleet, by way of appeale, contr Edward Palmes, This Court doth determine, That Caspar Varleet shall forthwith make satisfaction to Mr. Palmes for what is vnpaid of y:e Bill in Cattle, wth 8L 6s. 6d. for damadge, with charges. And in case Caspar Varleet
doe not satisfy according to this order, This Court grants execution to be delivered upon ye estate of Varleet's that lies under Attachm', and Lt Thomas Bull, Mr. Jos: Wellard and James Steel are appointed to apprize the estate that Mr. Palmes doth receive from Mr. Varleet; and if any of these three fail, Thomas is to supply his room.

This Court hath granted to Jonathan Gilbert a farme, to ye number of 300 Acres of upland and 50 Acres of meadow, provided it be not prejudiciall where he finds it to any Plantation now is, or hereafter may be settled.

The Court hath granted unto Mr. Math: Allyn, 400 Acrs of upland and 100 Acrs of meadow, where he can find it within Connect: liberties, upon ye same termes as to Jonathan Gilbert.

[150]


Majr Mason, D: Go:

Magestrates: Mr. Willis, Mr. Allyn, Mr. Phelps, Mr. Treat.

Sec', Dan'l Clark, et Dep:


This Court orders, that it may be considered to ye consideration of ye Freemen the great cost and burthen yt lies uppon this Collony by the great number of Deputies that attend ye Gen'II 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'II Court at such season that may be prejudiciall 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 Riuer, by their Deputies or a major part of them, wth soe many Magestrates as ye law requires, to keep Court,
or CONNECTICUT. 373

yt with full power and authority as if the Deputies of ye severall Plantations were present altogether.

This Court doth hereby manifest their complianc and consent that ye Comission Court shalbe held but once in three yeares, in ye ordinary course: and ye Secretary is ordered to certifie this order to ye Comrs at ye 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 solemnne Thanksgieing throwout the Colony, for Gods merceys in ye remaining fruits of ye earth, and for ye peace, and that God is pleased to free vs from yt mortality yt ye Plantat haue bin afflicted with.

Those that are nominated to be put to election for Magistrates, at the Genl Court in May next, are C. John Talcot, Secr Dan Clark, Lt Jo: Allyn, Mr. Henry Woolcot.

This Court haueing heard and considered the busiues respecting Mr. Varleets Still and Worm, wth ye head, yt was destreined for Mr. Palmes his debt, doe see cause to order, that ye said Stilletc. be sequestred in ye Marshallshand or custody, for ye space of three weeks, during wch 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, wth 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 persons presented to this Court:—

Hartford, £19512. 0. 0. Wethersfield, 11955. 0. 0. Windsor, 15902. 0. 0. Stratford, 8596. 0. 0. Sea Brook, 05583. 0. 0. Norwalk, 3527. 10. 0. Farmington, 06240. 0. 0. Middle Towne, 2399. 0. 0. Fairfield, 10423. 4. 0.

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 punishm as they judge meet according to law.
This Court doth confirme 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 haueing heard and considered ye contumelious 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 Worll D. Gouernr, C. Jo: Talcot and Lt John Allyn are appointed and requested to goe to N. London to ioyne with ye [152] Assistant and Comtrrs there || in keeping Court Pert: and ye Dep: Gour: is to appoint ye time.

It is ordered that the Assistants in this Colony, within their respective limits shal haue ye power of one Magestrate untilye Genll Court in May next.

This Court orders ye Secretary to write a Letter to Norridge, to send vp a Comittee in May next, invested with full [power] to issue ye affair respecting setting that Plantation under this Gouvernment.

The Will and Testamt 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 manadgmt 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 thereunto.

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 writeing, a tendr of

* [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 faithfulnes 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 forraigne Plantations for the breeding up of hopeful youths in a way of learning, both at the Grammar Schools and Colledge, for the publique service of the Country in future tyme." [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,)
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350l. to this Colony, out of that estate; This Court doth declare that they do not reject the tender. And further, this Court doth appoint Major Mason, Mr. Mathew Allyn, Mr. Willis and Capt. John Talcot, as a Committee 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 business. And ye Secretary is to write a letter 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 orders of ye Countrey therein.

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 Lieutenant 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 December next, and to inquire after ye number of them, and to make returne to ye Court in December what is done herein.

It is ordered, that ye Indians ye live near ye Townes on ye River have free liberty to carry their guns, throw ye English Townes, provided they are not above 10 men in company. This liberty is granted to Tunxis Indians. Former restreints are repealed.

Wllm Wadsworth and Richd Butler are to judge of that Beef ye Varleets doth pay to redeeme ye Still, whether Merchantable or noe, and Joseph Smith to gauge 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. Jornal, I. 298, Note; Trumbull's H. of Conn. I. 928.]
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, doth order 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 with other of his writings; and in case they find a true & full concurrence in the said hand writing, that to their judgment it appears to be his writing, then to declare unto ye said Bridget that this Court hath and hereby doth free her from her conjugal bond to her husband Baxter.

It is ordered, that forty five shillings in ye Marshal's hands, of Varleets, shalbe a full discharge of ye remainder of his Ten pounds fine to ye Countrey, wch ye Marshal is to discharge to ye Countrey and Mr. Palmes to him.

This Court duey and with serious deliberation, hauing weighed and considered the nature of the offence of Mr. John Blackleicht 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 incid unto, this Court doth impose the fine of Thirty pounds to be paid by the said Mr. Blackleicht 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 northern end towards Mussaco, and there to be ye devident bounds twixt that plantation and their neighbours 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 Acre of Meadow, if it may be found where it may not prejudice any Plantation y' now is, or hereafter may be setled.

There is also granted vnto C. John Talcot and Lt Jo: Allyn, 600 Acre of vpland and 100 Acre of meadow, to be equally divided between them.

There is also granted vnto ye Secry Daniel Clark and John Moor, the number of 400 Acre of land, vpon ye forementioned
termes, whereof 80 Acres of Meadow, wch is to be devided between them, and if it cannot be found together they have 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 foregoing 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 Sept. '67.

John Allyn, Secret'y.

Mr. Phelps, Mr. Gaylard, Jo: Bissell Senr, Sam'l 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 setled, he is to have a double portion according to his estate out of this land now granted; the rest he is to surrender to ye Towne.

This Court declares, that they accept the Towne of Hunting-ton, on Long Island, vnder this Gouernm't. 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 observeing that there is too much appearance of prejudcie in ye testimonies that have bene presented, and how indirect the course was whereby any thing was discouered, i. e. by lying in wait, cannot but see just cause to acquit Mr. Jo: Blackleich of that fine.
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 improue for an Orndary, or house of coomon entertainment,shalbe and remaine for the same end and use 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 prson or prsons inhabiteing in ye said house asshalbe to ye good likeing and approbation of ye Genll Court from time to time.

2. That ye said house be fitted and made capable to giue sufficient entertainment as need and occasion shal require, both to neighbours and strang'es.

3. That there be at all times necessary & comfortable accommodation and provision made for entertainment 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 forfeithis licence, but shalble liable to be censured by the Court as they shal judg most suteable.

AT A COURT OF ELECTION HELD AT HARTFORD, MAY 15, 1662.

Magestrates Elected:

Jo: Winthrop Esq', Gouern'.
Jo: Mason Esq', Dep:
Mr. Math: Allyn, Moderat'. C. Jo: Talcot, et Treas:
Mr. Willys, Lt: Jo: Allyn,
Mr. Phelps, ' Dan' Clarke, et Sec';
Mr. Treat, Mr. Henry Woolcot.
Mr. Gould,

Deputies: Wm. Wadsworth, Joseph Migat, Mr. Thomas Wells, Mr. Fitch, C. Benjam: Nubery, Willm Gaylard, John Moore, Edw: Griswold, Sam'l Boreman, John Not,
OF CONNECTICUT.


[158] The Freemen haue referred the choice of the Comissioners vnto ye Genll Court. Or Worll Gouvernoreserved Mr. Willys are chosen Comrs for this yeare ensuing, and Capt John Talcot and Danll 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 y 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 conforme Jonas Wood and Thomas Benedick according to their desire, who are impowred to act in point of Gouverment 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 wch termes they are accepted.


Bridget Baxter is by the authority of this Court, vpon good consideration and solid reasons and evidenc, freed from her coniugall 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 [159] prohibit all and every of the creditors to ye said estate for seizing, extending or any way troubling ye remainder, vntil ye contrary.

This Court doth release the Comr of New London from his fine respecting ye list of estates.

This Court vndrstanding that several vessels are brought in to ye Ports and Harbours appertaineing to this Colony and vndr a p'tence of attending the Proclamation sent forth from his Matie
or Soveraigne or the Parliment of England, respecting the transpor
teing of Tobacco to forreigne nations, and in stead of pay-
ing the customes imposed, doe in a clandestine way defeat the
law and steale ye custome, and some haue denied to pay any
custome, It is therfore ordered by this Court, that whatever
Tobacco is landed in this Colony, there shalbe paid by the Mas-
ter of the said Vessell, or Merchant importer of ye said To-
bacco, vnto the Custome Master of ye place where the vessell
is brought in, for evry Hogshead, 25sh. or 2d. pr lb. wch sum
according to ye Law of England shalbe p'sently discharged, or
otherwise, sufficient security shalbe giuen for ye payment thereof
wth in 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 pub-
lique charges, for ye space of two yeares from this present 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 vnitied to this Gouverment after the publication hereof,
shalbe fully comprhended in ye Order respecting the way and
manner of rateinge and raising Countrey Levies.

This Court considering the Petition of Job Drake, re-
specting the Colt now in the Countreyes possession, formerly
handled in ye particuler Court, the said Job pretending further
evidence to clear his title to ye Colt, Doe threfore 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 determin 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 Acrs of Land to his Honorable 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 granteth to Mr. Joseph Heines 300 Acrs of
Land for a Farme, where it may be found not prejudicing a
Plantation in being, or that may be, whereof 50 Acrs 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 give unto 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 give 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 have liberty to attend their exercise within ye Plantations where they are resident, with their owne foot company; vpon wh consideration their allowance of six shillings eight pence per Trooper is taken of, only the officers for their encouragment are allowed their salery. It is also ordered, that the Troopers in ye respective Townes shall attend and obserue 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 present at ye exercise. And notwthstanding this order, they are to be accounted as one intire Troop consisting of several parts, who are to vnite and attend ye Generall Traineing, 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 10s. to ye publique Treasury, which shalbe satisfied before the Petition be admitted to be read.

In regard it is found by experience that there is great neglect in viewing 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 viewing fence, and whosoever is chosen to ye office of fence viewing and shal 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 unjustly exempted. And it is likewise ordered, that ye said sworn fence viewers shall have power to fine neglects in fencing, and to require and levy the same, and to deliver it to ye Townsmen for ye Towns use where they live.

[162] This Court grants liberty to ye Marshall, Jonathan Gilbert, to keep an Ordinary at his house, at Cold Spring, for relieving of Travellers, according to their needs.

This Court desires and appoint the Magestrates of Hartford to agree with a suitable man in Hartford to sell wine by retail out of doors, at as good a rate as they can.

This Court doe empower Mr. Obadiah Bruen, of N. London, to take Oaths and grant Warrants, in ye Towne of N. London, as occasion requires.

This Court, understanding that there is much prejudice like to ensue to this Colony, by conveying Tanned Leather out of this Colony, It is therefore ordered, that after ye publication hereof, what person soever in this Colony shall transport any hides that are tanned either for soles or upper leather, out of this Jurisdiction, without special order from ye Court of Magestrates, he shall forfeit ye hide or hides or ye value of them, one third part to ye complainant, the rest to ye Public Treasury.

There is liberty granted for ye Town of Huntington to appeal in civil actions, to ye Courts held at Fairfield or Stratford for further trial.

This Court, upon consideration of Mr. Tinkers encouragement in his place and employment, 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, Jun[r], Dan[11] Clark, et Sec"
OF CONNECTICUT.


This Court, duly considering the state of this Colony, and especially the Plantations situate on the River, and judging 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 convey away out of this River, any Corn or provision from any Plantation within or liberties situate on this River, vpon penalty of forfeiting the said Corne or provision or ye value thereof, one 4th part to ye complainer, the rest to ye Publique Treasurer. 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 yt shall be transported by order from ye Treasurer, for any publique concerns 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 prepare paymt for the Countrey without delay, that soe ye Countrey may be able to discharge such sums as may be charged on vs by or Worl' Gouerno'.

Mr. Jo: Allyn, Mr. H. Woolcot, Wm. Wadsworth, are desired and appointed and authorized, in case ye persons indebted to ye Countrey doe not provide payment seasonably, as need requires, then ye Comitie or a major part thereof shall procure corn or provisions as they can agree with persons: and the fore-mentioned Drs are to satisfie the said persons accordinge to ye Comitties appointment.

This Court appoints Wm. Wadsworth & James Steel of Hartford, to goe down to Hommanaset and view the land there, and if it be not fit for a Plantation, then they are authorized 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 overplus, 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.

At the Generall Assembly or court of election held at Hartford, October 9: 62.

Jo: Winthrop Esq', Go:
Jo: Mason Esq', Dep: Go:
Magentrates Elect:
Mr. Mathew Allyn, Mr. Sam Willys, Mr. Nathan Gold, Mr. Treat, Mr. Ogden, Mr. Tapping,
Cap' Talcot, et Treas", Mr. Henry Woolcot, Daniell Clark, et Sec", Mr. Jo: Allyn, Mr. Baker, Mr. Sherman.

Deputies:
Willm Wadsworth, Sam Smith, Mathew Campfield,
Joseph Fitch, James Rogers, John Gregory,
Edward Griswold, John Clarke, Nathan Willys,
Josias Hull, Robert Chapman, Robert Warner,
Sam Boreman, Phillip Groue, Thomas Leffingwell,
John Nott, Joseph Judson, Thomas Tracy,
Anthony Howkins, Cornelius Hull, John Howell,
Thomas Judd, Sam Drake,

The Patent or Charter* was this day publiquely read in audience 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

* 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 Maj: Letters Patents granted unto several Gentlemen of Connecticut, under the broad seal of England, was present ed and read." In a letter to the Government of Rhode Island, written during the same Session, the Commissioners say, "We have read and prsued a Charter of incorporation under ye broad seal of England, sent over the last ships, granted to some gentlemen of Connecticut," &c. [Rec. of Comm'.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'rs, in case "any matters needful to be considered should, at the return of our Wor. Governor and the agents for the Massachusetts, be presented."
Daniel Clark

(President, 1684-1688)

The President of the Province and for such time as shall be directed by the Proprietors to reside in this Province, is hereby commissioned to superintend the affairs of the Province and to take such advice from such men as he shall think fit to give him.
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 establischall officers in this Collony, both civill and military, 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 your 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, wthin 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 canoos, that may be necessary to carry or transport the Corne from ye severall 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 into 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 deliuer 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. Wm Wadsworth, Jon: Gilbert, Joseph Fitch, to hire vessels for this Riuier.

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 transporting shall be borne by the whole Colony in a General way.

This Court doth order and declare, that the Seal* that formerly was used by the Generall Court shall still remaine and be used as ye Seal 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 major part of them, have sent up and impowred him to act as their Deputy † and he as their Agent, tending to submit their persons II and estates into this Gouernment, according to ye Charter; This Court doth owne and accept them, and shall be 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 settled by this Court, in case of any necessary occasion, to require the assistance of Authority. And this Court doth hereby except and declare C: John Yong to be a freeman of this Corporation 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: "Southold, October 4: 1662. Hauing notice from Mr. Willis of Connecticut Jurisdiction, Long Island comes within ye pattent, and allso ye Court is to be held at Hartford, and thither we are desired by Mr. Willis to send our Deputy, from these townes of Long Island: we therefore, of Southold, whose names are underwritten, doe desire, and have appoynted C. John Yong, to be our Deputy; and doe hereby give him full power to speake and act in our behalfe, as occasion shall serve." Signed by Thomas More, John Tooker, John Payue, John Budd, 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 duly paid his meet and competent maintenance.

Several inhabitants of Guilford tendring themselues their prisons and estates under the Governement 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 just 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 inumber or molest his Maties subjects comprehended 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 undertaken (as by his seditious letters may appear,) to diverte and revoke the English towns in this province, vnder the protection of the high and mighty Lords the Estates General of the United Belgick Provinces & in the jurisdiction of the Right Honnourable Lords of the W. India Compagnie settled, of their oath & due obedience vnto vs, their 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 shall thincke meete, to recover at that trackt 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 afore-mentioned John Yonge seditious doings." [Colonial Boundaries, Vol. ii. No. 1.]
bounds of our Charter granted to this Collony of Connecticut. And as it hath pleased his Maj: thus to dispose of them, soe we conceive it most conduceable to their tranquillity soe to demean in all things as may declare and manifest their readiness to subject to his Royall will and pleasure herein.

The next sett Gen: Assembly is to be observed on ye 2d Thursday in May.

This Court doth hereby declare their acceptanc of ye Plantations of Stanford and Greenwich vndr this Gouverment vpon ye same terms and provisions as are directed and declared to ye Inhabitants of Guilford. And that each of those Plantations haue a Constable chosen and sworn.

Richard Vowles is made free of this Corporation, and sworn to the office of a Constable for and within ye Plantation of Greenwich, for ye yeare ensuing, and vntill a new be sworn.

Mr. Mathew Allyn, Mr. Willys, Mr. Stone and Mr. Hooker are chosen a Committee to goe downe to N. Hauen to treat with ye Gent: and others of ye: freinds there, according to such instructions as shal be directed to ye said Committee by this Court.

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, Goodm Purrier, Goodm Windes, Barnabas Horton, Joseph Horton, Lt Glouver, Thomas Moor Senr, Goodm Conclin, Goodm Cory, Goodm Reeves, Goodm Mapes, John Conclin Junr, Jo: Paine, Richd Browne, Joseph Yongs Senr, Joseph Yongs Junr, Jer: Vayle, Jo: Curwin, Richard Terrey, Mr. Elton, Thos: 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 have liberty to improve the help of ye Court at Fairfield, to issue controversys that may arise among them for future.

Mr. Wllm Pitkin is desired and appointed as Attorney for ye General Court, to prosecute Thomas Ford Senr, John Deming Senr, Mrs Lattimore and Thomas Hurlbut, at ye Paticular Court to be held at Hartford on Wednesday next.
Persons admitted to be Freemen, by this Court;—Mr. Sam'l Talcot, Willm 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 shall present themselves with a certificate under ye hands of ye maior part of the Townesmen where they liue, that they are persons of civill, peaceable and honest conversation, and that they attained the age of twenty one yeares and haue 20l. 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 or 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 shall from henceforth forbeare 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'l Dep: Governo for help; and that they chuse a Constable, for the yeare ensuing; and ye said Constable to repaire to or Wor'l Dep: Go: for his oath. And they [are] required to pay vnto Mr. James Rogers, Lt Sam'l Smith and Ens: Avery, for and in behalf of the charge of or Charter, the sum of Twenty pounds, as their Townes proportion, two thirds in wheat, at 4s., one third

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* See Appendix, No. IV. 

34*
in peace, 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 order, 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 Plantations 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 Government, 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. 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 General 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 God hath extended to this Colony ye yeare past, and particularly for ye good success God hath giuen to ye indeaours of or Hon'd Gouernor in obteineing or Charter of his Maiestie or Soveraigne; as also for his gratious answer of or prayr in ye late draught, in sending raine; and for abatement of ye sicknes; and for ye hopes we haue 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 imposinge Customes, are hereby repealed.

This Court doth declare these persons hereafter named, John Green, Richard Hardey, Joseph Mead, Richard Webb, Joseph Theed, Peter Pheries, to be freemen of this Colony; and Mr. Gould is authorized to give them ye oath of freedom, at ye next Court in Fairfield.

This Court doth order, that Lt 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 shall depose on oath to ye faithfull p'rformance of their respective offices; wch oath may be administr'd 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 yt 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 farmhouse of 300 acres of vpland and 40 acrs of meadow, if it be to be had at 20 Miles River, in ye way to Moheag & N: London.

This Court is adjourned vntil ye 2d Wednesday in March, vnles or Worp Go: return and see cause to call the Assembly sooner.
[173] At a General Assembly held at Hartford, March 11, 1633.

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 the publication hereof, there shall be free liberty of transporting Come out of this River, and the former restraint is hereby repealed.

It is ordered, that each Towne in this Col: shall 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.

Capt John 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 having duly considered the valuation of ye estate of N: London, apprized by Cary Latham and William Douglas, doe judge, that they have not attended any rule of Righteousnes in their worke, but haue acted very corruptly therein, and therefor 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 corrupt and deceitfull actings therein, and forty shillings more vpon Lathams estate, for neglecting to meet with ye Comrs on ye River, according to order; wch 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 pr pound vpon Eight thousand, five hundred pound estate, wch 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 agreeemt made in any Towne, respecting grinding.

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, wch sum amounts to 6l. 17s. 0ld. as ye Account specifieth.

This Court hath granted vnto John Gilbert, one acre and half of land lying between the land of Cap. 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, understanding 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, shall gather their proportion of the Countrey rate and make payment therof, 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 wth 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 wth other Indians, to Norwich Plantation, is ordered to be recorded, with this proviso, that it shal not prejudice any former grant to or Worll Gouernor or others.

Thomas Tracy and Lt Samll Smith giue oath in Court, in referenct 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 empower 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 engagment for keeping the Ferrey.

This Court by their vote gaue liberty to Mr. Pitkin to be a Cuncelour to plead for Thomas Burnam in his appeale to this Court. They also ordered Mr. Pitkinsto 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 passeththem 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, approve of the Perticuler Courts examination of Thomas Burnam, in referencto those things charged agaynst him before his accusation was stated agaynst him in Court. 3ly. This Court doth approve of the manner of ye Perticuler Courts proceeding wth Thomas Burnam, after his accusation was stated, as wel as before. 4. Respecting the sentence itself, passed vpon Thomas Burnam by the Perticuler Court, this Assembly doth approve of the sentence of the said Court and see noe cause to make any alteration thereof.

This Court doth approve 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 examining 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-
It is ordered by this Court, that in case any person in this Colony shall be convicted and sentenced by the Prticular Court for a misdemeano', and shall enter an appeale therein to ye General Court, and by the judgment of ye said Genll Court the said appeale be found to be causeles, the person appealing as aforesaid shall pay Five pounds to ye Publ: Treasury. And noe person, in case of delinquency of this nature, shall haue liberty of an Atturney to mannadge his case in any of o'r civil courts.

This Court doth upon due consideration repeale the order remitting Customes for Wines, Liquors etc., and doe establish the former order requireing the said Customes.

This Court ordres, 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 use of Mr. Fish, they paying vnto Anthony Howkins the sum of Twelue pounds, he haueing proued in Court a promis of Mr. Wels to ad to the said Howkins his wifes portion, in case her first husband Thomas Thomson had any estate come from England, and he hath made appeare that the said Thomson had to ye value of 30l. come from England since this engagement.

This Court doth hereby impower Mr. Obadiah Bruen to administer the oath of a Constable to those yt are chosen Constables for the Township of N: London for this yeare ensuing.

This Court doth recomend it to ye consideration of the Towne of Hartford, that they would speedily consider of some way to ease the Widdow Lord of her common 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 ioyneing 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 Riuier, 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 with or Honord and Lo: freinds about set-ling their vnion and incorporation with this Colony of Connect: And in case the Comittee cannot effect an vnion, according to instructions giuen them by the Court, that then they indeavour to settle a peace in the Plantations vntil such time as they and we may be in a further capacity of issuing this difference, and to act in referenc herevnto as they judge most meet.

William Wadsworth and John Deming Senr are allowed pr the Court, fiue pounds a peice for their care and paines in oversight of Mr. Wels his estate.

The Magestrates ordr Saml 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 William Goodrich distribute the estate to ye Creditors.

This Court doth grant liberty to Saml 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 Comittiee doe not issue an agreemt with N. Hauen Gent: according to their instructions, before their returne, that then all propositions and instructions from ye Court, respecting vnion with that people, are void and of none effect.

This Court allowes vnto Mr. Rosseter, Twenty pounds, in reference to openinge Kellies child, and his paynes to visit the Dep: Gouerno, and his paynes in visiting and administering to Mr. Talcot. Of this Twenty pounds, he hath already receaued 11l. 1s. 4d. He is to make noe further demands of any prticuler p'sons.

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 shal giue an account at October Court yearly to ye Treasurer, of what Customes they receaue, and if any Custome master shal neglect to giue an account as aforesaid, he shal pay 40s. for every such neglect-
with the Treasurer, shall by Warrant destine from ye delinquent.

[178] This Court doth order that in ye vacancy of the sitting of the Generall Court, there shall be a Councill, consisting of the Assistants here on the River, or such as can convene, to ye number of five at least, to act in emergent occasions that concern ye welfare of this Colony. And hereby doe authorize the said Councill to act in all necessary concernments, both military and civil, according as the present exeqents require and call for.

Mr. Willys and Willm Wadsworth are appointed to be a Committee to order and dispose all matters to issue the business about the Patent Rate, and to order the repaying of Wheat borrowed from severall persons for the Countreys use.

This Court doth disallow of Sea Brook Constables Account 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 which the Countrey should have receu'd of the said Reynold for horses that he was ordered to seek vp to be sold, and for neglect in attending their orders herein. And respecting a mare with the increase, that Robt Chapman hath, belonging to ye Countrey, the Marshal is ordered to seize on her, with ye increase, or in want of her, so much of Chapmans estate, if he give not an account of the sale of ye mare according to ye Treasurers order. And what estate ye Marshall doth receive 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 account of Thomas Tracy, at Georg Tong, for the he expended in laying out N: London bounds.

This Court doth appoint Capt: Nubery, Edward Griswold and John Moore to be as a Committee, and hereby they are impowred to lay out all those lands that are yet undivided at Mussaco, to such inhabitants in Windsor as desire and need it.

[179] This Court doth declare, that it is their mind that the
Marshall haue allowed him for every mile he goeth to serve an execution or attachm', four pence forward and foure pence homeward. And this they judge to be the intent of the former order respecting the Marshals fees.

This Court vndrstanding that the hand of God is gone out agaynst the people at New Netherlandes, by pestilentiall infections, doe therefore prohibit all persons for coming from any of those infectious places into this Colony and amongst or people, vntil ye Assistants are informed and satisfied that the distemp is allayed; and, that whoever breaks this order shall pay Five pound fine to ye publ: Treasury. And if any person shall bring a vessell from thence and land their men or goods in any harbouer in this Colony, the Master of ye vessell shall 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 whoever of ye people shall goe aboard any such vessell he or she shall pay five pounds to ye Treasury for euer such offence. 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 Griswold, Mr. Bond.

This Court doth establish and ratifie the former order sent out by the Assistants respecting the Indians, in regard of ye infection of ye Pox.

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[180] AT A GENERALL ASSEMBLY OF ELECTION, HELD AT HARTFORD, MAY 14, 1663.*

Magistrates elected:

John Winthrop Esq', Gouern't.
John Mason Esq', Dep: Goue.
Mr. Mathew Allyn, Mr. Dan' Clarke, et Sec'y.
Mr. Sam' 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.
Cap't Thomas Toppin, Mr. Howell,
Cap't John Talcot, 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,
Cap't Nubery, Richard Olmstead, Hugh Caulkin,
Lat Walter Fyler, John Gregory, Thomas Tracy,
John Nott, John Clarke, Joshua Barnes,
Saml Boreman, Robert Chapman, Philip Groues,
Anthony Howkins, Robert Warner, Joseph Judson,
Thomas Judd, Nath: White,

This Court doe make choice of o' Honoured Gouernour &
Cap't John Talcott to be Commissioners for this Colony, for the
year ensueing, and Lat John Allyn is chosen as a reserue to
Cap't John Talcott, and ye Secret'y Mr. Dan'l Clarke to be a
reserue to o' Honoured Gouernour, to attend that service, if the
Commissioners by accident faile of going.

This Court being sensible of the great charge that this Colo-
ny is at, by the Particuler Courts attending the tryall and issue-
ing of those differences and actions as are presented to their
consideration, doe therefore order, that for the future, whatever
actions are commenc'd 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 improvment 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
delivered unto ye Secretary or Recorder of the Court, whereby
the Court may be sattysfied that they have credit giuen 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, whatever
fine is imposed by any Court for delinquency in any person,
there shall be so much of the fine abated from the Publique
[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 severall persons there, This Court haue therefore desired and appoynted the Worpl ll Mr. Mathew Allyn and Mr. Willys, to goe to Long Island, to tak in assistance of the Magistrates at Long Island, in setleing affayres at Sowth-hold, and in examin-ing the case respecting Mr. Wells his revolt since he took oath to this Gouvernment; and any other matters, either in setleing the peace of that Plantation or proceding against such as mis-demeane themselues, according to their deserts.

Mr. Bond is chosen Comissioner by this Court, and he is hereby inuested with magistraticall power on the Island.

It is ordered, that three pounds be allowed to the three Plan-tations of Stratford, Fayrefield and Norwalke, towards the charge of the transportation of their Corne to New London, which suime 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 aded 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, with in the plantations of Fayrfeild, Stratford and Norwalke, which remains yet to be sattisfyed for, It shall be borne by the Colony in a generall 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 Fayrfeild, for the plantations on the seaside, once a year, unles exterordinary ocassion call for one more in the year. The time of their sett Court is the first Wedensday 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. Sher-mon and Mr. Howell as a Committee to hear and consider the
business 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 Comittee.

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
Perticular Court haue prouided.

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, infringe-
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 Corpo-
ration.

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 give him his oath.
Capt. John Young is chosen Commissioner for the Town of Southhold, and sworn in Court; and Barnabas Horton is also chosen a Commissioner for Southhold, and Capt. 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 appointed 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 poyns from the North poyn towards the Norwest, and run and measured to the extent of twelve 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 aboue Pagasitt. Witnesse our hands, this 22 of November, 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 with the people in or about the Manhatoes.

[183] The differences at Southhampton about the land at Quaganantick, is referred to the determination of the Court in May next, and they are to improoue the mowing land as formerly, till the case be issued.

This Court orders, that no person in this Colony shall buy, hire or receive as a gift or mortgage, any parcel of land or lands of any Indian or Indians, for the future, except he doe buy or receive the same for the use of the Colony or the benefit of some Towne, with the allowance of the Court.

This Court doth inuest Capt. John Young and the rest of the Commissioners on the Island, with Magistraticall power upon the Island.
This Court doth order, that all that are Freemen upon Long Island, and have not taken the oath of a Freeman, shall have the oath of a Freeman administered to them by the Magistrates and Commissioners of the Island, or any two of them.

This Court having heard and considered the controversy between Lieut Rob: Sealy and the Town of Stratford, doe judge that the Towne of Stratford shall pay unto the said Sealy 25l. in some current pay, and he to make over all his right and title in the lands there, to the said Towne, whether his right there be from gift of the Towne or Indians or any other ways; and this to be a final issue of the controversy, each man bearing his own charge.

This Court, having 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 testimonies 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 settlement of Westchester & Stanford, and make return to the Court.

This Court doth declare, that notwithstanding the uncomfortable debates that have been respecting the Major, that the Major stands clear and is in a fit posture to carry on the affairs 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, duely to attend there watch and ward, by walkeing in such places where they may best discover 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, L: Smiih, 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, Capt: 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, Capt: 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. XI.
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 Country by mortgage, they granted him the sum of thirty pounds.

This Court appointed Mr. Wyllys and as a Committee to draw up a letter and send it to the General Court of the Massachusetts, about Paukatchuck, as an answer to the letter sent to us from their Council.

The Court having considered the complaint of Wm. Edwards against Mr. Clark, and having seriously considered the case, do find him so far faulty as to put him out of the Secretary's place until the next Election Court.

This Court appoints Thomas Minor, Math: Griswald and Wm. Waller, or any two of them, as a Committee 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 remits Cary Latham and Mr. Duglas fine, which was imposed upon them by the Court in March, for their 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 Government in their respective Plantations, until 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 noted, that they would not send the Patent nor copy thereof to be read at New Haven.

- [185] This Court orders, that the letter drawn up by the Committee 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 General Court of ye Massachusetts, in reference to Paukatchuck & 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 militay officer in Huntington, to exercise theire trained soldiers.

This Court ordered that Capt John Young should have 5l. allowed him for his service 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 have and enjoy the same priuiledges as Southhampton doth by uertue of their combination.

This Court chose Lt John Allyn, Sec'y for the Colony, untill the next election, and he was sworn in Court.

This Court grants unto the Major or Worpl Dep'ty Gouern'r, 500 acres of land for a farme, where he shall chuse it, if it may not be prejudicial 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 Saml Roggers, Miles More, Mihell Rice.

The Court is adjourned untill the 3d Wedensday in Augst, unless the Gou'r 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 Tallcott to go down to West Chester, and if the eleuen Queries concerning West Chester do appear to be sufficiently proued in the affirmative, 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 servise, if he approues of the person; and he hath herby liberty to establish a Serjnt in the said Town. And it is desired that Capt Tallcott would be pleased to endeavor to settle things in the Town of West Chester, in as
At a session of the Gent. Assembly held at Hartford the 19th of Augst 1663.

This Court doth declare 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 Worship. Govourne is desired to deliver the 3d duplicate to the said Friends or either of them.

This Court doth nominate & appointe the Revd. Governor M. Willys in Dan Clarke & John Allyn or any three or 2 of them to be a committee to treat with the honoured Freemen of N. Haven, Milford, Branford & Guilford about setting their union & Incorporation with this Colony of Connecticut, & they are impowred to act according to the instruc- tions given to the Comitee sent to New Haven in March last.

John Allyn. Secretary (1663-1665.)
of Connecticut.

peaceable a manner as may be. The said queries are upon the file.

The Secretary also is ordered to send a letter to the inhabitants of Narraganset in the name of the Council, and to signify to them, that Mr. Richard Smith Senr, Capt Edwd Hutchinson and Lt Jos: Hewes are appointed select men at Mr. Smith's trading house; and Mr. Rich: Smith Junr is appointed constable for the said Town, and Mr. Rich: Smith Senr is to administer an oath to him for a faithful discharge of his office.

It is ordered, that the Plantation aforesaid shall for the future be called by the name of Wickford. The copy of the letter to Wickford, hangs upon the file.

[186] At a Session of the Genl Assembly holden at Hartford, the 19th of Augst, 1663.

Assist's:
Maior John Mason, Dep't Gouv:
Mr. Mathew Allyn, Mr. Henry Woolcott,
Mr. Samll Willys, Mr. Danll Clark,
Capt John Tallcott, John Allyn & Sec'y.

Deputies:
Wm. Wadsworth, Tho: Tracy, Mr. Rob: Chapman,
Capt Benj: Newbery, Lt Walter Fyler, Samll Boreman,
James Rogers, John Nott, Mr. Jos: Fitch.
Hugh Calkin, Nath: White,

This Court doth desire that those Friends appointed to keep the Charter do also receive the Duplicate into their custody, and keep it in behalf of the Freemen of this Corporation; and the Worshipful Gouernour is desired to deliver the sd Duplicate to the said Friends, or either of them.

This Court doth nominate and appointe the Dep: Gouerno'r, Mr. Willys, Mr. Danll Clarke and John Allyn, or any three or 2 of them, to be a Committee to treat with or honoured friends of N: Hauen, Milford, Branford and Gilford, about settling their union and incorporation with this Colony of Connecticut; and they are impowred to act according to the Instructions given to the Committee 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 Civil Gournm 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 Gouern't 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 seuerly whipt six stripes at least; and any one Assist' 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 Assist' 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 opportuunity. This is to be published to the Indians in or about each Towne.

Wm. Blumfield appeales from the sentence or judgm't of the Court held at Hartford, June 15, 63, to the judgment and determination of this Assembly.

The Comittee appoynted to view Hommonoscit, returned a writing under their hands, dated June 3, 1663, wherein they expressst that according to their best judgment it will make a comfortable plantation for the entertainment of thirty families to subsist comfortably. The Comittewere Wm. Wadsworth, Sam'l 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 deliuer the horse to the Treasurer, and this to be a finall issue of the case.

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 Secry 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 hauing considered the request of Tho: Forde, by their vote d[ec]lar[e] that they see no cause to give Goodman Forde the six pownds 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 Homenoscit be reserued for a plantation.

This Court orders that the planting of Homenoscit be reffered to October Court.

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AT A SESSION OF THE GENERALL ASSEMBLY AT HARTFORD, [October] the 8th, 1663.

John Winthrope Esq', Gour.
Major John Mason Esq', Dep:
Mr. Math: Allyn, Mr. Henry Woolcott,
Mr. Sam'l Willys, Mr. Dan'l Clarke,
Mr. Rich: Treat, John Allyn,
Capt: John Tallcott, Mr. Sherman.

Deputies:
Mr. Wm. Wadsworth, Capt: Ben: Nubery, Mr. Jos: Fitch, Lt: 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. 1. Nos. 9 & 10.

This Court desires and appointes Mr. Mathew Allyn, Capt Tallcott, Lt Clark, as a Comity to treat with the Gentn come from the Manhatoes about the matters in controversy between this Corporation and the Dutch at Manhatoes, and in case Mr. Clark comes not down to the Court, ye [Secretary to] supply Mr. Clarkes place.

John Griffen haveing 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 prejudiciall to a plantation, and not [formerly] graunted.

The list of estates were presented to this Court, as followeth:

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 composing and determining of all further differences in question." In a letter to the General Court (dated Oct. 15, 1663, N. S.) Gov. S. writes, "I therefore thought meete and needfull for the prevention of further troubles, to send the bearers, our lovinge friends and intrusted agents, Cornelys van Ruyven, our faithfull Secretary, Oolvenst Stevenson van Cortland, burge master off the city Amsterdam 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. 623-653, from the original in the State Department at Albany.
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. 08. 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 appointed to [ ] the west bounds of New London, and Ens: Tracy and James Morgan or [ ] whom the two towns of N: London and Norwidge do appoint are to se[ ] they are to begin at some suitable place as they shall judge m[eeet, 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]

Serjant Tho: Minor repairing to this Court for advice, what he should do or how he should behave 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', provided 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 Genll at the Manhatoes, be sighned by the Sec'y 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 appoint 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 inuested with Magis-
traticall power in that Plantation, untill ye Court in May.
Sworn, in Court.

This Court doth appoynte the Secry 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 Gouernr and Genl 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 Honoured Gouernr, the recovery
of Deputy Gouernr out of his late sickness, 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 haue 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 thereof.

This Court desires and appoynts Mr. Gouernour, Mr. Math:
Allyn, Mr. Willys and Cap: Tallcott, or any three of them, to con-
sider what is meet to be attended in reference 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 appointed Commissioner for the Town of Hastings, and is invested [with] Magistraticall power within the limits of that Town.

Rich: Vowles is appointed Constable for the Town of Hastings, and Mr. Bud is to give him his oath.

This Court doth approve 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 have for those of his lands that fall within the [ ] that by the Court have 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.

Whereas 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 al[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 thereof.

This Court doth leave the determination of the business respecting [ ] entertain'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 have a return from the Dutch Director Gen: or a fort[night] hence, and the people of the Island are to
haue a copy of the proposals presented [by] the Genl's Messengers.

This Court appoints John Hurd and Joseph Judson to lay out the bounds [of the] Town of Fairfield, between them and Newwalk, according to their [former] grant; and the two Townes are to bear the charge.

This Court doth desire and authorize the Counciill to draw up and send letters of [ ] to his Majesty or any Noble personages in England, as they see cause.

This Court doth approove of what the Perticular Court did at South Hampton 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 over [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] over 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 Barbadoes or banish him, according as the nature of the offence [requires.]

[190] This Court doth judge that Seabrook hath no right to Hommonoscitt.

This Court doth declare that the former act about Hommonoscitts not being a plantation is hereby reuoked; 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 Hommonoscitt.

Mr. Willys, Mr. Gould & Ens: Tracy are appoynted by this Court, as a Commity to issue the businesse respecting John Notts appeale.

Lnt: 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 proouide 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 their dissatisfacion with the proceedings of the plantations of N: Hauen, Milford, Brainford &c., in their distinct standing from us in poynt of Gouermt; it being directly opposite to the tenor of the Charter lately granted to the Colony of Connecticutt, in wh Charther these plantations are included. Wee also do expect their submission to their Gouverment, according to their Charter and his Majestyes pleasure therein expresst, it being a stated conculsion of the Comrs that Jurisdiction right allwayes goeth with Patent. And whereas, the aforesd people of New Hauen &c. pretend they haue power of Gouverment distinct from us, and haue made seuerall complaints of wrongs receiued from us, we doe hereby declare that our Counsell 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 attend them with due sattisfaction. (Yee Gouer absent wth this vote passed.)

The Court appoynts Mr. Willys and the Secr'y to draw up a Lettr to N: Hauen Gent, 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 businesse 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 righteousness, that so we may hold good correspondency with our neighbours of the Manhatoes, do herby de-
clare that they will for the present forbear to put forth any authority over the English Plantations on the westerly end of Long Island, provided the Dutch forbear to exercise any coercive power towards them; and this Court shall cease from farther attendance unto the premises, until there be a seasonable return from the Generall Steuenson to those propositions that his messengers carried with them, or until there be an issue of the differences between them and us.

[191] And in case the Dutch do unjustly molest or offer violence unto them, we do hereby declare that we shall not be willing to see or Country men his Maties naturall borne subjects, and his Maties interest interrupted or molested by the Dutch or any other, but we shall address ourselves to use such just and lawfull means as God shall in his wisdome offer to our 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 inoffenciously.

The Court is adjourned to the 2d Thursday in March, except the Gouerno or Councill see cause to call it sooner.

This Court doth thankfully acknowledge the favor the Gouern 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 severall summes of mony that he hath recd of the Colony;

And the Worll Gouernor doth hereby discharge and acquitt the Colony of Connecticut from all farther claimes for his paynes and charge about the premises.

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AT A SESSION OF THE GENll ASSEMBLY AT HARTFORD, MARCH 10th, 1663.

John Winthrop Esq, Gouv. Assis".

Mr. Allyn, Mr. Woolcot,
Mr. Willys, Mr. Clark,
Mr. Treat, Mr. Allyn, et Sec'y.
OF CONNECTICUT.

Deputies:

Mr. Wadsworth, Tho: Judd, John Nott,
Mr. Fitch, Mr. Jehu Burre, Wm. Cheny,
Capt. Newbery, John Bankes, Tho: Tracy,
Lnt. Fyler, Nath: White, Tho: Leppingwell,
Anth: Hawkins, Samll Boreman, Mr. Rob: Chapman.

This Court doth order that the charge and expence of Mr. John Tinkers sickness and funerall shall be payd by the Public Treasury, which is 8: £: 4.

This Court doth nominate and appoynte Mr. Willys and Capt. Tallcott to take the Marshalls accot of what he hath expended on the Contreys accot, to the Dutch agents.

This Court upon a consideration of a petition presented from severall of the proprietors of the lands on the East side of the Great River, in reference to fencing the said lands, doe therefore see meet to desire and order the said proprietors in the severall Townes, to consider of the advantages and disadvantages that may accrue to the Publique in the premises, and to present their apprehensions and determination of ye majo[ir] part of the said proprietors at the next Gen[l]l Assembly, in May.

This Court orders Tho: Edwards and the rest of the inhabitants at Hockanum, all aboue sixteen yeares old, to take some speedy opportunity to make two Bridges, the one ouer the Brook at the place called Sadler Ordnary, the other at Frog Brook, where may be most suitable; in each Bridge to lay three Trees, so hewed that they may be sufficient for horses to passe safe ouer. Thomas Edward is to oversee the work, and is empowered to call the rest of the persons forth to performe the work, according to the Courts expectation herein; and the Court allows ten shillings towards the work, out of the Public Treasury; it is to be finished before May Court. They are to mark out the way from ye Common way to the Bridge at Frog Brook.

This Court doth remitt John Betts fine of 30s.

This Court understanding that trouble is like to ensue upon the apprehension of severall inhabitants amongst us respecting the priuiledge of Freemen, and who are to make choyce of Deputies and publiq' officers in the Corporation, for preuention wherof, doe declare and order, that only such as haue been or
shall be orderly admitted freemen of this Company, by the Genl Assembly, shall have their votes in choosing Deputys and other publique officers for the Corporation, as Gouernor, Deputy Gouernor, Magistrates.

This Court, upon good advise, do see cause to take of the sequestration formerly laid upon the estate of Edward Hopkins Esq', which for several good reasons was laid under restraint, partly because an authentick copy of the will of ye said Edward Hopkins Esq did not appear 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 diocese 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 with the warrant and instructions to the Marshall respecting Mr. John Scott, that have 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 Manhattoes an Island,) and lay it to West Chester, providied 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 Homonoscitt plantations, and for a full issue of the case, this Court orders that the bounds between ye said plantations shall be where the common passage ower Manunke-teseek Riuer is, and so to run north into the Country and south into the sea. The former vote concerning the bounds of these
OF CONNECTICUT.

plantations is retraced. Mr. Rossiter, Mathew Griswold and Joh: West are to lay out the bowndes according to order of Court.

This Court orders, that the Towne of New London shall pay unto Ens: Waller, Mathew Griswald 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't 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 Riuver, 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 for-mer grants and plantations sett up and to sett up.

The Deputies of Saybrook presenting to this Court their inten-dements to set up a plantation on the East side of the great Riuver, and also maintayn a plantation on the West side, and desiring some enlargm't of their bounds, this Court haueing considered their desires, do enlarge their bownds, fower miles on each side of the Riuver northward, prouided they do make two plantations, as aforesd, within the space of three yeares from the date hereof; and also, or' Honor'd Gouernor haueing 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 Assist's: Capt 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 accot 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 discouering the same, and prosecuting it to effect.

The Church of Christ at Winsor complaines of James Enoe and Michaell Humphrey, for seuerall things contayned in a paper presented to the Court. Mr. Clarke, in behalf of the Church complaines of James Enoe and Michaell Humphrey for a misdemeanour, in offering violence to an establishd law of this Colony. Mr. Clark withdrawes this charge.

This Court grants liberty and impowers the Major to take the convenient time, and what assista he judgeth meet, to purchase what land he can of the Indians for the use and benefit of the Collony of Connecticut.

This Court, for the encouragement of any person that will lay out himself for the discovery of any mines or mineralls &c., doe order, that whosoeuer shall make such discoveryes, and purchase it for the Country, he shall be honorably rewarded, out of what he doth discover as aforesaid.

This Court having seriously considered the case respecting James Enoe and Michaell Humphrey, doe declare such practices to be offensiu, and may prove prejudicial to the welfare 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, provided answerable reformation doth followe, expecting that their lenity therein will winne upon the spiritts of those concerned in this case. And this Court doth approve 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 never been; this Court declaring their readiness to mayntayne all the just privileges 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 Majesty's subjects at New Haven, Milford, &c., and fully declared unto them, and to demand the said officers, in the King's 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 trial at Connecticut, and that he may be proceeded with according to law, and in case the said officers neglect or refuse to attend or demand herein, that then we do charge them as being guilty of abetting and concealing a malefactor, thereby preventing the execution of justice, and so or officer to return 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 Majesty's 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 scitate within the limitts of the Corporation of Connecticut, 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 Connecticut for sundry hainous crimes and practises seditious, to the great disturbance of the peace of his Majesty's subjects on the Island aforesayd; particularly, as followeth,—

1. Speaking words tending to the defamation of the King's Majesty;
2dly. Seditious practises and tumultuous carriages in seuerall Plantations;
3dly. Abetting and encouraging the natuies in hostile practises against one another;
4. Vsurpeing the authority of the King in tendering to pardon treason, as Scott called the crime, for bribes;
5. Threatning his Majesty's subjects with hanging and banishment;
6. Grosse and notorious prophanation of God's holy day;
7. Forgery, and violation of his solemne oath;
8. Acting treachourously to the Colony of Connecticut;
9. Usurpeing 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 ciuill officer who are conservators of the peace of his Majesties subjects within the Plantations of N: Hauen, Milford, Brainford, Stratford, Fairefeld, &c., whersoever 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 or his Majesty's Marshall, Jonathan Gilbert and his aiders, that so he may be conducted securely to Hartford, that so the said Scott may come to a due triall 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 ciuill officers within the plantations of N: Hauen, Branford, Milford, Stratford, Fairfield, &c., to bring the said Scott under safe conduct to the goal at Hartford, there to be secured to a triall for seuerall crimes laid to his charge; and you are further required to make diligent enquiring where the said Scott is resident, and having certaine intelligence, you are forthwith to repair to the ciuill 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 therof, 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 receiued the answer you are to return unto your habitation and give in the accompt of your proceeds to the Worlill 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 unnessessarily 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
attend the execution of your office by apprehending the said Scott and conducting him safely, as before expressed.

March 19th. It is voted in the General Court that John Gilbert shall be allowed Eleven pounds out of the Public Treasury, for and in consideration of his horse that dyed in the Country's service.

This Court have voted 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 Commission in those Townes, for the regulating of any disturbances, as occasion is presented.

[195] The several propositions propounded to the Court for Answer, by Walter Salter.

1 Q: Whether we are taken by Patent right, or not?

1 A: The Lines of Connecticut Patent extending to the adjoining 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 owns and will maintain the Commission of Mr. Allyn, and what he hath done upon the west end of Long Island?

An: In reference to the prosecution of the settlement 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 several plantations there, in behalf of ye sd Townes, express their joint 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?

An: We judge according to what is returned to this Assem-
Public Records

by Mr. Allen, so far as we can credit 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 establish’d by our Royall Soueraigne Charles the 2d, in the Corporation of Connecticut.

These Answers were voted by the Court.

This Court doth order that ye 2d Wednesday in April next, be solemnly kept a day of publique humiliation, throughout this Colony, 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 establish’d amongst ourselves and throughout his Majesties Dominions.

This Court votes that Mr. Allens charges of Mr. Clark, which were presented to the Court, are not proved by Mr. Allen.

Mr. Allyn, Capt Tallcott,
Mr. Willys, John Allyn.

The Magistrates order the Secretary to give 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 maine, in reference to the apprehending of Mr. Scott; and Hicks is to have 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 having 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, yield obedience and submit to the Gouerment of those officers that were chosen by the respective Townes according to the advise of the Collony of Connecticut; and all pretended officers are to stand by.
[196] At a Generall Assembly held at Hartford, May the 12th, 1664, for Election.

These are to be put to ye election:—John Winthrop Esq', Major Mason Esq', Mr. Mathew Allyn, Mr. Samuell Willys, Mr. Richard Treat, Mr. Nathan Gold, Capt Thomas Topping, Capt John Tallcott, Mr. Henry Woolcott, Mr. Danll Clarke, John Allyn, Mr. Samll Shearman, Mr. John Howell, Mr. Thirs-tin Reynor, Capt Benja: Nuber, Mr. Antho: Howkins, Capt John Younge, Mr. Tho: Fayrechild, Mr. Edw: Palmes, Mr. Bond, Mr. Mulford.

These were elected by the freemen:—

John Winthrop Esq', Gouner.
Major Mason, Dep't: Gouern't.
Assist'.

Mr. Math: Allyn, Mr. Henry Woolcott,
Mr. Samll Willys, Mr. Danll Clarke,
Mr. Richard Treate, John Allyn & Sec'y,
Mr. Nathan Gold, Mr. Samll Shearman,
Capt Thom: Topping, Mr. John Howell,
Capt John Tallcott & Treasurer, Capt John Younge.

The freemenv voted that the Gen'l Assembly should chuse the Commissioners for the year ensuing.

The Deputies of the Court are:—

Mr. W. Wadsworth, Nath: White, Rich: Olmsted,
Mr. Wm. Gaylerd, Mr. Joseph Fitch, Rob: Warner,
Samuel Boarman, Mr. John Bissell, Ens: Auery,
Mr. Thom: Pell, John Nott, Barnabas Wines,
Thom: Halsey Senr, John Bankes, Mr. Rich: Woodhall,
Hugh Calkine, John Jessop, Cary Latham,
Mr. Anth: Howkins, John Standly, Capt: Seely,
Mr. Tho: Fayrechild, Ens: Judson, John Ketcham,
Mr. Campfield,

John Norton, John Jud, Samll Buell, Timothy Phelps, Tho: Jud, Mr. Hamlin, Samll Olcott;—these were made free in Court.

Mr. John Hicks, Mr. Rob: Coe, Capt John Coe, Mr. Wm.
Hallett were appointed by the Townes to which they do belong to attend the Court.*

This Court orders, that in case the Gounour or Deputy Goun, after ye Genll 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 Comissioners in the respective Towns to which they doe belonge:—Mr. Anthony Howkins, for Farmington; Mr. Campfield, for Norwalke; Mr. Rob: Chapman & Mr. John Clark, for Saybrook; Mr. Bruen & Mr. Palmes, Ens: Auery, for New London; Mr. Fayrechild, for Stratford; Mr. Burr, for Fayrefeild; Mr. Jessop, for Westchester.

[197]† 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 1st, 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 behalfof 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

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* Mr. John Hicks, was from Hempstead; Mr. Robert Coe, from Jamaica; Capt. John Coe, from Newtown; Mr. Wm. Hallett, from Flushing.

†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 Worshipfull Gouernour, 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 Gouverment, 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 West Chester 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 Curwithee, 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 Setawkett; 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 Flushen:

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 Magistratcal power on the Island.

This Court appoints 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 river side; provided if any land be laid out to any of Saybrook, within the bounds of New London, they shall hold their particular propriety to those lands, paying their just dues to the Towne of New London.*

Ensign Avery engages 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 Lieutenant 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 Muruen, 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, I. 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 Flushing, 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 Worp[11] 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 tomorrow 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 misdemeanoe 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 Countrys acco.

This Court upon due deliberation doth order, that all the estate of Mr. John Scott wthin this Colony be sequestred vntill the Court order otherwise; and ye Comrs in the seuerall Townes are hereby ordered to take an exact Inuoyes of all the sayd Scotts estate as remaynes in their respectie 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 Lt Bull, (for Mr. Russels vse,) by

* Doughty? 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
against 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 deliuered 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 adjournd till the Guernour, or Dep: Guernour
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-

olent.

[200] AT A GENERALL ASSEMBLY HELD AT HARTFORD, OCTOBR
13th, 1664.

John Winthrop Esq', Goun',
Major Mason, Dep't Gour'.
Mr. Mathew Allyn, 
Mr. Sam'l Willys, 
Mr. Henry Woolcott, 
John Allyn, & Secret'y.

Deputies:
Mr. Wm. Wadsworth, 
Mr. Jos: Fitch, 
Capt: Benj. Nubery, 
Mr. John Moore, 
John Nott, 
Sam'l Boreman, 
Mr. Antho: Howkins, 
Sargt: John Standley, 
Mr. Cornel: Hull, 
Mr. John Bankes, 
Francis Griswold, 
Mr. Thomas Fairchild, 
Mr. Isack Nichols, 
Mr. Rob: Chapman, 
Ens: Wm. Waller, 
Thomas Hunt, 
Lnt: John Budd, 
Sargt Wm. Cornwell, 
Wm. Cheeny, 
Ens: James Auery,
Mr. Math: Campfield, Mr. James Rogers, 
Lt. Rich: Olmstead, 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 suifie of Twenty nine pounds, seven shilling and fower 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 indiffer-ent 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. Thom-sons tender to the Court of Magistrates, Octobr 11th, 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 every such defect two shillings, which the clark of the band is hereby authorized to distreine, which fine is to be improued for the use of the company, and in case they haue not where withall 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 deserue.

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
For Fayrefeld, John Bur, Rob: Turny, John Knowles, Joseph Lockwod, Rob: Beecham, Simon Crowch, John Barlow Sen' , John Barlow Junr, James Euarts, Peter Cooly, Thomas Sher-wood, Wm. Heyden, John Growman, Francis Bradley, John
Hoite, Steuen Sherwood, Nath: Burr, Rich: Lyon, Mr. Wake-
man, Thomas Bennit, Thomas Wilson, James Bears, John Odill,
Sam\textsuperscript{11} Morehouse, Thomas Morehouse, Mathew Sherwood,
Richard Hubbell, were accepted to be made free, and Mr.
[201] Gould \textsuperscript{12} 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 Norwalke, Dan\textsuperscript{11} Kello\textsuperscript{13}, Math: Maruen, Thomas Betts,
Mark Senssoon, John Bouten, Edward Nash, Thomas Lupton,
are accepted to be made free, and Mr. Campfield is to administer
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 entertainement, at Saybrook.

This Court appoyntes Ens: Waller to act as an administra-
tor \textsuperscript{20} John Clarke Sen\textsuperscript{2} in the ordering and disposall of the
estate of Joseph Clarke, according to his will.

This Court orders Sam\textsuperscript{11} Boreman, Mr. Chester & Sam\textsuperscript{11}
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
Com\textsuperscript{13} be presented \textsuperscript{24} five hundred bush: of Corn, as a pres-
ent from this Colony.

This Court abate John Prentice halfe his fine of five pounds,
& he is to pay ten shillings for his petition.

Mistick & Pawcatuck hauing by Mr. Cheesbrook petitioned
this Court for their fauoure to pass by their offences, the Court
hauing considered the same doe hereby declare that what irreg-
ularities or abusive practices haue proceeded from them, whereby
they haue seemed to offer contempt to the authority here
established, it shall be forgiuen and buryed in perpetuall obli-
ation and forgetfullness, and this to extend it selfe to all ye
members of the afoarsayd plantation, Captayn Denison onely except.
ed, whoe hath neglected or refused to submit 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 also to pay twenty pownds, which is their proportion of the Patent rate.

This Court grants Samll 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 wth an anchor of the best of his wine, which the Court desires him to leave wth the Gouernour.

The Court appointed Mr. Campfeild, Deacon More, Mr. Fayrechild, Mr. Hull and Lnt Olmsteed, as a Comittee to ripen the busines respecting the calfe in controversie between Mr. Lord and Danll Cone, whoe returne that they haueing viewed the sayd beast and the evidences of both sides, doe judge it to be Mr. Lord's steare. The Court confirmes this y'r determination that the steer doth belong to Mr. Lord.

The Maior testifyeth that Vncass did beat out Sunckquasson and his men out of their 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 leave to hunt to that Brooke; and there was a parcel of land at Wonggum reserved for the posterity of Sowheage.

The Court orders that Vncass his couenant 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 also Quinibage lands,) in some conuenient 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 receiuied a letter from Mr. Endicott, wherein he thankt him for land they had giuen him.
This Court doth hereby impower 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 criminal 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 endeavours to issue and settle the bounds 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 bounds of or Charter; and what or Committee shalldoe in the premises, according to this order, is hereby rattified 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. Danll Clarke refusinge to accept of the place of an Assist, Mr. James Richards was chosen an Assist for this Colony, till the election in May next, and had the oath administred to him.

Mr. Allyn Senr or Jun', Mr. Gold, Mr. Richards and Capt: Winthrop are desired to accompany the Gouernour to New Yorke, to congratulate his Majesties Honourable Comrs. And if an opportunety offer itselfe that they can issue the bounds between the Dukes Patten & ors (so as in their 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 with the Councill to appoint a fitting season for a day of Thanksgieuing.
The Court doth order that the Committee that doth go to New Yorke shall consider Case his business.

The Court, upon the complaint of Danll Garrad that Mr. John Scott made an escape from him, being in his debt for dyat and time tending on him, twelve weeks, and for other expenses, This Court grants him ten pounds for it, out of John Scott's 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. Scott's fine, for his pains in prosecuting the sayd Scott.

This Court grants Mr. Samll 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 foreuer.

This Court orders that Lt. Bud continue in his place of Comr for Hasting and Rye, vntill the Court order otherwise, or the Gounr and Gentn that goe 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:

Gente: Respects being presented, these lines are to acquainte you that we are informed by persons of creditt, that there is a mare of Sowth Hampton shott (by some of your inhabitance, 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 satisfaction may be made for such damage as the owner of the mare receivues 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 improouable lands, that soe you may secure your labour from damage by cattell, (water-fences will not be judged sufficiant, where it is passable for cattell without swiiming, at low water,) and in the mean season, that you doe not exact damage, or trouble men by impounding there cattell, vntill you have made a sufficient fence about your feilds, not els. Desiring your
OF CONNECTICUT.

This Court desires and appoints Mr. Sherman and the Secretary to go to New Haven, &c. and, by order from this Court, in his Majesties name, to require all the inhabitants of New Haven, Milford, Branford & Guilford, Standford, to submit to the Government 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 Haven, Milford, Brandford, Guilford & Standford, that are qualified according to law, to be freemen of this corporation, so 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 qualifyed, 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, with Magistraticall power, to assist in the Government of those plantations and the people thereof, according to the lawes of this corporation, or so many of their own 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 appoint some other fitt persons in there roome, and to administer an oath to them for the faythfull execution of the trust committed 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 also, by order from this Court, to declare that they will not call to accoet 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 understanding by a writing presented to them

complyance with or desires in the premises, we rest, Your assured freinds, The Genll Assembly of the Colony of Connecticutt. Signed p' their order, p' me,

John Allyn, Secretary.

This Court desires and appoints 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 inhabitants of New Haven, Milford, Branford & Guilford, Standford, to submit to the Government 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 Haven, Milford, Brandford, Guilford & Standford, that are qualified according to law, to be freemen of this corporation, so 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 qualifyed, 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, with Magistraticall power, to assist in the Government of those plantations and the people thereof, according to the lawes of this corporation, or so many of their own 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 appoint some other fitt persons in there roome, and to administer an oath to them for the faythfull execution of the trust committed 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 also, by order from this Court, to declare that they will not call to accoet 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 understanding by a writing presented to them

38*
from severall persons of this Colony, that they are agrieved that they are not intertein'd in church fellowship; This Court hauing dueiy 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 enter Maine all such persons, whoe are of an honest and godly conversation, hauing a competency of knowledge in the principles of religion, and shall desire to joyn with them in church fellowship, by an explicit covenant, and that they have their children baptized, and that all the children of the church be accepted and accotd rel members of the church, and that the church exercise a due christian care and watch over them; and that when they are grewne up, being examined by the officer in the presence of the church, it appears, in the judgment of charity, they are dueily qualified to participate in that great ordinance of the Lords Supper, by there being able to examine themselves and discern the Lords body, such persons be admitted to full communion.

The Court desires yt the severall officers of ye respective 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 Secretary to send a copy of this writing to the severall ministers and churches in this Colony.

The Court is adjourned till the Gouernour or Dep: Gouernour see cause to call it againe.

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AT A GENERALL ASSEMBLY HELD AT HARTFORD, APRILL 20th, 1665.

John Winthrop Esq', Goun'.
Mr. Math: Allyn, Mr. Henry Woolcott,
Mr. Sam'l Willys, Lt: James Richards,
Mr. Rich: Treat, Lt: John Allyn, Sec'y.
Capt John Tallcott,
Mr. William Wadsworth, Mr. Isack Nichols,
Mr. Joseph Fitch, Mr. John Clarke,
Capt. Benj. Nubery, Mr. George Clarke,
Deacon John More, Sarjt Wm. Cornwell,
Samuel Boreman, Wm. Cheeny,
John Nott, Tho: Cooke,
Mr. James Rogers, Mr. Robert Chapman,
Mr. Joseph Fitch, Mr. James Bishop,
Mr. John Clarke, John Cooper,
Capt. Benj. Nubery, Lnt Sam'l Swaine,
Mr. George Clarke, John Wilford,
Mr. John Clarke, John Fowler.

Sr. Robert Carr, Colonel Georg Cartwright, Samuel Mauerkick
Esq'; his Majesties Honourable Comrs propositions were pre-

tented 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
express in or Charter, or Gouernour formerly hath nominated
and appoynted meet persons to administer the oath of allegiance,
whoe haue, according to their order, administered the s'd oath to
seueral persons alreadly; 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
conversation, 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 thinke 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 respective
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 disturbed 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 propos: 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 of 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 fiue powndes to be paid unto Mr. Crow next yeare, in lew of parte of his fine.

This Court frees Isack More from training, he haueing formerly bin cheif officer of the Traine Band of Farmington.

This Court doth repeal the former order, which constituted and impowred a Councill, made March the 11th, 1664.

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 actingsthat 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 obligation, neuer to be called to account.

This Court doth approve 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 advice 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 conuenient percell of land, for Robin and his company to plant vpon, at or near the head of Mistick Riuer, provided it be not in the bownds of any of the plantations, & to make returne hereof to ye Court in May next.

In reference to ye motion of Coll: Richard Nichols to
John Winthrop
John Winthrop
(Deputy Governor)
(Mathew Allyn
Samuel Willy
Alexander Gale
Henry Wollot
John Atkins
John Tsalcott
Samuel Shearman
James Richards
William Later
William Jones
Benjamin Smith
Joseph Harris
Dan & Clark
Gentlemen, for assistance, in case of forraigne inuassions, it being a matter of waights importance, it is left to the serious consideration of the Genll Assembly in May next.

In reference to what was moued about Captn Scotts fine, the Deputies declare that they feare his fine will not sattisfye 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 conveyance of of Lett"s, the Court will consider & aduice wth neighbour Col-onyes, 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 Courte.

[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 Maj-esty, 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 the means of Connecticut aforesaid; but with a salut 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) writesthat "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 submis-sion 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 Magistratical 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 Talcot (& Treasurer,) Mr. Henry Wolcott, Lt. John Allyn, Mr. Samuel Sherman, Lt. James Richards, Mr. William Leete, Mr. William Jones, Mr. Benjanflin 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.]
The last Will and Testament of Richard Lyman, being in perfect memory, I give unto my wife all my house & lands during her life, and one third part of my lands to dispose at her death amongst my children as shee pleaseth, and I give to her all my moveable goods, as Cattell and howshold stuffe, and all other impliments or mouables. And the other two parts of my land I give to my elder sonne Richard, and to his heires forever, and if he dy without an heir, then I give 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 yeres after my death. To my sonne John Lyman I giue him thirty pounds, to be paid him by my wife, att two & twenty yeres of age, and the hoggs that I formerly haue giuen him, I giue vnto my wife, and if he contends wth 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 yeres of age; and to my daughter Fillis, the wife of Willia Hills, I giue tenne shillings; and I make my wife sole Executrix to this my will.

Dated the 22th of April, 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 [298] to [371] of the first Volume, are printed without transposition. The record, as far as page [256.] inclusive, is in the hand writing of Secretary Welles; the remainder, in that of John Cullick.
The two parts of my land and house I give to Richard Lyman my sonne: the reason of writinge this is because the word house was not formerly expressed.

Read, sealed and deliverd in the presents of vs

Tho: Bull, John Moodie, Andrew Bacon.

JULY 24th.

The wydowe Lymans mynd is that her sonne Richard Lyman should performe her husbands will, and that her sonne Robert should liue with him till he be twenty two yeres of age, and then she giues Robert Lyman the third part of the houses & grounds, & for performance of her husbands will, she giues Richard all her moveable goods both within the house and without, only her weareing Cloathes and some of her lining she will dispose of.

John Moody, Andrew Bacon.

[53] A Inventory of the goods of Richard Lyman deceased, made the vii of September, 1641.

| Item | Description | Quantity | Value
|------|-------------|----------|------|
| 1.   | A Cow & a Cow calfe | 8.10.00
| 2.   | A heifer of a yere & halfe old | 4.00.00
| 3.   | A bull, 4l. 10s.; A goat & 2 kids, 1l. 13s. | [6.00.00]
| 4.   | 8 hoggs and halfe a sowe, & the pewtre | 10.00.00
| 5.   | One acre of mislin,* | 3.10.00
| 6.   | An acre of sumer wheat, 2l. 10s.; an acre of oats, 2l. | [4.10.00]
| 7.   | 3 roods of peaese and barly | 1.10.00
| 8.   | 5 acres of Indean Corne | 8.15.00
| 9.   | For squared tymber, planke & board | 1.05.00
| 10.  | A Cart & plow & tackle belonging to them | 1.08.6
| 11.  | A Tabell, forms & chaires, 8s.; A Cubberd, 15s. | [1.03.00]
| 12.  | 4 chests, a trunke; a old one | 0.18.6
| 13.  | 2 beare vessells, 5s.; 4 old firkins, 3s. | [0.8.00]
| 14.  | 1 payle & a wooden platter, 2s.; an old byble, 2s. 6d. | [0.4.6]
| 15.  | 3 kettells, 2 skillits, an old brasse pot | 2.4.00
| 16.  | 2 brass pans & a bakeing pan | 0.12.00
| 17.  | A pestell, a mortar and old kettell | 0.6.6
| 18.  | 4 platters, 2 cansticks, & drinking pott, with some other smale pieces of pewter | 1.2.00
| 19.  | A warmeing pann, a chaffin dishe and pewter bottell | 0.9.00
| 20.  | 2 frying pans, 6s.; A Iron potts, 1l. 4s. | [1.10.00]

* Mistin or Metinia; a mixture of wheat and rye. Webster.
WILLS AND INVENTORIES.

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 & bowlers & pillowes, 6. 00. 00
It: 3 Couerlids, 4 blankets, 3 straw beds, 4. 8. 00
It: 8 Curtens, 1l.; 3 bedsteads, 6s.; Tewed* skins, 8s., [1. 14. 00
It: 2 Wheeles, 5s.; It: 9 p'e of sheets & one odde one, 3l. 8s. 8d., [3. 13. 8
It: 4 table clothes & a dossen and halfe of napkins, 1. 9. 00
It: 7 pillobers & 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 ladders, 6s., 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 Wethers-

Field.†

Imp* his weareing apparrell, £ s d
It. his two bedds compleat, 3. 0. 0
It. two p'e of sheets w* two pillowberes, 6. 0. 0
It. in brasse and pewter, 1. 0. 0
It. one chest, a boxe, a small cubbert & a table, 5. 0. 0
It. cushions, stoole & chaires, 3. 0. 0
It. Trameles, tonges, fier pan, bellowes, cobirons, rostiron,
spitt and frying pan, 0 10. 0
It in working tooles, 1. 5. 0
It. twelve bushells of Rye, 4. 5. 0
It. about fourscore and ten bush' of Indean corne, 4. 16. 0
It. one horse and a mare, 18. 0. 0
It. one cow, 2 heifers, 2 calues, 48. 0. 0
It. in hay, 55. 0. 0
It. in debts due vnto him, 7. 10. 0
It. books, 15. 0. 0
Debts due to be payd out 62l. 10.
her howse and land valued at 130l.

174. 6.

Debts due to be payd out 62l. 10.
hers house and land valued at 130l.

* Tewed or teseed; i.e. dressed white. † See pp. 40 and 45, ante.
WILLS AND INVENTORIES.

She hath 5 children, the 2 eldest girls, the next a boy, the other 2 girls.

Andrew Ward,
Richard Gyldersly.

A note brought in Court since the Inventory, as followeth:

Rachell Brundishe hath 14 acres of meadow, her howse lott 3 acres, and w' ypland belongs thereunto in every diuision, sauing w' her husband and shee hath sold, vizt. her shaire beyond the River and 6 acres in Penny wise.

Debts appereing since the Inuentory was made, 41l.
Debts paid, 41l. 16. 4d.
Remayneing of the stocke of Cattle, 2 Cowes, on mare.

[08] A true Inuentory 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>Item</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp&quot; his apporraine</td>
<td>2</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>It. one Cow</td>
<td>20</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. one Heifer</td>
<td>10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. four swyne shots</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>It. one cutting saw, one axe</td>
<td>0</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>It. 3 p' re of sheets, 2 p' re of piloberes</td>
<td>1</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>It. 5 napkins</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>It. 2 kettles and 1 potte</td>
<td>1</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>It. his howse lott, w't all diuisions thereunto belonging</td>
<td>100</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

The prisers, Sam: Smith, The some, 137. 17. 0
Nathaniell Foote.

A note of the debts that Abraham Fynch owed at his decease.

<table>
<thead>
<tr>
<th>To Mr. Michell</th>
<th>£</th>
<th>s.</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Goodman Boosie</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>To Goodman Sticklin</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>For Towne Rates</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>To Goo: Lawes</td>
<td>4</td>
<td>15</td>
</tr>
<tr>
<td>Wydow Kilborne</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Goo: Smith</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Leasly Bradfield</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>To Mr. S</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>To goodma Dagget</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

14. 18. 6

39
It is Ordered, that the Relike of Abraham Finch deceased shall administer & possess the Estate left in Goods, and also hold the land & howseing vntill 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 educe yt as his owne Coste.

December the 3rd, 1640.

[64] The last will and Testament of James Olmstead, late of Hartford, deceased.

This is my wyll, to giue my Estate betwene my two sons, that is to saye, the on halfe to my son Nicholas, and the other halfe to my sonne Nehemiah, equally deuyded betwene the both, wth this reseruation, that if my brother Luyns doe make his word good to make my sonne Nicholis wifes portion as good as any child he hath, for so I understond his p'mise is, but if he shall refuse so to doe, I shall then refuse to giue my sonn any p'te of my moueable goods, cattell or debts, but my will is to leaue the thing wth Richard Webb and William Wodsworth to see my Brother Luyns doe p'forme his p'mise, and as the said Richard Webb and Will' Wodsworth shall doe I shall be content. And if my Brother Luyns doe p'forme his p'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 Nehemiah shall giue out of his portion ten pownd to my Cossen Rebeca Olmstead that now dwelleth wth me, and he shall pay yt her wthin three yeares after my dicease, and I leaue her to be disposed by Richard Webb and Will' Wadsworth, and as shee shall carry herselwe, yt shall be in their power ether to giue her the tenn pownd or to deteyne yt frō her. I doe giue my searuant Will' Corby fiue 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 sarue his tyme wth my sonne Nehemiah. And I leaue my sonne Nehemiah wth Richard Webb and Will' Wodsworth, intertreating the to haue the ouer sight of him, and the disposeing of him as their owne child. But if my sonne Nehemiah shall goe contrary in bestowing himselfe any way contrary to the judgement of
my two friends, Rich: Webb and Will' Wodsworth, then yt shall be in their power to comauand 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 the, and my two sonns shall pay the, the one pay the one halfe and the other pay the other halfe.

Witness, the 28th of September, 1640, Ja: Olmstead.
Richard Webb,
Will' Wodsworth.

[65] Wee whose names are hereunder written, the frynds intrusted by the decesed wthin named, hauing 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 p'sent dep'ting, he being senceble of his owne weakesnes, hasted to an issue of this busines, did seuerall tymes desire vs to aduise him what he should doe, and many times did wishe us to doe what we thought meet or selues.

Now we hauing 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 & freé 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 Kynsman 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 Cattle of James Olmestead of Hartford, deceased in the year of Lord, 1640

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Value (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impone horse</td>
<td>20</td>
<td>0.0</td>
</tr>
<tr>
<td>It. one mare</td>
<td>15</td>
<td>0.0</td>
</tr>
<tr>
<td>It. one mare colt</td>
<td>10</td>
<td>0.0</td>
</tr>
<tr>
<td>It. one yoke of steeres</td>
<td>30</td>
<td>0.0</td>
</tr>
<tr>
<td>It. one single steer, one wether, one wayne, 3.0.</td>
<td>13</td>
<td>0.0</td>
</tr>
<tr>
<td>It. two yoaeks &amp; the Iron</td>
<td></td>
<td>0.0</td>
</tr>
<tr>
<td>It. one horse, 20. It. 3 ewe goats &amp;</td>
<td></td>
<td>7.0</td>
</tr>
<tr>
<td>It. one mare colt, one wayne, 3.0.</td>
<td></td>
<td>3.0</td>
</tr>
<tr>
<td>It. four cowes, 47. 13. 4 iron &amp; two plow</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. three calves, 10. 10. 0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. thirteen hogs, 18. 0. 0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one mare colt, 10. 0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one single steer, one wether, one wayne, 3.0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one yoke of steeres, one wether, one wayne, 3.0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one yoke of steeres, one wether, one wayne, 3.0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one single steer, one wether, one wayne, 3.0.</td>
<td></td>
<td>1.12.0</td>
</tr>
<tr>
<td>It. one young heifer and frameing saw, one hack saw, 1.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. one young steer at Paq’nuck, 8. 0. 0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. one cow hide, 0. 10. 0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. one chese p’sse, old hogsheads &amp; a pype, 1. 3.0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 2 beare hog’sheads, two beare barrells, 2 powdring</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>tabs, 4 brueing vessels, 1 cowle, 2 firkins, 2. 0.0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. wymbles, chysells, hammers, pynsers, 0. 13.0</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. collers &amp; harness, saddell and pannell,† halters &amp;</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>byrdle, 1. 7. 0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. five pyke forks, one rope, on fanne, 0. 8. 0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 3 axes, 2 wedges, 2 ryngs for a bestell, 0. 13.0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 4 brasse, 3 skillets, one skimer, on ladle, on candlestick, on morter, all of brasse, 1 brasse pott, 2. 0.0.</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 7 small peuter dishes, 1 peuter bason, 2 chaber pots, 1. 12.6</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>6 poringers, 2 peuter candlesticks, 1 frudishe, 2 little sasers, 1 smale plate, 2. 0.0</td>
<td></td>
<td>1.0.0</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, 2. 0.0</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 2 Iron potts &amp; a pott posnette, 1 dripping pan, 1 frying pan, 1 gridiron, one squar, 2 spitts, 2. 0.0</td>
<td></td>
<td>1.0.0</td>
</tr>
<tr>
<td>It. 2 Irons, 2 tramells, 1 perre of tongs, 2 perre of pot-hooks, 2 perre of cobirons, 1 fier pan, 1 cole dishe and a perre of bellowes, one peale, 1. 13.0</td>
<td></td>
<td>1.0.0</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, 0. 11.1</td>
<td></td>
<td>1.0.0</td>
</tr>
</tbody>
</table>

* Corset. † A kind of rustic saddle. Webster. † Sheet iron covered with tin. Webster.
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 fowleing peece, 3 perre of ban-
daleres, 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. fine sacks, . . . . 0. 10. 0
It. two fether beds, two flockebedds, . . . . 6. 10. 0
It. 3 rugs, one Couerld, 6 blanketts, one p'e of curtens
& curten rods, & a course bedcase,
It. 2 fether pillowes, 1 flocke pillow, 1 bedsteed, . . . . 0. 19. 0
It. 3 p'e of fyne sheets & 5 p'e of course sheets, . . . . 3. 10. 0
It. 3 course pillowbeers, & 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 peeces 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 Lockrū,* . . . . 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 shirts, . . . . 0. 15. 0
It. one little peece of course Lockrū, . . . . 0. 4. 8
It. 3 suits of apparrell, wth hatts, stocking & shues, 13. 5. 0
It. 2 acres of Englishe corne of the grownd, . . . . 4. 0. 0
It. 13 acres of grownd 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 Coppy of the will & Testament of Willia Spenser, late of
Hartford deceased, p'sented in Court vpon Oath, by John
Taycott & John Pratt of the said Towne.
A noate of the mynd and Will of Willia Spenser for p'sent
the 4th of May, 1640.
Imprs his Will is that the Estate that he hath in New Ingland,
and also that wh'ch may com to his wife hereafter, that is any

* Lockrum.—"a sort of coarse linen." Webster.
prte of his wives portion yf any doe com, that all the Estate be dyuyded as foloweth:

I giue to my wife one third prte of all my Estate:
I giue to my sonne Samuell one third prte:
I giue to my two daughters Sarah and Elizabeth one third parte:

The children to be brought vppe wth the improuement of the whole estate that I leave both to my wife and children; The portion wch I leave 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 prty desesed be equally devyded to the prtyes or pty that shall suruife the other.

Also my mynd is, my Cosen Mathew Allen, my brother John Pratt and John Taylcoate, that these three partyes, or any two of them, shall haue the Oversight of my Estate, and in case that they shall see in theire judgements 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 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 prte of my land I leaue, without the consent of two of the prtyes that are to over-see my Estate.

The Inuentory 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 in weareing Cloathes,</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>in the Hall, the planks &amp; two chayres,</td>
<td>0</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>in the Closett, on trundell bedd and blankett,</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>one sadell and brydle, and waight &amp; skalls,</td>
<td>0</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td>in sythes, axes, wimbles, horsse harnis &amp; other working tooles</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>in the Parlor chamber, one chest, two plancks,</td>
<td>0</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>one fetherbedd, boulster, two pillowes,</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>In sheets and tabell lynen,</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>in the Sisler, in seuerall peeses of peuter,</td>
<td>1</td>
<td>10</td>
<td>0</td>
</tr>
</tbody>
</table>

* Blank.                                                                 
† Blank.
in brasse kettells and iron potts & other implements, } 4. 15. 0
and on hogshead and barrel, . . . . . 0
In the lodging room, one bedstead & curteens, 1. 5. 0
two chests, . . . . . 0. 15. 0
One muskette, bandalers, two swords, . . 1. 5. 0
One fowling piece, . . . . . 1. 4. 0
One cow and one cow calf, . . . . 28. 0. 0
In swine of severals sorts, . . . . . 13. 0. 0

Severall debts lefte vnreste 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 handes of some
of his kindred that are pore, in all to the value of 44.l.
Also, the house and howse lott conteyneing aboute 2 acres,
with some outhouses; also severall p'sells of vpland lots, 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 deuyded.
Also, eleven acres of meadow and swamp, lying in the north
meadow.
Also, one p'cell lying on the East side of the great Riuier, con-
teyneing tenne acres.
Also, there is land yet remayneing at Concord in the Bay, wth
while he lived he esteemed at 120l.
Out of this estate there is lefte to be paid, . . 50l.
Also, a debt wth is of an old recknoing, the wth we haue no clere
accounts 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.

The distribution of the estate appears in the Records of the particular Courte, the 24th June,
1650, fol:10: and the Copies of the bills given to the Courte for the payment of 30l. to the
children, are in the Booke of Records of Lands for the severall townes, at ye other end of it:
the original Bills are upon the file of wills and Inventories.

[67. 12. 2]

March the 4th, 1640. The last will of Joyce Ward.
I, Joyce Ward, of Wethersfield, being sick in body but whole
in mynd, doe make my last will and Testament, this 15th day of
November in this present yeare of our Lord Christ, 1640, in man-
ner of forme as followeth:

Imp*. I give to four of my sons, that is to say, to Anthony
Ward, Willia Ward, Robert Ward & John Ward, ech of the

* These last four lines were added subsequently, in the handwriting 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 p'sforme, 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.

Memorandum. That I Joyce Ward haue lefte my sonne Roberts portion, wch his father gaue him, wch is twenty pownd, in England, in the hands of my sonne Edward Ward; I haue made Mr. Wollersloie, of Clipsum, in England, in the County of Rutland, my Attynry 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 putting 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 p'sence of vs,

Nathaniell Dickenson,
Roger Prichat.

An Inventory of all and singular the goods, chattels, Cattle, 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>£</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.</td>
<td>14. 0</td>
</tr>
<tr>
<td>It. one p're of flaxen sheets,</td>
<td>1.</td>
<td>0. 0</td>
</tr>
<tr>
<td>It. four p're of hemppen sheets,</td>
<td>2.</td>
<td>0. 0</td>
</tr>
<tr>
<td>It. her apparrell vizt. 2 gownes, one batt, one p'e of bodyes</td>
<td>5.</td>
<td>0. 0</td>
</tr>
<tr>
<td>w'other,</td>
<td>10.</td>
<td>0. 0</td>
</tr>
<tr>
<td>It. one bedd, two boulsters, two pillowes, two Couerings,</td>
<td>0.</td>
<td>3. 6</td>
</tr>
<tr>
<td>two Curtens,</td>
<td>0.</td>
<td>16. 0</td>
</tr>
<tr>
<td>It. one boxe w'h a little hand Trunke,</td>
<td>1.</td>
<td>0. 0</td>
</tr>
<tr>
<td>One brasse pott,</td>
<td>0.</td>
<td>2. 0</td>
</tr>
<tr>
<td>One brasse panne,</td>
<td>0.</td>
<td>2. 0</td>
</tr>
<tr>
<td>One Iron pott,</td>
<td>0.</td>
<td>2. 0</td>
</tr>
<tr>
<td>One Chamber pott,</td>
<td>0.</td>
<td>2. 0</td>
</tr>
<tr>
<td>One brasse Coal dishe,</td>
<td>0.</td>
<td>0. 0</td>
</tr>
<tr>
<td>[63] One sowe, w' three piggs,</td>
<td>1.</td>
<td>0. 0</td>
</tr>
<tr>
<td>Two table clothes, w' 4 napkins,</td>
<td>0.</td>
<td>16. 0</td>
</tr>
<tr>
<td>One bond or specialty,</td>
<td>30.</td>
<td>0. 0</td>
</tr>
</tbody>
</table>

Som: tot: 52. 15. 6

p' Leonard Chester,
George Hubberd.
The Inuentory of Tho: Johnson,* as the p'ticulers 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>a p'ee of leather, a perpe of stockings and other things,</td>
<td>0.</td>
<td>8. 7</td>
</tr>
<tr>
<td>2 p'ee of stockings, a shirt &amp; band and hose yarne,</td>
<td>0. 12. 0</td>
<td></td>
</tr>
<tr>
<td>a p'ee of high shues,</td>
<td>0. 5. 0</td>
<td></td>
</tr>
<tr>
<td>a p'ee of leather</td>
<td>0. 2. 6</td>
<td></td>
</tr>
<tr>
<td>2 bush' of maslin,</td>
<td>0. 12. 0</td>
<td></td>
</tr>
<tr>
<td>3 hatchets,</td>
<td>0. 4. 1</td>
<td></td>
</tr>
<tr>
<td>one shurt,</td>
<td>0. 5. 2</td>
<td></td>
</tr>
<tr>
<td>1 pair of shues and boots,</td>
<td>0. 5. 0</td>
<td></td>
</tr>
<tr>
<td>2 p'eees of leather,</td>
<td>0. 3. 0</td>
<td></td>
</tr>
<tr>
<td>3 perre of boots,</td>
<td>0. 9. 0</td>
<td></td>
</tr>
<tr>
<td>Mr. Welles distreyned a muskett, a sword, ban- daleres &amp; a rest,</td>
<td>1. 5. 0</td>
<td></td>
</tr>
<tr>
<td>Mr. Welles distreyned a muskett, a sword, ban- daleres &amp; a rest,</td>
<td>1. 5. 0</td>
<td></td>
</tr>
<tr>
<td>a syth,</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>
<tr>
<td>Abated the Partyes for a mistake in their accoumpte,</td>
<td>9s. 5</td>
<td></td>
</tr>
<tr>
<td>To be alowed the for their paynes in keepeing &amp; selleing the p'ticulers,</td>
<td>.</td>
<td></td>
</tr>
<tr>
<td>The debte he owed yppon the distresse &amp; for Recording the Inuentory,</td>
<td>.</td>
<td></td>
</tr>
</tbody>
</table>

Goodm* Hill owed him 10l.

The 6th of Nouember, 1643.

The last Will and Testament of Tho: Scoott, of Hartford, deceased, as yt was spoken by him to Edward Stebbing and Tymoty Standly who were sent for by him for that end, to whò he expressed his will as followeth:

I doe giue 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 giue 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 giue vnto them all my corne in my howse and barns, both here at Hartford and at Tuxis Cepus, as also two Cowes and my two elder steers and fius hoggs, wth halfe my howshold stuffe: I doe also giue them my Carts and ploughs and

* 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 stufte before giuen to him and my wife, shalbe equally diuided betwixt my other children then liuing; and my mynd is that my wife shall haue 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 seeeth 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 executiue to receive and pay my debts; and my mynd is that my youngest daughter doe remayne wth my wife so long as shee seeeth 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 mariedge, by my wife and ouerseers, and that my daughters shall receaue their portions, ether at the day of their mariedge 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 discharged,) shall be equally diuided among them.

The suie and substance of this was expressee 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 apprba6on 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 Ouerseers, understanding fró 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 pruission is made for fuell or fireing, doe thinke fitt and very agreable to the mynd of the deceased, though pruented by death fró expresseeing himselfe in that prticuler, wch yet they leauie 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
WILLS AND INVENTORIES. 455

them, do diuer yt to such impruement as will receaue priudice
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 liues. They also thinke fitt and agreeable to the mynd
of the deceased, that the boy searuant shall continue wth the
Relict of the said Thomas, dureing his tyme. All wth they
leave to the consideration and confirmation of the Court, if they
approue thereof.

[72] A Inuentory of the goods of Tho: Scott deceased, taken Jan-
uary the 6th, 1643, deliuered to the Wydow Scott for her vse.

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>One fetherbed &amp; fether boulster</td>
<td>3. 5. 0</td>
</tr>
<tr>
<td>one greene Rug &amp; Couerled</td>
<td>3. 0. 0</td>
</tr>
<tr>
<td>one blanket and strawe bed</td>
<td>0. 10. 0</td>
</tr>
</tbody>
</table>
| one p're of sheets & pillowe, 15s.; one bedsteed & curt-
tens, 2l. 10s.,                                           | [3. 5. 0] |
| 4 p're of sheets, 2l. 5s.; 2 table cloaths, 12s. 6d.,  | [2. 17. 6] |
| 3 dyeper napkins, 6s.; 5 flaxen napkins, 5s.,       | [0. 11. 0] |
| 2 fyne pillowbeers, 12s.; in wearing cloaths that were her |          |
| husbands, 5l.; 2 chests, 12s.,                      | [6. 4. 0] |
| 40 pound of cotten wooll, 1l. 6s. 8d.; 3 sawes, 1l., | [2. 6. 8] |
| several pcees of old Iron,                         | 0. 10. 0 |
| 1 flockbed, 2 boulsters, 2 blanketts,              | 2. 10. 0 |
| 1 couerled & blanket, 1 pillowe,                   | 1. 6. 0  |
| in seu'all pcees of pewter, and one brasse candlesticke,| 1. 17. 5 |
| in brasse kettells & iron potts: 1 iron dripping pan,| 2. 7. 6  |
| 1 p're of pothooks & a glasse bottell,             | 0. 2. 6  |
| 1 brasse skimmer, 1 laten lampe, 2 latten panns,   | 0. 5. 4  |
| 1 spit, 1 trammel, 1 p're of bellowes,             | 0. 8. 0  |
| 1 p're of tongs, fyer pan, cob iron, andiron, & a iron to
  make wafer oaks, 10s.; 1 smothing iron, 1 fowleing
  pcees, 1. 5s.,                                         | [1. 15. 0] |
| 1 match locke muskett, 13s. 4d.; 1 sword, 1 p're of ban-
dalers, 9s. 2d.,                                       | [1. 2. 6] |
| 1 lether bottell, 1 warmeing pan,                  | 0. 13. 0 |
| 1 chafin dishe, 1 frying pan, 1 shreidng knife,    | 0. 5. 10 |
| 4 hows, 4 axes, 1 bill, 2 cleuers, 1 mattoke,       | 1. 2. 0  |
| 1 spade, 1 hobing iron, 5 siues,                   | 0. 12. 0 |
| in brueing vessells, barrells; 2 churns, 1 tabell,  | 2. 6. 0  |
| wimbells & chissells, 3 wheels, 1 glasse botle,     | 0. 16. 0 |
| 4 chayrs, 2 tabells, 1 forme,                      | 0. 13. 0 |
| In the seller, vessells & seu'all goods,            | 0. 14. 0 |
| In the lenetoe, potts, pans, vessells & other implements,| 2. 3. 0  |
| In the seller without dores, dyet vessells,        | 1. 0. 0  |

48. 18. 3
456 WILLS AND INVENTORIES.

1 grinston & winch, 6s.; 1 great bible & other smale books, 1l.  
[1. 6. 0]

Goods of Tho: Scotts sett aparte for his 3 daughters.

3 p're of flaxen sheets, 2 p're tow sheets, . . . . 3. 5. 0
3 diap' napkins, 4 flaxen napkins, . . . . 0. 10. 0
1 flaxen tabell cloath, 2 fine pillober, 1l. 4s.; 2 boxes, 8s. [1. 12. 0]
In the little chamber, 1 fether bed, . . . . 4. 10. 0
1 bedkase, 1 bedsted, 19s.; 2 fether bolster, 1 pillow, 1  
blanket, 2l. 8s. 4d.; 1 couerlitt, 1l. 10s., . . [4. 17. 4]
In the garret, 1 fether bed, 1 fether bolster, 1 fether pillow, 3. 12. 0
1 yellow & red couerlitt, 1 pillow, . . . . 1. 14. 0
1 quart pot, 2 porringers, 3s. 2d.; 2 dishes, 1s. 8d., [0. 4. 10
2 sasers, 1 smale salt seller, . . . . . 0. 1. 4
4 smale platters, 3 great platters, 18s. 6d.; 1 pewter  
bowle, 1s., . . . . 0. 19. 6
1 laten candlesticke, & tunell, 1s.; 1 pewter candlestick,  
2s. . . . . . . [0. 3. 0
1 great pewter bason & châberpott, . . . . . 0. 6. 6
1 great brasse kettle, 15s.; 1 brasse posnit, 1 iron pott,  
18s. 4d., . . . . . [1. 13. 4
1 little brasse kettell, 1 brasse potte, . . . . . 0. 11. 8
1 p're of pot huks, 2 latten pans, . . . . . 0. 2. 2
1 spit & tremell, 1 smooing iron, . . . . . 0. 6. 0
1 snapshane* smale peece, 15s.; 1 cok mach musket,  
13s. 4d., . . . . . [1. 8. 4
1 rapier, 2 p're of bandelers, . . . . . 0. 10. 8
1 frying pan, 1 shedding knife, 2s. 8d.; 1 brasse morter  
& iron pestill, 7s., . . . . . [0. 9. 8
1 glasse bottell, 1 couerd drinking pott, . . . . . 0. 2. 6
27. 3 1

Corne for the Widdowe Scott, at Sepose & hartford, 30. 0. 0
2 Cowes for Wydow Scott, at Sepose, . . . . 10. 0. 0
2 steers, 16l.; 2 hoggs, 9l., . . . . . [25. 0. 0

For the three daughters.

2 steers, 12l.; 1 Cow, 5l.; 1 mare, 8l.; 2 calfs, 3l. 6s., [28. 6. 0
4 hoggs, 3 piggs, . . . . . 5. 5. 0

The Wydowes Some, . . . . . 65.
The daughters, . . . . . 33. 11

Totall, 174. 12. 4.

* Snapshane; (German, Schiap-hahn;) a musket with a flint-and-steel lock. Bailey.
The Will of Blaynch Hunt deceased.

I, Blaynch Hunt do make my last will. I give my best suite of weareing Cloathes to my Cossen Mary Robins, & a p're of my best blanketts; Ite, I give my Cossens in the howse, twenty shillings a piece, in gold or sylver if yt can be made vpp att my decease; Ite, 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 Inventory, taken the 20th day of September, 1644, of the goods of Blaynch Hunt deceased, by Andwe Waird & Will' Gybbins.

<table>
<thead>
<tr>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 yards of kersy</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Imp. in mony</td>
<td>5</td>
<td>14</td>
</tr>
<tr>
<td>A debt owing fro Mr. Hill</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>A debt frō John Robins</td>
<td>a Cloke</td>
<td>.</td>
</tr>
<tr>
<td>now on her Vnckles ac-</td>
<td>3.10</td>
<td>0</td>
</tr>
<tr>
<td>count, .</td>
<td>.</td>
<td>.</td>
</tr>
<tr>
<td>Lent her Cossen Mary</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Robins, .</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Her cloath shute of weare-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ing cloathes, .</td>
<td>1.10</td>
<td>0</td>
</tr>
<tr>
<td>Her stuffe shute, .</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>A greene Couering, .</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>A p're of blanketts, .</td>
<td>1.10</td>
<td>0</td>
</tr>
<tr>
<td>one blanket, .</td>
<td>0.6</td>
<td>8</td>
</tr>
<tr>
<td>A fetherbed, a bolster and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>shues, .</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>2 pillowes, .</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>2 Cloath petticoats, .</td>
<td>1.15</td>
<td>0</td>
</tr>
<tr>
<td>5 old petticoats &amp; 4 p' of</td>
<td>a glasse &amp; a byble,</td>
<td>0</td>
</tr>
<tr>
<td>bodyes, .</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>4 wastcoats &amp; 4 aporns, .</td>
<td>1.7</td>
<td>4</td>
</tr>
<tr>
<td>4 hatts, .</td>
<td>1.10</td>
<td>0</td>
</tr>
<tr>
<td>3 shifts, .</td>
<td>0.12</td>
<td>0</td>
</tr>
<tr>
<td>yarn, .</td>
<td>1.3</td>
<td>0</td>
</tr>
<tr>
<td>A kettle, a torne &amp; a hatch-</td>
<td>et, left out and omitted.</td>
<td></td>
</tr>
</tbody>
</table>

A Inventory of the goods of Joan Cattell, deceased, taken and prysed by John Coleman, and Samuell Hales, the 17 of July, 1644.

<table>
<thead>
<tr>
<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>
</tr>
<tr>
<td>lt: Woollen and Lynnen Cloathes, .</td>
<td>5</td>
<td>8</td>
</tr>
</tbody>
</table>

40
It: Brasse & Pewter & 2 potts & other tooles, 2. 0. 0
It: a gun, sword and bandaleres, 1. 10. 0
It: a Calfe, 2. 0. 0; It: a Cowe, 5. 0. 0; [7. 0. 0]
It: owing from George Chappell a debt of 5. 0. 0
It: Swyne, 6. 10. 0; It: a debt of Good: *1. 0. 0; [7. 10. 0]
It: a debt of goodman Boosye, 12.; It: a debt of Corne, 5l.; [6. 0. 0]
It: the home lott and barné, 12. 0. 0
It: 6 ac: in myle meadowe, 6. 0. 0
It: 3 ac: in the great mea: 12l.; It: the garden, 12s. 12. 12. 0

Debts he owed, 69. 0. 0
10. 0. 0

Witness hereunto,
Tho: Tomson.
Tho: Coleman,
Sam: Hale.

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 Wyndsor, in Conectecotte.

Impr. I giue vnto my loueing wife my dwelling howse and homelott, downe vnto the swampe, wh all the howseing thereon; also I giue vnto her my meadowe lott conteyneyng by estimation fowverteene acres more or lesse, likewise I giue vnto her my lott of fifteene acres with the vast swampe adioynynge thereto. It: I giue vnto her Tho: Staires his howse and the square plot of gardens lying beyond the swampe to the highway: It: I give vnto my daughter Susanna, and to my daughter Mercy, my great lott lying behind the hog pen, adioynynge to Daniell Clarke on the one side and Humphrey Hids on the other, to be diuided betweene the equally. It: I giue vnto my two younger daughters, Lydea and Mary, my great lott at the Falls, conteyneyng fowerscore and two rodde in breadth, to make them two lotts, togather with the meadowe ground that lies therein, to be diuyded also equally betweene them. Prui ded alwayes, 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 come to the age of one and twenty, and in the meane tyme yt shall be to my beloved wife whateuer prfit shall accrewe thereby; and as ech of the shall come to the age of one and twenty, so ech shall enter accordingly vpon her portion.
Prorided also, that if either or any of them, shall dy before they come to the said age of one and twenty, then the portion intended to her or the so dying, shall descend upon my wife and be at her dispose.

Also, I give unto my daughters Susanna and Mercy, all my interest, right and benefit that shall arise from the grant of the Towne, made me, of fifteen acres of meadowe, when yt shall com first into their hands, about Pequanucke, if they shall live to the age of on and twenty yeares; if ether dy in the interim then her portion to descend upon my wife.

It is: my great land at the Falls, I give to the Court at Hartford, for the use of the Country.

It is: I appoint that my debts be paid out of my personall estate, and all the rest, both within dores and without, whatsoever, I wholly give to my beloved wife, whether land or goods.

Lastly, I appoint David 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 Overseers of this my Will, I intreat the Deacons of our Church to be.

Ep: Huit.

An Inventary of the Goods of Ephraim Huit, late of Wyndor, taken the 9th October 1644, by vs whose names are underwritten.

In the Parlour, 1 Bedstead, w'h bed and furniture thereunto - £

10. 0. 0

1 tabled'z forme, 1 chest, 2 trunkez, 1 case of bottles, vall: 02. 10. 0

Carpitts, Cushions,
02. 12. 0

6 veluet couers for stooles & Chaires,
01. 10. 0

8 yards Kitermaster, 16s.; 3 yards Cotton att 10s. 6d. [01. 06. 6]

1 chils blanket & wascoat cloath,
01. 06. 8

the weareing apparrell,
04. 10. 0

[98] in bucrum, 10s.; 9 doz. of napkins, fine course, 5l. 19s. 4d.

4 towels at 1l. 4s.; 14 pillobores at 3l. 10s. [04. 14. 0]

5 table cloaths, 1 towell,
3. 17.

14 pair sheets, fine and course,

3 table cloaths, 2 short towels, 8 napkins, 1 sheet, vall: 3l. 5.

In plate, 2 Bec Bowls, 2 wyne bowls, 1 salt, 1 trencher, salt seller, 4 siluer spoons, att 14. 0.

13 spoons giuen to children, hauing their names on them, & 1 silver dishe;

2 deskes, 2 boxes, 1 small trunke, & other smale things, 0. 6. 8

In chamber ouer parlour; 2 bedsteeds, w'th beds & furniture, 9. 0.
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 pieces, 2 muskets, 4 chayres, 4. 5.
in lynnen yarne, 2l. 6s. 8d.; in pewter, 4l. 10s. [6. 16. 8]
1 cullender, 2 pudding pans, 2 swords, 1 p' of bandaliers, 0. 15. 0
In kitchin, in brasse & Iron pots & brasse panes, ladies,

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, chars, butter barrells & other impli-
ments, 2. 0. 0
2 thwart saws, axes, pitchforks, 1. 0. 0
3 stocks of bees, 3l.; 1 cow, 1 heifer, 9l.; 4 goats, 2l. [14. 0. 0]
2 sowes, 5 piggs, 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, peas, oats, hay, flaxe, 7. 5. 0
The Howse and barne, with other howseing & homelott,
vall: 100. 0. 0

Som: 247. 2. 8

16 acres & \( \frac{1}{4} \) of meadowe in the great meadd: 66. 0. 0
The land at the Falls, over the great Riuer, 30. 0. 0
80 acres of land neere Mr. Phelps, 16. 0. 0
In books, valued by Mr. Smith and Mr. Warham, 13. 0. 0
A grinding stone with iron spindle & turne, 0. 12. 0
A share & culter, 13s.; a ferry boat, 2l. 10s. [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 who I made paid thus:

thirty pound is coming to me from Piscataq’ Company, and there is

Guns sold to do yt. A Raffe of Planke is going 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 kept in New Ingland.
I owe Mr. Lummus 20; he will take nothing but mony.
I owe Mr. Woolcott about 12.
I owe John Eares, 25.
I owe for Tho: Steris his howse and land, about 17.

Oweing me.
The butcher, for goats, 6l. 13s.; Gudwife Whitehead for all Rats
since her husband went, & for my Canow. Mr. Williams, 2l. Mr.

* Qu. Brand-iron? “a trivet to set a pot on.” — Webster.
Rossiter, 2l. Tho: Dewe, 1l. 10s. Mr. Whiteing owes something as the accoumt will show. Mr. Hill, 3. He hath power to receaue 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 accoumt is lefte to himselfe.  
Mr. Phelps owes 1l. 18s. debt confest.  
Yf Henry Clarke will not, then yt must be keept, 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 debte must be husbanded by the Ex-ecutors.  
Old Eagleston owes 2l. to be paid in wheat & pease.  
Mr. Hull witnesse to yt.  
My wife and children must liue vppon the Lott set out for that purpose.

November the 20th, 1644.

An Inventory of the goods and Lands of Nathaniell Foote of Wethersfield deceased, being truly taken and Indiffer-ently prised by Richard Tratte, Samuel Smith and Nath: Dickinson.

<table>
<thead>
<tr>
<th>Item</th>
<th>£. s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp* His purse and apparrell,</td>
<td>7. 16. 00</td>
</tr>
<tr>
<td>It In neat Cattell and in hay,</td>
<td>93. 00. 00</td>
</tr>
<tr>
<td>It in horsse fleshe,</td>
<td>34. 00. 00</td>
</tr>
<tr>
<td>It in hoggs,</td>
<td>66. 60. 00</td>
</tr>
<tr>
<td>It in debts,</td>
<td>29. 03. 04</td>
</tr>
<tr>
<td>It in Englishe corne,</td>
<td>70. 00. 00</td>
</tr>
<tr>
<td>It in goats,</td>
<td>3. 15. 00</td>
</tr>
<tr>
<td>It in carts, ploughs and the furniture belonging thereto,</td>
<td>6. 00. 00</td>
</tr>
<tr>
<td>It in nayles,</td>
<td>1. 10. 00</td>
</tr>
<tr>
<td>Ite Indean Corne,</td>
<td>8. 00. 00</td>
</tr>
<tr>
<td>It in old wheat and pease,</td>
<td>6. 06. 00</td>
</tr>
<tr>
<td>It for certain things in the chamber,</td>
<td>2. 00. 00</td>
</tr>
<tr>
<td>It for amunition,</td>
<td>5. 00. 00</td>
</tr>
<tr>
<td>It for fower beds wth the furniture,</td>
<td>13. 06. 08</td>
</tr>
<tr>
<td>It in fyne Lynnen,</td>
<td>5. 10. 00</td>
</tr>
<tr>
<td>Ite 2 table boards, 2 chests, 1 Trunke wth other Imple&quot;,</td>
<td>5. 00. 00</td>
</tr>
<tr>
<td>It pewter &amp; brasse and other usefull vessells,</td>
<td>12. 00. 00</td>
</tr>
<tr>
<td>It in husbndry tooles,</td>
<td>3. 00. 00</td>
</tr>
<tr>
<td>It in beife, buttor and cheese and other necessary p'vision for the howse,</td>
<td>8. 10. 00</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.

40*
# Wills and Inventories

**Item 1**

In poultry, ........................................................................ 1.00.00

**Sum:** 380.17.00

The debts of Nath: Foote of Wethersfield wth he did owe at his
disease.

**Imp.:**

- for goats, 2l. It; another debt, 3l. 10s. It; 12s.
- 1l. 3s. 4d. It; 12s. 6d. It; 1l. 10s. . 9 7 10

**The Land.**

Ten acres of home lotts wth one dwelling house and 2 barns 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 grown,
- 4 acres in bever meadow,
- 27 acres of swampe grownd,
- 61 acres of vpland in the west field,
- 32 rod broad beyond the Riuier 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 hayles wth other smale things, 1l. 10s.

**Land devided to the Wydowe Foote.**

<table>
<thead>
<tr>
<th>4 ac. home lott where her howse is</th>
<th>20.00.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>The howseing</td>
<td>50.00.00</td>
</tr>
<tr>
<td>2 ac. vnsubdued</td>
<td>4.00.00</td>
</tr>
<tr>
<td>7 ac. plaine broke</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>
</tbody>
</table>

**Sum:** 212.00.00

**Land devided to the eldest sonne.**

| 3 ac. homelott next her            | 15.00.00 |
| 2 ac. vnsubdewed                   | 4.00.00  |
| 7 ac. plaine broke vp              | 28.00.00 |
| 3½ of meadow                       | 20.00.00 |
| 3 ac. in great med                 | 24.00.00 |
| 4 ac. in beaver med                | 4.00.00  |
| 27 ac. swampe                      | 1.10.00  |
| 2 ac. not broke vp                 | 5.00.00  |
| 30 ac. vpland west field           | 15.00.00 |
| Halfe the east side                | 10.00.00 |

**Sum:** 126.10.00
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 wth 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. wth is to be made vppe 148l. & the youngest sonne the ptticuler landes above mentioned for him at 65l. wth is to be made vppe 74l. and the daughters disposed in marryedge are to have the 30l. a piece wth they have receaued made vppe 74l. and the other Children are to have 74l. a piece pttuid 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 addy yt to such of the other as best deseare yt.

The last Will and Testament of Ed: Vehr of Wethersfield, wth he being in prfect memory hath established, the 19th of July, 1645.*

Impmis I giue to Mr. Shareman of Totocott, 4 pownd. Ite to Mr. Smith of Wethersfield, 4 pownd, of wth two legaces my will is that my cow wth is at Totocott shall be parte, so far as yts worth, to be deuided betweene the two. It: I giue to Lysly Bradfield 3 pownd. It: to John Robins and his wife, I giue three pownds. It: I giue to Mary & Hannah the daughters of John Robins, my two acres of meadow, wth 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. Ité: 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 Tho: Kirkeman shall use their indenauer that they loose not any thing in their Corne through their owne default. It: my mynd is that John Carrington & Tho: Kirkman shall have 20s. for making my Coffen. It: my mynd is that there shall be 20s. bestowed upon provisions of wyne, bear, caks and such like of what may be had for my burial. It: I give to Mr. Swayne all my workeing toolaes. The marke of

In the presence of

Ed: Veir.

Nath: Dickinson.


<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two acres of meadowe,</td>
<td></td>
<td>6:14:0</td>
</tr>
<tr>
<td>A piece of land in Pennywise</td>
<td>1:10:0</td>
<td>9£.</td>
</tr>
<tr>
<td>One Sowe</td>
<td></td>
<td>0:16:0</td>
</tr>
</tbody>
</table>

Goods at Totocutt prysed by Will Swayne & Robert Rose.

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A heffer</td>
<td></td>
<td>4:10:0</td>
</tr>
<tr>
<td>a barrell</td>
<td>0:4:0</td>
<td></td>
</tr>
<tr>
<td>an old brasse potte,</td>
<td>0:7:0</td>
<td></td>
</tr>
<tr>
<td>in bedding</td>
<td>0:6:0</td>
<td></td>
</tr>
<tr>
<td>a locke and key</td>
<td>0:1:8</td>
<td></td>
</tr>
<tr>
<td>a piece of a bearskinne</td>
<td>3:6</td>
<td></td>
</tr>
<tr>
<td>an old cheste</td>
<td>0:1:0</td>
<td></td>
</tr>
<tr>
<td>a frying panne</td>
<td>0:3:6</td>
<td></td>
</tr>
</tbody>
</table>

Goods prysed by Gylcs Smith & Samuell Nettleton.

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two smale sawes</td>
<td>0:5:0</td>
<td></td>
</tr>
<tr>
<td>one long playne</td>
<td>0:2:0</td>
<td></td>
</tr>
<tr>
<td>one plough playne</td>
<td>0:2:0</td>
<td></td>
</tr>
<tr>
<td>2 old smale playnes</td>
<td>0:1:0</td>
<td></td>
</tr>
<tr>
<td>1 priker &amp; chessell</td>
<td>0:1:0</td>
<td></td>
</tr>
<tr>
<td>an old axe</td>
<td>0:2:0</td>
<td></td>
</tr>
<tr>
<td>1 adds</td>
<td>0:1:8</td>
<td></td>
</tr>
<tr>
<td>2 smale augers</td>
<td>0:1:6</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Carrington &amp; Tho:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kirn a debt of 12 bush</td>
<td>2:16:6</td>
<td></td>
</tr>
<tr>
<td>of wheat and 8 of pease</td>
<td>3:12:0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Rich: Hill, as appeareth by bill in corne &amp;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a sowe 2 yeares</td>
<td>2:16:6</td>
<td></td>
</tr>
<tr>
<td>halues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry Palmer, 3£. in Corne</td>
<td>3:0:0</td>
<td></td>
</tr>
<tr>
<td>From Mr. Robins 10 bush</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indean, 10 bush: pease</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&amp; of wheate, 3:7:6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owing the foresaid Yeare</td>
<td></td>
<td></td>
</tr>
<tr>
<td>at Totocutt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owning him at Wethersfield.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Units</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two acres of meadowe</td>
<td>6:14:0</td>
<td></td>
</tr>
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<td>1:10:0</td>
<td></td>
</tr>
<tr>
<td>One Sowe</td>
<td>0:16:0</td>
<td></td>
</tr>
</tbody>
</table>

The marke of

Ed: Veir.
William Frost his last will and testament, wherein the said William doth give and bequeath all his lands and goods now enjoying, the 6th of January, 1644.

I give and bequeath to my eldest sonne Daniell Frost, two parts of my meadowe and vpland outte 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 at Muchuncohsor Sasqug, commonly so caul'd, and also my cloake and warmeing pan, I give to the said Daniell Frost his heires for euer; I give and bequeath to Rebecka & Sarah Frost that blacke heiffer that Daniell Frost hath to wynter; I give and bequeath to my sonne Abraham Frost all that lotte and houwe, with all the land laid out and to be laid out, that I bought of John Stickling, with 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 great yearling Calues, with all that is in my little chest, and on third part of my howshold goods. I give and bequeath 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 prfit 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 give to John Grayes owne two children, and the profit equally to them both. I give and bequeath to Henry Graye and Lydea Graye for their liues and after them to Jacob their sonne, all my houwe and home lott, with that part that I chaynged with John Foster, and the third part of my meadowe and vpland, laid out and to lay out; and to Mary Graye, daughter to Henry Graye, I give and bequeath my redde heiffer that Goodman Close hath to wynter. And to Mary Rylie and her children, I give and bequeath all my goods and lands that I haue in Old Ingland. And to the Towne of Vncowah, I give and bequeath tenn pownds, in good

[In margin] 'These words enterlyned, the third parte of my howshold goods, and to Luke Watson.'
pay, towards the building a Meeting house, to be paid when yt is halfe built. Furthermore I ordeyne and make Henry Graye of Uncowauh, 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 performed according to the intent thereof, and they are to haue ten shillings for their paynes. Whereunto I haue sett my hand and seale, the day and date hereof.

Witness, Ephraim Weeler, William Froste.
Frances Purdy,
Mary Purdy.

[529] On the backe side of Frost's Will.
These are to explyane 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 Abraham my sonne pay no rent to Henry Gray my sonne, nor Henry to him, but all former ingagements to be voyd betwixt the, in or about the lease. I will that the two third parts of my land be deuided as soone after my death as may be, yet so that my sonne Henry his leace be not disturbed. Witness my

Frances Purdy,
Mary Purdy.

I the said John Purkas doe appoynt my wife to be my sole executor, to administervpon my whole estate, to bring vp my children, and it is my mynd & will that my wife shall possesse my howse and land for her proper vse for the whole tyme of her life, pruied 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
of them shall dy. Also yt is my mynd that if the child my wife goeth wth shalbe a sonne and shall suruive & continue vtill the death of my wife, that he shall possesse my howse and all my land in Hartford for himselfe and heires; but if the Lord give me noe sonne my mynd is that my howse and land be equally deuided among my daughters that shall suruie and continue after the death of my wife. Also, my mynd is, that my daughter Mary & Elizabeth shall haue ech of them a whole and serviseable pear of sheets and ech 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 live 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 crossc1utt sowe, and my betell rings and three wedges. Also my mynd is, that my howshold shall be deuided to my daughters that shall suruie & continue vtill the death of my wife, only the bedde and blanketts and one pair of sheets and one trunke, I leaue wholly to my wife to dispose on at her death. Witnesse hereof I haue sett to my hand the 15th of October, 1645.

Witnes hereunto, Jo: Talcott, Jo: Purkas.
Rich: Goodman.

November 26: 1663. Know all men by these presents that I, Jaret Spicke doe acknowledg my self received of Nicholas Palmer, the full and just sume of ten pounds, which is the acquiting all accots between us two concerning my wiuers portion, which was due to her by her father John Purkis his will.

Jerret Speck.

Witnes, Thomas Butler, Robert Sanford.

Whereas there haue bin an appoyntment that Nicholas Palmer was to pay his daughter in lawe Elizabeth Purchass ten pounds &c. These presents doe testify, that I Richard Case of Windsor doe acknowledg that I have receuied of Nicholas Palmer of Windsor afoarsayd Tenn pounds in pay to my content and satsisfaction, & 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,
John Moore,
The marke, Antho: C Hoskins.
These are true copies of the original receipts, being compared therewith Octobr. 20th: 64: pr me, John Allyn, Secretary.

[232] An Inventory of the goods of John Purkase, deceased in October, 1645.

One bedde & bolster, 2 blanketts, one on rag, one pair of sheets, 2 fatherbed, pilloberes & 2 pilloberes, one coverlett, £ 4. 15. 0
Two pair of new sheets & one pair of old sheets and one halfe sheet & two old pilloweres, 2. 5. 0
His wearinge cloathes, 4. 0. 0
6 pewter dishes and some smale things, 1. 0. 0
one great brasse kettell, one iron pott, one brasse pott, one posnett, brass ladle, dripping pan & other implements, 4. 10. 0
in barrells, tables and pailes, 1. 0. 0
one trunke and chest, chaires, frying pan & gridiron, 1. 5. 0
one fier locke musket, bandalers, rest & sword, 2. 0. 0
one crossecutt sawe, 8 wedges, two betell ryngs, & other implements, 1. 10. 0
one Cow & 6 pyggs, 8. 10. 0
and corne for the yeare.

FEB. 27th: 1645.

A trewe Inuentory as neere as we can find out of all the goods, corne and cattle and lands of SAMUELL IERLAND, deceased the 20th of May, 1639.

His house and lotte with 8 acres of meadowe & all other dividents unsold prysed at, £ 40. 0. 0
His Apparell and personall estate, 10. 0. 0
His Hoggs, 20. 0. 0
Tho: Vifoote
Jo: Edwards.

[233] Whereas I, GEORGE WILLIS, of Hartford vpon Conectecutt am by a gratious & mercifull visitation of the Lord summoned to expect my change, to the end therefore that I might performe my duty and continue love and peace among those I shall leave behind, being at the present through the gentle and tender dealing of the Lord in full and perfecte
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, pruied 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 wth my owne hand,) and pruied that he make payment and send ouer hither in goods, according to the tenour of the said letter, to the value of three hundred pownds; it being my will, that if he attend the terms poowed by me in the letter aforesd he shall enioy 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 one hundred pownds to be paid him in corne and cattle wth in three months after his arriuall here, researueing only twenty pownds a yeare out of the said lands, wch my will is he shall pay to my beloved wife Mary Willis during the tearme of her life. But in case my sonne doe not attend my aduise in transplanting himselfe and family into these pts, or prforme not the conditions poowed by me as afore, then my will is that the buildings and land aforesaid shalbe and remaine at the whole dispose of my beloved wife Mary Willis.

My will is further, that my sonne George shall enioy and possess my lands and buildings att Fenys 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.

And whereas vpon the makeing ouer of the moity of my lands att Fenys Compton aforesaid and the reuersion of the other moity after on & twenty yeares to my sonne George, I
I give unto my daughter Amy, three hundred and fifty pounds, whereof one hundred and fifty pounds shall be paid in money at the day of her marriage, and one hundred pounds twelve months after that, and the other hundred pounds twenty four months after the day of her marriage, pruized shee or any issue of her body be aliue at the severall tymes of payment as aforesaid; the two last hundred pounds to be paid in such commodityes as this Country doth afford.

My will is that my loueing wife Mary Willis shall 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 tenne pound a yeare to my daughter Hester, and tenne pound a yeare to my daughter Amy, for the said tearme of the lease, pruized they continue so long in this life, but when ether of the shall departe this life, then the said annuity to cease.
I doe giue vnto my sonne Samuell, all my land on the east side of the great Riuier, wth in the bownds of Wethersfield, he paying to my daughters, Hester and Amy, forty pownds a peece, sixe yeares after my decease.

I doe giue vnto my loueing fryends 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 Mris Huet, fiue pownd, out of the debte due to me fro her deceased husband, and to Mr. Smith fiue pownd, out of the debte he oweth me, and to William Gybbins tenn pownd, out of Mr. Smiths debt, to be paid to him twelue months after my decease. George Willis.

I doe further giue to my sonne Samuell, ten pownd in mony, and all my books, and my watch.

I doe giue vnto ech of my two daughters, a bedde and furni,ture, wch I leaue at the ordering of my wife.

It is my will that my two daughters take the advice & counsell 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 pay-ment of my debts and pformance of this my will, I doe make my beloued wife sole executrixe.

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 pownds wthin sixe yeares after my decease, now my will is that the said forty pownds be paid wthin 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 dyes, there be paid to the fifteen pounds a piece, pr' ann: in this Country commodities, for and towards their maintenance. And my will is that they or either of them remain 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 afterwards 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 doe 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 Wyndsor, 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 Wylye Esq. late of Fenny Compton, in old England, dyed March 9th, 1644."

(Hartford Records.) From the record of the Particular Court, (page 129, ante,) it appears that Mr. Willys' Will was brought into Court, March 5th, 1645-6.
[240]  

MARCH 20th, 1645.

A particular of all the debts owing to WILLIAM LOTHAM, as also by him owing:

\[ \begin{array}{ll}
\text{£} & \text{s.} \\
\text{Imp}. & \\
\text{It}: to Mr. Robins, for delivering Robert Bedle at Fishers Island, according to Mr. Robins desire, & 1. 14. \\
\text{It}: to Goodman Comstocke, for Tobacco, & 0. 6. \\
\text{It}: to Walter Baker, for Tobacco, & 0. 6. \\
\text{It}: to Sergeant Bryan, upon Mr. Tapens account, & 1. 9. \\
\text{It}: to Sergeant Bryan more in soap, & 3. 0. \\
\text{It}: from Henry Townsend & 1. 15. \\
\text{It}: to Mr. Mitchell for carrying goods, & 3. 19. \\
\text{It}: to Goodman Carman, & 0. 6s. \\
\text{It}: to Mr. Olderton, & 1. 0. \\
\text{It}: to Frances Homes, & 36 pound of Iron.
\end{array} \]

Debts by him owing to the persons following:

\[ \begin{array}{ll}
\text{Imp}. & \\
\text{It}: to one Elias, his servant formerly, about & 3. 0. \\
\text{It}: to Michael Chatterton, & 0. 10. \\
\text{It}: to Frances Homes, & 0. 6. \\
\text{It}: to Lathâ as long as he is mine after six and twenty shillings a month.
\end{array} \]

A particular of his goods, as followeth:

\[ \begin{array}{ll}
\text{Imp}. & \\
3500 of Planke, 6000 Trunnells, 500 of Iron, part att Frances Homes, part att Mr. Tappings, the rest in a grapnell lying at the Waterside. \\
\text{It}: a barrel and three quarters of tarre and pitch, lying at the waterside. \\
\text{It}: a sow in Edmund Sticlinshands. \\
\text{It}: a boate of tenn tun, with two roads, an anker, a grapnell, mainesale and foresale, a iron pott, a new sete of cloathes, shoes, hatt, stockins, three shirts, 6 handcharges, 2 bands, a gunn, one hundred ninety three pickes, an auger, one draweing knife. \\
2 chessells, 2 caukeing irons, some heads for clinke worke, a scraper, a brest wimble, one iron wedge, a frying pan, a skellette, a sacke with some biskett in yt, another old sacke vsed for a bedd, an axe, a perre of piners, 2 hamers, a gymlett, 2 Indean baggs, a file, a butter tub, a powder horn, a p'le of old stockings, an old buckett, an old ketell to make fyer in, a mallett, a woodden dishe, a platter, a little box, on gouge, on narowe chell, a chest, an iron candle-sticke, 2 owers, 2 setting poles, an halespeare, a pockett compassse, a skife & two Owyres. \\
These severall particularies appeareing under the lyne were added vpon a vewe taken in the boate the same morneing the Testator dyed by others & Will' Wells.
\end{array} \]
WILLs ANd INVENTORIES.

[241] Wheras on the other side herof their is particular of the debts & creditts and goods of Willia Lothia, wth appears best under each particular matter, and therunto as his memory may be being now visited by the hand of the almighty Jehouah, wth sicknes, having in presence 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 alteration hereof, then his just debts being defrayed out of his psonall estate, the remaynder hereof is by him giuen & bequethed to John Clarke and John Ogden, who he makes joynt executors of this his last will and Testament, equally to be deided betwixt thee. Witness my hand the day and yeare wthin written.

In the presence of vs,

Will' Wells, Ed: More,
Isacke Nicholls, George Allsoope.

SEPTEMBER THE 27th, 1645.

An Inventory of the goods of Will' Lothia late deceased.

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>a Boat, 8 tun, more or less, valued at 30s. p'tun</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>On grapnell, on anker, about a C. and ¾</td>
<td>3</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Maynsale &amp; foresale</td>
<td>5</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>about halfe a C. wayght of rigging, wth the oares</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>a Skife, 1. 10. for old tooles &amp; nayles, 0. 10.</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Also, a chest prised att                                             |  0 |  8 |  0 |

a Coat, drawers & cap                                               |  0 | 17 |  0 |

a doublet, breeches, stockings, shoes & 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.


<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>one chest,</td>
<td>0</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>in mony</td>
<td>0</td>
<td>19</td>
<td>5</td>
</tr>
<tr>
<td>in Wampum</td>
<td>0</td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>two shirts</td>
<td>0</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>two hats</td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>one old Coate</td>
<td>0</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

prised by Nath: Waird & Androe Warner,

Townsmen, John White, Gregory Wilterton.

Mr. Whiting speaks of some Beauer, viijl. & boards, 8 C.

There was testimony giuen in Courte vppon the 28th March, 1650, in reference to this estate, as appears by the Records of the said Courte, in the Books of Particular Courtes, fol: 5.
Imprimis, This is the last Will and Testament made by mee, John Porter, of Wyndor, although now weake and sick in body yet in prfect 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 three-score 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 piece; whch is to bee raised out of my whole estate, as howseings, lands, cattells and houshold goods, and is to bee paid as they come to bee twenty yeares of age or sooner if my ouerseers sees just cause, without whose consent I would not haue them to marrye; whch if they doe, it shall bee in the power of my ouerseers to abate of theire portions, 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, theire portion shall bee equally devided amongst the rest, vnless the ouerseers see cause to abate it vppon the eldest. In case my estateshall be 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 seuerall portions, except my ouerseers see cause to abate my eldest, that hath the bigger portion, or likewise my second. The particular goods wherein each child shall haue his porson paid out of my whole estate, I leaue to the discretion of my ouerseers.

My sonn Joseph Judgson is to take twenty shillingsof Thomas Thornton, the next winter.

Also, I giue fifty shillings to the pore of Wyndor Church.

My desire is that these my beloued freinds would bee the ouerseers of this my last will and Testament; Mr. Warham, of Wyndor, Mr. Goodwyn, of Hartford, Goodman White, of Hartford, Mathew Graunt, of Wyndor.

Wittnesses: John Porter.*

Henry Clarke, Abigaill Branker.

*See page 191, ante.
Upon consideration of the business referred to or consideration, touching the children of John Porter of Wyndso, deceased, wee finding some expressions of his, that hee would make the portions of his two eldest daughters as good as his younger, also wee conceive 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 there portions; or apprehensions are (if the Courte see meete) that the two eldest daughters portions bee made vp thirty pounds a peece.

March 7th, 1650. John Tailcott,

This is a true copy of an original writing, ordered by the Courte to bee recorded with the Will and Inventory.

J. C. Sec'y.

An Inventory taken of the whole estate of John Porter, of Wyndso, late deceased, as housing, lands, and all moveables, according as they were valued by the men imployed to prize them, whose names are underwritten:

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All the housing was valued at sixty pounds</td>
<td>60</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The homelott pertaining to the house, with is seven acres, valued at twenty eight pounds</td>
<td>28</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The meadow before the house containing sixteen acres, valued at sixty eight pounds</td>
<td>68</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>All his land on the east side the great Riuer, fifty eight rodd in breadth, from the Riuer eight score back in length, with an addition fifty rodd in breadth, and in length two myles and a halfe, valued at sixty five pounds five shillings</td>
<td>65</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Three acres of meadow, valued at</td>
<td>6</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Forty six acres, valued at thirteeen pounds, twelve shillings</td>
<td>18</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Eight acres in a swamp, valued at two pounds</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sixty acres, remote in the woods, valued at one pound ten shillings</td>
<td>1</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>For plowing and seed in the ground, nineteen pounds</td>
<td>19</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cattle valued; four cows, four oxen, four young beasts, one mare, nine swyne, at seventy seven pounds, two shillings</td>
<td>77</td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>
WILLS AND INVENTORIES.

Item: All the furniture for carte and plow, valued at six pound five shillings. 6. 5. 0
Item: Corne in the howse, twenty pound seventeen shillings. 20. 17. 0
Item: Hoppes, 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 vnderneath it; foure paire of sheets, with pillow beers; table linnen; wearing cloaths of his owne, and wearing cloaths of his wifes; and other furniture about the room; valued at thirty two pound two shillings. 32. 2. 0

Item: In the Chamber ouer 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 ouer the Kittchin:
Item: Some bedding for children, valued at 3. 9. 0

In the Kittchin:
Item: Fiue 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 fiue pound, 14 shillings. 35. 14. 0

Item: In the new Roome, seuerall sortes of tooles for hus-bandry and seuerall other ves, 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 Inuention taken of the goods of Tho: Fenner, deceased May the 15, 164[7].

Att G. Luffuns:
Imp. a pece of Trucking cloath of about 4 yards, 32s.—A Jack-ette, & p'r of breches, 30s.—1 Fowling piece, 30s.—1 Racoone skine coate, 12s.—11 Beauer skins atte 8s. p'y², 21 kniues att 4s. a dozen, 7s.—2 lookeing glasses, 0. 2d.—1 An old hat, stockings & shues, 3s.—a little iron potte, 6s.

Prysed by G. Luffun & G. Northam, May the 17.
A p'cell of wooden ware about 6l. Its: His boate and lyne w'h he brought vp. It: a p'cell of wampu about 20l. & 16 peeces of Dutch mony in Mr. Whiting's hand. The boate & loading.
**Wills and Inventories.**

*Goods att Totokett of the sd Tho: Fenners, pryzed by Robert Rose & Jo: Plum.*

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp. one p'iece of trucking cloth con. 24 yards at 7s. 6d.</td>
<td>9. 1. 10</td>
</tr>
<tr>
<td>one p'iece more of vyolet cullered trucking cloth, of 21 yards, at 7s. 6d. p' yard</td>
<td>7. 17. 6</td>
</tr>
<tr>
<td>It: on other p'iece of damask cullered trucking cloth, con. 13 yards, at 6s. 6d. the yard</td>
<td>4. 4. 6</td>
</tr>
<tr>
<td>It: one smale &amp; course fetherbed tecke &amp; boulster, wth some fethers put into them</td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>It: one course Cou'lette,</td>
<td>0. 12. 0</td>
</tr>
<tr>
<td>It: 2 blanketts, on cotten, the other cotton &amp; lynnen,</td>
<td>0. 14. 0</td>
</tr>
<tr>
<td>It: on wareing coate, 1: 5: 0. It: one coate made of Catte skins</td>
<td></td>
</tr>
<tr>
<td>It: one coate made of Racoone skins,</td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>It: two deer skins, one fexe skin and a pair of Indean stockings</td>
<td>0. 11. 0</td>
</tr>
<tr>
<td>It: one old sowrd, 0: 0: 5. It: one pair of shues,</td>
<td>0. 5. 6</td>
</tr>
<tr>
<td>It: 11 traplines 0: 1: 0. It: a little oyle, in a halfe firkin,</td>
<td>0. 1. 6</td>
</tr>
<tr>
<td>It: a smale kettle, he vsed to boyle tar in,</td>
<td>0. 2. 0</td>
</tr>
<tr>
<td>It: one short coate made of darnixe,</td>
<td>0. 6. 0</td>
</tr>
<tr>
<td>It: one Portingale cap begun made &amp; vnlyned, wth a smale piece of cloth of the same</td>
<td>0. 4. 0</td>
</tr>
<tr>
<td>It: in Wampum,</td>
<td>1. 0. 0</td>
</tr>
<tr>
<td>It: 2 yards of blewe lynen, 0: 6: 0. It: 4 bands,</td>
<td>0. 4. 0</td>
</tr>
<tr>
<td>It: 4 handkercheifs, cut out, vnmade,</td>
<td>0. 6. 0</td>
</tr>
<tr>
<td>It: on ketell, wth will hold about a pint,</td>
<td>0. 2. 0</td>
</tr>
<tr>
<td>It: 2 dozen &amp; a halfe of Jues trumps, 0: 4: 0. It: his Chest,</td>
<td>0. 4. 0</td>
</tr>
<tr>
<td>It: 3 yards one halfe of red broad cloath, at 18s. p' yd.</td>
<td>3. 3. 0</td>
</tr>
<tr>
<td>24 bush: of Indean trucked wth Indeans, at 2s. 6d. p' bush:</td>
<td>3. 0. 0</td>
</tr>
</tbody>
</table>

Concerneing his debts, we cannot yet certenly find what they are. The writings in his chest you wrote for, are sent wth this Inuentory & are found to be somewhat imp'fect, wth is like, had we had tyme & the booke he had wth him, they myght haue bine p'fected. Mr. Swayne ought him 4l., towards the wth 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 ungathered of any; and also some fencing wth he hath lett out, & 22 weeks dyet to Mr. Swayne; also some other.

The 17th of the 3d month 1647.  

Robert Rose,  
Jo: Plum.
The Inventory of the goods and lands of Abraham Elsen, lately deceased in Wethersfield, Pryse the 8th of May, 1648, by Sa: Smith, Nath: Dickenson, Tho: Hurlebutt.

<table>
<thead>
<tr>
<th>£</th>
<th>s. d.</th>
<th>£</th>
<th>s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impr: his apparell att</td>
<td>9. 0. 0</td>
<td>It: his brasse, in potts &amp;</td>
<td>2. 10. 0</td>
</tr>
<tr>
<td>It: in wheat &amp; pease,</td>
<td>3. 5. 0</td>
<td>kettells,</td>
<td></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: chests &amp; a bed ticke</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>It: that wth is due to him</td>
<td></td>
</tr>
<tr>
<td>frō other,</td>
<td></td>
<td></td>
<td>5. 3. 0</td>
</tr>
</tbody>
</table>

Som: 99. 11. 0
The debts wth he oweth 17. 11. 0
Remayn: 82. 0. 0

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 y House and Land of y Heires of Abraham Elsen desceased in Wethersfield, rented out by us, Nath: Dickinson and Sam: Smith, four yeares, for y raising of y childrens portions, according to y appointment of this Court, unto Thomas Hurlbutt, at four pounds ten shillings y yeare, voth y use of 4l. 10s. for three yeares: y is to say, y Rent is eighteene pounds, y use is two pounds one shilling and seaven pence, 18. 00. 00
02. 01. 07

Layd out for groundselling y house, one pound three and fourepence, 1. 03. 4
And for other necessary charges, layd out of purse, 0. 06. 8
01. 10. 00

The charges substraected there remains, 18. 11. 07

For wth eighteene pounds, eleaven shillings and seaven pence, wee y said Nath: Dickinson and Sam: Smith, doth by o' hands, y day and yeare abouesaid, secure y said portions unto y Courte, for y best improvement of y said portions for y children, either till they come at age, or till y Courte bee pleased to call us to acco.

Nath: Dickinson,
Samuell Smith.

* See pages 162, 202, ante.
The Inventory of the goods and land of John Elen, of Wethersfield, on Connecticott River, when he was ceased on when he dyed, prised the sixteenth of May, by Sa: Smith and Nath: Dickenson.

**Inventory**

- Imp: his Apparrell, 6.18.0
- It: his bedds and bedding, woollen & lynin wth some leather, . 14.10.0
- It: his cattell, hoggs & a mare, . 67.10.0
- It: his arms and ammunition, . 2.0.0
- It: his cart and plows, wth husbandry tooles, 8.10.0
- It: his brasse and pewter and iron vessell, 5.0.0
- It: his corne vppon the ground, . 8.13.4
- It: his tables and forms, chests & tubbs and other woodden vessell and some other things, 5.10.0
- It: his hoe and meate, and molte, . 6.0.0
- It: his corne and meat, . 6.0.0
- It: his books, . 1.0.0

**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 loueing 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 & home lett to Ben: The meadowe to be deuided betweene him & Job.

John T' Elsin

Robert Parke

Henry Smith

The Wyddow is admittted to administer.

**An inventory of Tno: Dewys Estate.**

- Imp: One howse and barne, wth the home lott, in quantity £. s. d.
  - about one acre & quarter, to the foote of the hill, 40.0.0
  - one p'cell of meadowe adjoyning thereunto, about 7 acres, . . . . 20.0.0
  - another p'cell in the great meadow, 4 acres & one quarter, . . . . 13.0.0
  - another p'cell in the great meadowe, 3 acres and on quarter, . . . . 10.0.0
  - another p'cell in the great meadowe, about 5 acres, 8 rodde & halfe, . . . . 15.0.0
  - two p'cells of vpland, about 29 ac: & halfe, . . . . . 20.0.0
  - one yoake of oxen, . . . . . 15.0.0
  - two mares & a colte, . . . . . 18.10.0

*See page 162, ante.*
**Wills and Inventories.**

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two cows and young beast</td>
<td>12.00</td>
</tr>
<tr>
<td>One sowe and two piggs</td>
<td>1.00</td>
</tr>
<tr>
<td>Two stocks of bees</td>
<td>3.10.00</td>
</tr>
<tr>
<td>Five acres of corn upon the ground</td>
<td>5.00</td>
</tr>
<tr>
<td>Seven other acres of corn upon the ground</td>
<td>5.00</td>
</tr>
<tr>
<td>Bedding, bedstead and lining</td>
<td>9.10.00</td>
</tr>
<tr>
<td>His wearing clothes</td>
<td>6.10.00</td>
</tr>
<tr>
<td>Pewter</td>
<td>6.18.00</td>
</tr>
<tr>
<td>A chest, a boxe, a cuberd</td>
<td>1.11.00</td>
</tr>
<tr>
<td>One fowling piece, sword, powder &amp; bullets</td>
<td>1.15.00</td>
</tr>
<tr>
<td>Bedding, betel rings, axes, spades, other tools</td>
<td>1.14.00</td>
</tr>
<tr>
<td>Potts, kettells of brasse &amp; iron</td>
<td>7.00</td>
</tr>
<tr>
<td>Hempe &amp; flaxe</td>
<td>7.00</td>
</tr>
<tr>
<td>A saddell &amp; pillowion</td>
<td>2.00</td>
</tr>
<tr>
<td>Meaf trow, tables, payles &amp; other smale things</td>
<td>2.00</td>
</tr>
<tr>
<td>A table board</td>
<td>0.11.00</td>
</tr>
<tr>
<td>A cart, plowe, harowe, howes, and other things</td>
<td>3.10.00</td>
</tr>
</tbody>
</table>

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 children portions at ye Courte the 6th of June, 1650. fol. 9.

David Wilton.

Robert Wymbell.

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 perfect Inuentory of the goods and Chattells of Seth Grant, of Hartford, deceased.

Imp"th: In the parlowre, one great table, 10s.: 3 joyned £. s. d. stools, 6s: two chaire, 4s. 6d: on chest, 6s.

In the lodgeing roome, 1 fetherbed & bolster, 3 pillowes, 10. 0 It: one rugge, 20s: one flock bolster 10s: 3 blanketts & one couerlett, 12. 10s.

5 curtens, 12s. 6d: one bedsted and strawe bedd, 17. 1. 12. 6

One trundle bed, 7s: fewer sheets & one board cloth, 3l. 10s.

Three sheets, 3l. 10s: fewer sheets, 1l: 5 perre of pillows, 1l. 10s.

A parcell of linen cloth, 2l. 0: one table cloth & 3 napkins, 12s.

One graue cloath, 3s: three towells, 4s. 6d.

One smale boxe, with some child bed linnen, 0. 7. 6

Two chests, 4 boxes, 13s. 4d: one cuberd, 0s: one warming penne, 6s. 4d.

Som, 213£
The last Will and Testament of William Buttle, late of Hartford, deceased.

I William Buttle of Hartford, in Connecticut, do make and ordaine this my last will and Testament, wherein I giue my earthly goods as followeth:

And first, I make my brother Richard Buttle dwelling in Hartford, my whole executor, and all that is left of my lands and goods, when he hath paid all these legacies vnderwritten, I giue to him.

* A peel, or fire shovel.
It: I give my sister West's 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 doe earnestly desire my two friends, Mr. John Cullick and William Gibbens, both of Hartford, to see that this my last will and testament bee fulfilled; and for their love and pains, I doe bequeath to each of them three pounds a piece. In witnnes whereof, I the said William Buttlar haue set to my hand, this eleuenth of May, 1648.

William Buttlar.

A true and perfect Inventory of the goods and estate of William Buttlar, late of Hartford, deceased: appr'sed by John Cullick and William Gibbens.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wearing cloaths and mony in his purse</td>
<td>12. 0. 0</td>
</tr>
<tr>
<td>One bed and furniture</td>
<td>10. 0. 0</td>
</tr>
<tr>
<td>One gunn, one sword, powder and shot</td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>4 yards of searge 1l. 10s.</td>
<td></td>
</tr>
<tr>
<td>It: Land at Wethersfield,</td>
<td>[61. 10. 0]</td>
</tr>
<tr>
<td>It: Land at Hartford, 90l.</td>
<td>[283. 13. 0]</td>
</tr>
<tr>
<td>In debts, 193l. 13s.</td>
<td></td>
</tr>
<tr>
<td>Summa Totalis,</td>
<td>429. 03. 0*</td>
</tr>
</tbody>
</table>


I, John Horskins, of Wyndsor, doe make this my last will and testament, as followth: Item, I give vnto the Church, three pounds, to bee distributed by the Deacons vnto the poore, to bee paid in wheat or pease, as wee are able. Concerning my man servuant, Sammuell Rockwell, my desire is that hee should serue 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 seruice, 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 seruice 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 seaven pecks of pease is due to mee from Robert Winchell, and Thomas Hollcombe 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, assinginge them to receaue my debts, and also to make payment of theise things forenamed, or any other ingagement of mine. In wittnes whereof, I have herevnto put my hand, this first of May, 1648.

In the presence of,

Thomas Horskins,
Sammuell Rockwell, Abraham Randall.

An Inventory of the goods of John Horskins deceased, June this 29: 1648.

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp: the howse and two barnes, with the homelott of 12 akers of land</td>
<td>52. 0. 0</td>
</tr>
<tr>
<td>Item, 12 akers of meadow, 42l: Item, a great lott, 27 akers, 6l. 15s.</td>
<td>48. 15. 0</td>
</tr>
<tr>
<td>Item, at Pyne meadow, 14 akers, 30l: Item, a parcell of swamp, 3 akers, 3l.</td>
<td>33. 0. 0</td>
</tr>
<tr>
<td>Item, 6 akers of wheat sown, 10l: Item, 14 akers of diverse sorts of graine, 18l.</td>
<td>28. 0. 0</td>
</tr>
<tr>
<td>Item, 2 paire of wheeles, one carte, one tumbrill, wch a plough &amp; tackling therevnto belonging,</td>
<td>6. 0. 0</td>
</tr>
<tr>
<td>Item, halfe a Boate,</td>
<td>0. 10. 0</td>
</tr>
<tr>
<td>Item, two axes, howes, sawes, wedges, and hookes, with other things,</td>
<td>2. 0. 0</td>
</tr>
<tr>
<td>Item, two swayne,</td>
<td>1. 6. 8</td>
</tr>
<tr>
<td>Item, in the Hall, one bed &amp; a bedcase, and the furniture,</td>
<td>7. 0. 0</td>
</tr>
<tr>
<td>Item, two beds more with the furniture,</td>
<td>6. 0. 0</td>
</tr>
<tr>
<td>Item, in Leather, 1l: Item, in sheets, 3l: Item, two table cloaths, 6s.</td>
<td>4. 6. 0</td>
</tr>
<tr>
<td>Item, in napkins, 6s: Item, in holland, 1l. 2s.</td>
<td>1. 8. 0</td>
</tr>
<tr>
<td>Item, his wearing cloaths, 16l: Item, in cotton cloath and knives, 5l. 8s.</td>
<td>21. 8. 0</td>
</tr>
<tr>
<td>Item, in baggs and hottells, 1l. 6s: Item, in chests and boxes, 1l.</td>
<td>2. 6. 0</td>
</tr>
<tr>
<td>Item, a table, formes, stockes and wheeles, 1l. 2s: Item: in hookes, 10s.</td>
<td>1. 12. 0</td>
</tr>
<tr>
<td>Item, one furnace pann, 2 brass panns, 1 warming pann &amp; other things,</td>
<td>3. 15. 9</td>
</tr>
<tr>
<td>Item, in pewter, 1l. 2s: Item, 3 brass potts, 3l.</td>
<td>4. 2. 0</td>
</tr>
</tbody>
</table>
### Wills and Inventories

Item, 1 frying pann, crooks, pot hookes and other things, 1. 0. 0
Item, 3 pieces, 2 swords, powder, brandlers and bullits, 2. 10. 0
Item, a barrill of pitch, 1. 0. 0
Item, in barrills, tubbs, pails, hogsheads & other things, 1. 10. 0
Item, a cart rope, hemp, flax, yarne, and cushions, 2. 10. 0
Item, in corne, meale, maault and bacon, 9. 0. 0
Item, in salt, siues, meale troughs, one hyde, sadle & other lumber, 2. 10. 0
Item, 2 kine, 11l. 10s: Item, one Cowe, 4l. and two steeres, 6l., 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 calues, 4l. 10s: Item, in debts, 20l. 13s. 23. 8. 0

Will: Gaylerd, Thomas Stoughton, Totall sum is 338. [6. 8]
Davuid Willton.

---

### Inventory of the goods and estate of Richard Sawyer, deceased July 24, 1648.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imp'</td>
<td>1 musck colored cloth doublitt &amp; breeches</td>
<td>1. 00. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>buckisleather doublett, at 12s</td>
<td>0. 18. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>liuer coloured doublett &amp; &amp; jacket &amp; breeches</td>
<td>0. 07. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>haire coloured jackett &amp; breeches</td>
<td>0. 05. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>p' of canuas drawers, 1s. 6d</td>
<td>0. 06. 6</td>
</tr>
<tr>
<td>It: 1</td>
<td>stuff jackett, 2s. 6d</td>
<td>0. 04. 6</td>
</tr>
<tr>
<td>It: 1</td>
<td>old coloured hatt, 3s.</td>
<td>0. 04. 6</td>
</tr>
<tr>
<td>It: 1</td>
<td>new coloured hatt, at 7s</td>
<td>1. 02. 0</td>
</tr>
<tr>
<td>It: 3</td>
<td>shirts, at 12s</td>
<td>1. 02. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>paire of old shoes, at 2s</td>
<td>0. 02. 0</td>
</tr>
<tr>
<td>It: 1</td>
<td>chest, 1 paire of cloth buskins and other th</td>
<td>0. 01. 6</td>
</tr>
<tr>
<td>It: in siluer, 2s. 3d</td>
<td>in wampum 231/2d</td>
<td>2. 03. 101/2</td>
</tr>
</tbody>
</table>

John Bernard, Totall sum is 07. 17. 101/2
Arthur Smith.

Octob' 17th 1648, The Courte gaue Mr. Cullick pow' to adminis-
ter vpon the estate abouesd. as appears by the Records of that Courte.*

---

*Page 169, ante.
A true and perfect Inventory of the goods and chattells of Richard Rissly, late of Hockanum, deceased.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>In the yard, 2 milch cows and a heifer</td>
<td>14</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>Item, 3 heifers, 9l. and one steare, 3l.</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>Item, one Bull and two young Bullocks 6l.; one calf, 20s.</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4</td>
<td>Item, one steare, 5l.; one spotted hogg 50s.</td>
<td>7</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>Item, 2 sows, 4l.; young hogggs, 9l.; 6 stores, 4l.; 6 shotes, 3l.</td>
<td>20</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6</td>
<td>In the Hall, 1 muskitt, 15s.; and one sword, 7s.</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>7</td>
<td>Item, 2 frying pans, 6s.; and one kettle, 16s.</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>8</td>
<td>Item, 1 kettle, 13s. 4d.; and one small kettle, 3s.</td>
<td>0</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>9</td>
<td>Item, 1 posnett, 2s. 6d.; one iron pott, 7s.</td>
<td>0</td>
<td>9</td>
<td>6</td>
</tr>
<tr>
<td>10</td>
<td>Item, one small iron pot, 3s.; pott hooks and tramells, 4s.</td>
<td>0</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>11</td>
<td>Item, 3 platters and a plate, 8s.; one pewter pott, 3s.</td>
<td>0</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>12</td>
<td>Item, 1 pewter cupp, 12d.; six spoones, 12d.; earthen ware, 7s.</td>
<td>0</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>13</td>
<td>Item, 2 payles, 2s. 6d.; 2 old payles, 12d.</td>
<td>3</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>14</td>
<td>Item, 2 Indian trayes, 4s.; 2 platters, 2 bowles and dishes, 3s.</td>
<td>0</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>15</td>
<td>Item, 1 great wooden platter, 2s.; 1 lattin dripping pann, 18d.</td>
<td>0</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>16</td>
<td>Item, 1 paire of bellowes, 2s.; one joined table and formes, 10s.</td>
<td>0</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>17</td>
<td>Item, 2 chaires, 3s.; 1 childes chaire, 18d.; a forme, 6d.</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>18</td>
<td>Item, 6 trenchers, a scummer, a cleansing dish, &amp; chaffing dish</td>
<td>0</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>19</td>
<td>Item, 1 smoothing iron, 12d.; 1 great Bible, 13s. 4d.; 1 small Bible, 2s.</td>
<td>0</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>20</td>
<td>Item, 1 narrow axe, 3s.; a broad axe, 2s.; a hattchett, 12d.</td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>21</td>
<td>Item, 1 handsaw, 12d.; 1 hammer, 6d.; 2 augers and a beetle ring, 2s.</td>
<td>0</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>22</td>
<td>Item, 1 charne, 3s.; 1 coule, 3s.; 1 keeler, 2s.; 1 powdering tubb</td>
<td>[3s.]</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>23</td>
<td>Item, 2 beare barrills, 5s.; 1 powdering trough, 4s.; 2 payles, 12d.</td>
<td>0</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>24</td>
<td>In the Parlour: Item, 1 bedsted, 10s.; a featherbed, strawbed &amp; 2 boulsters, 5l.</td>
<td>5</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>25</td>
<td>Item, 1 pillow, 5s.; 1 paire blanketts, 30s.</td>
<td>1</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>26</td>
<td>Item, curtaines, 20s.; 3 paire new sheetes, 3l.</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>27</td>
<td>Item, 6 yards of lynsy woolly, 12s.; a flock bed and boulster, 30s.</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>28</td>
<td>Item, 1 paire of blanketts, 15s.; 1 cradle, 2s.; 3 pilloows, 8s.</td>
<td>1</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>29</td>
<td>Item, 3 pillow beeres, and a warming pann</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>30</td>
<td>Item, wearing clothes, and mony in his purse</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>31</td>
<td>Item, 3 chestes and a box, 12s.; a hogshead &amp; meale tubb, 6s.</td>
<td>0</td>
<td>18</td>
<td>0</td>
</tr>
<tr>
<td>32</td>
<td>Item, 1 peece of sole leather,</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>
WILLS AND INVENTORIES.

In the chamber; Item, one fann, 6s.; one great Indian
bagg, 4s. 0. 10. 0
Item, 6" of hops, 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, Totall sum is 135. 5. 10
Will: Gibbens.

There are 3 children, viz. one daughter, by name Sarah Rissly,
betweene 7 and 8 yeares old; one sonne, by name Samuuell 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, 16l. a peece, to bee pd to the daughter
at the age of 18 years, and to the sons at the age of 21 years, William
Hill bringing of ye vpp to write and read, and giuing security
to the Courte for the payment of the seuerall childrens portions.

Debits owing p'r the estate of Richard Rissly deceased.

<table>
<thead>
<tr>
<th>£. s. d.</th>
<th>To Joseph Mygatt, 2. 6. 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Mr. Olcott,</td>
<td>9. 1. 9</td>
</tr>
<tr>
<td>Rich: Lord,</td>
<td>0. 13. 0</td>
</tr>
<tr>
<td>Sam: Smith, Weth:</td>
<td>1. 4. 0</td>
</tr>
<tr>
<td>Will: Gibbens,</td>
<td>0. 4. 0</td>
</tr>
<tr>
<td>Mr. Moody,</td>
<td>0. 3. 0</td>
</tr>
<tr>
<td>Will: Houghton,</td>
<td>0. 12. 6</td>
</tr>
<tr>
<td>John Lyman,</td>
<td>0. 6. 0</td>
</tr>
<tr>
<td>Mr. Stone &amp; Mrs.</td>
<td></td>
</tr>
<tr>
<td>Hooker,</td>
<td>0. 11. 0</td>
</tr>
<tr>
<td>Knott,</td>
<td>0. 10. 6</td>
</tr>
<tr>
<td>Patience Smith,</td>
<td>0. 9. 0</td>
</tr>
<tr>
<td>John Sabell,</td>
<td>10. 0. 0</td>
</tr>
</tbody>
</table>

[255] MAY 20th, 1648.
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:

Imp'mis I give vnto my beloued wife Edatha Day my now
dwelling howse and howsing thereto adioyoing, howse Lott,
Allso all my land whereof I stand possessed, or that of right doth belong unto mee, lying in Hartford, during the tarme of her naturall life: And at the end of her life, my will is that the said howse and land shall bee for the use of my children that then shall bee liuing, to bee deuided in an equall proportion: my will also is that all my household stuff, and Cattle and other moueable goods shall bee my wiuves 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 theire good. And to this my will I sett to my hand the day aboue written.

Edward Stebbing,
Walter Gaylerd.

[256] 14th OCTOBER, 1648.

An Inventory of the Goods of Robert Day Deceased.
£. s. d.

In the Chamber. Impr. one Bedstead; one feather bed, and feather Boulster and flock bouster: 2 pillowes, & bedcase & Curtaines, 07. 00. 00
Item: 2 blankitts, one red & yellow Couerlitt, 00. 16. 00
Item: 1 chest 10s. 1 Box 3s. 1 desck box 3s. 00. 16. 00
Item: 1 table 5s. 1 Cubberd 5s. and chaiers, 00. 16. 00
Item: 3 paier of sheetes, 02. 00. 00
Item: 6 table napkins 12s. 1 table cloth 5s., 00. 00. 00
Item: 6 pillow beerses, 01. 10. 00
Item: the wearing clothes with 3 skinns, 05. 00. 00
Item: in Linnen yearne and Cotton wool yearne, 01. 10. 00
Item: 2 Cushins 6s. 1 paiere of Bellowes 3s., 00. 09. 00
Item: 1 Little Baskitt 12d. 1 warming pann 6s., 00. 07. 00
In the Hull. Item: 1 Brass Kettle, 02. 10. 00
Item: 1 Little kettle 12s. 1 little brass kettle, 00. 15. 00
Item: 1 brass possnett 4s. 1 brass pott 16s. 1 Iron pott 14s., 01. 14. 00
Item: 1 brass Chaffin dish 3s. one skumer, 00. 05. 66
WILLS AND INVENTORIES.

Item: 7 pewter dishes, and some broken pewter; 1 saser: 2 pewter potts: 1 Candlestick : 1 salte: 1 small bottle: 6 ockumy* spoons, 2 porringers 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 lormes, 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 howsing, howse lott and Garden, ... 45. 00. 00
Item: about 6 Akers of meadow, in severall parcelles with vpland, ... 26. 00. 00

Summa Totalis 142. 13. 06

John Tailecoate,
Gregory Willterton,
Edward Stebbing.

[257] OCTOBER 16th, 1648.
An Inventory of the Goods of TIMOTHY STANDLY, of Hartford, deceased.

Imp: In the kitchin chamber; One standing bedstead, one feather bed and feather boulster, one red and blue £. s. d. couerlitt, one paire blankitts, 2 pillowes, .... 7. 18. 03

* Chimin, (alchemy) a mixed base metal.
WILLS AND INVENTORIES.

Item, one trundle bed, 1 flock bed & 2 boulsters, 1 white blanket, 1 straw bed case, one yellow and white coverlitt, 1 feather pillow, 1 flock pillow, 2 little feather pillows,

5. 18. 08

Item, 4 yards ½ of blanket cloth at 3s. p' yard, and one trundle bed,

0. 18. 06

Item, one pair of flaxen sheets,

1. 04. 00

Item, 1 pair of course sheets, 12s. 1 pair sheets more,

1. 04. 00

Item, 2 pair of hempen sheets,

2. 10. 00

Item, 1 pair more of towing sheets, 16s. 1 single sheet,

1. 08. 00

Item, more 4 pair 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 beers, 12s. 3 flaxen pillow beers,

10s. 2 flaxen hand towels, 9s. 1 course towel, 2s.

1. 13. 00

Item, 1 course board cloth, 2s. four course towing towels,

1. 08. 00

6s.

Item, 6 flaxen napkins, 12s. 1 chest & box, 4s. 3

chaires, 4s.

1. 00. 00

Item, 6 cushions, 12s. 1 pair bellows, 2s.

0. 14. 00

In the Hall chamber; one chest, 12s. 1 pair curtains,

20s. 1 little chest, 3s. 1 shipp chest, 2s. 6d.

1. 17. 06

Item, one trunk, 5s. one old trunk, 3s. one little chest, 2s.

0. 10. 00

Item, one Fann, 10s. four 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. four porringers,

21s. one salte, 3s. one dozen of spoones, 2s. vid.

0. 11. 06

Item, one chamber vessel, 2s. vid. 12 skinns for cloths at 5s. p'. 3l.

3. 02. 06

Item, the wearing cloths, valued at

6. 00. 00

In the Garritt chamber; 1 flock bed & 4 blankets,

2. 10. 00

Item, 8 sacks,

1. 00. 00

In the Kittchin; 1 kettle, 30s. one, 16s. one, 12s.,

2. 18. 00

Item, 3 skillets, 10s; 3 iron potts, 1 iron kettle,

1. 14. 00

Item, one spitt, one lattin dripping pann,

0. 04. 00

Item, one brass skukmer; 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 & cobornes,

0. 11. 00

Item, 1 tosting iron, 2s. two linen wheelies, 6s.,

0. 08. 00

Item, 3 siuefs,* 3s. one treuett, 18d. 1 chaffin dish,

0. 05. 05

Item, 1 cross cutt saw, 6s. 2 muskitts, 24s. 2 pair bindleers, 4s. 1 fowling pecece, 15s.

2. 09. 00

* sieves?
WILLS AND INVENTORIES.

Item, more one woollen wheele, .............................. 0. 03. 00
Item, in seuerall bookees, 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 ouer the shopp; 1 flock bed, 2 boulsters, 2 blankitts, 1 yello: and white couerlitt, ........... 4. 00. 00

[258] Item, In the working shopp; in lasts, axes, hant-saw, beetle rings, iron wedges & other tooils, ......... 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. 03. 00
Item, one paire of Bootts, ................................... 00. 10. 00
Item, in Cartes and wheeles, & chaines & plow irons, ........ 2. 10. 00
Item, 6 oxen valued at ...................................... 38. 00. 00
Item, 2 cowes, 11l. one heifer, 2l. 10s. two calues, 2l. .... 15. 10. 00
Item, 1 yeare old horse colt, 4l. 4 sheepe, 5l. one blankitt 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 hoggs at 25s. p', and 3 piggs, ......................... 9. 00. 00
Item, 2 hieues of bees, ........................................ 1. 10. 00
Item, the dwelling howse, home lott, and little meadow lott, and outhowsing, 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 mueable. To the eldest sonn, 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 sonn, 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 allotted or distributed to Lois by theHonoured 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 administators of all debts, dues and demands whatsoever dew from him the sayd Caleb Standley, by vertue of any guift or distribution made of the estate of o' Honoured Father Timothy Standly deceased; as
**WILLS AND INVENTORIES.**

witness o' hands this first day of December, in the the year of o' Lord, one thousand, six hundred and seuyent.


This is a true copy of the original, being examined & compared therewith, this 5th of January, 1670, p' me, John Allyn, Secret'y.

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**[259]**

**October 17th, 1648.**

The Testament of Edward Chalkwell.

**Impr:** I doe bequeath vnto Nicholas Sension my gunn and sword and bandaleers and best hatt and forty shillings: Item, to John Moses, my best suite 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.

Witnesses, Henry Woollcott, Nicholas Sension.

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An Inventory of the goods of Edward Chalkwell, December 5th, Anno Domini: 1648.

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A cotton sute, breeches and jackett,</td>
<td>00. 12. 00</td>
</tr>
<tr>
<td>A cloth sute, breeches and jackett,</td>
<td>00. 12. 05</td>
</tr>
<tr>
<td>A coate, jackett and breeches,</td>
<td>3. 00. 00</td>
</tr>
<tr>
<td>A leather doubliett, 8s. a cloth doublett, 5s,</td>
<td>0. 13. 00</td>
</tr>
<tr>
<td>A red jackett, 16s.</td>
<td>1. 02. 05</td>
</tr>
<tr>
<td>A chest lock, 1s. 6d. and 1 pair of glouces,</td>
<td>00. 04. 05</td>
</tr>
<tr>
<td>A piece of trading cloth, 6s. 6d.</td>
<td></td>
</tr>
<tr>
<td>1 p' stockings 3s.</td>
<td>00. 13. 02</td>
</tr>
<tr>
<td>2 old paire stockings, 1s.</td>
<td>00. 07. 00</td>
</tr>
<tr>
<td>A band and strings, 2s.</td>
<td></td>
</tr>
<tr>
<td>7 yards of Lock-rum, 12s.</td>
<td>00. 14. 00</td>
</tr>
<tr>
<td>A gunn 12s. a cutlas, 24s. a belt, 2s.</td>
<td>1. 18. 00</td>
</tr>
<tr>
<td>His best hatt, 14s. an old hatt, 1s.</td>
<td>0. 15. 00</td>
</tr>
<tr>
<td>An axe howe, 6s. and chest, 2s. vid.</td>
<td>0. 08. 03</td>
</tr>
<tr>
<td>Bandleers and powder horne,</td>
<td>0. 03. 00</td>
</tr>
<tr>
<td>Wheat, 2 bush: pease, 2 bush:</td>
<td>0. 14. 00</td>
</tr>
<tr>
<td>A pot of pott, frying pann, old payles, bedstick &amp; barrill,</td>
<td>0. 09. 00</td>
</tr>
<tr>
<td>Seed wheat, 3 bush: ½, and 1 day ½ worke,</td>
<td>0. 16. 00</td>
</tr>
<tr>
<td>A bible,</td>
<td>0. 05. 00</td>
</tr>
<tr>
<td>In flax,</td>
<td>13. 07. 08</td>
</tr>
</tbody>
</table>

---


Whereas by the Providence of God, I William Whiting doe intend a voyage presently unto sea, mans life being all-wayses incident to change, but so much the more in regard of my voyage, threfore, I did thinke good, 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 vncertaine what it will bee, threfore my will is it should bee thus devided: I giue vnto my loving wife, halfe my houshould stuffe of all kinds, and one fourth parte of my whole personalle estate; and her widowesses 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 widower, 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 ppeace, 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 having an equall proportion with my two other sons in the estate, my other two sons and hee taking one hundred a peace, 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. Allso, I bequeath 5l. towards the mending of the high wayes betwixt my howse and the meeting howse. Allso, I giue 5l. to some godly poore in the Towne. These suns being taken out, I doe bequeath the rest of my estate vnto my five children to bee equally deuided amongst them, that is, euery one a like proportion; and this my said estate to bee improued vnto the best advantage for the breeding upp 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 seare of God; and their portions to bee paid before the age of twenty and one yeares, as the providence of God shall give 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 louring Pastor, Mr. Thomas Hooker and Mr. Samuell Stone, to bee ou'reesers 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 vnto my Father and Mother, 20l., and if they bee dead my minde is it should bee giuen vnto 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 ou'reesers doe thinke my second sonne fitt to make a schollar, for his natural parts, and allso in the gifts of his mind hopefull to keepe the fire vppon the Alltar, my will is hee should bee sett aparte for that seruice.

This is my last will, as wittnes my hand, the day and yeare aboue. William Whiting.

April 24, 1646. Whereas by the providence of God, I am intending avoyage, my will is that my sonne Joseph shall haue an equall portion with my sonne John and my sonne Samuell, out of my whole personal estate. Allso, I giue my sonne William, 50l. more. I giue vnto my daughter Mary, 10l. more. Allso, I giue vnto my sister Wigen, 5l. and vnto her children, 3l. a peece. I giue vnto 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.

This was done in the presence of Mr. Edward Hopkins. William Whiting.

[261] In a letter to Mr. Hopkins hee did further express himself, as follo\textsuperscript{th}:
WILLS AND INVENTORIES.

St, I left my last with you. God hath increased my number. My mind is that the last should have an equal proportion with the rest. And whereas I did refer some trust with Mr. Haynes, I do now refer all vnto you, and the rest expressed therein.

William Whiting.

And vpon his death bed hee did declare, as followed:

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 devised. 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, five to Hartford and five to theise other two townes Wyndsoor and Wethersfeild, and five pounds to Mr. Smiths children, of Wethersfeild.

July 24th 1647. William Whiting.

In the presence of Henry Smith,

Jeames Cole.

APRIL 24th, 1649.

The Courte taking into serious consideration Mr. Whitings Will, and judging it necessary for the preventing of future difference to express their judgements thereupon, doe conceiue that it was according to his true meaning and intent that the last sonne borne after his death should haue 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, five pounds to his sister Wiggen, and three pounds a piece to her children. Ten pounds to Margery Parker; five pounds to Mr. Smith's children; five pounds to the mending of the highwayes, and five pounds to the pore of Hartford; fifty shillings to the pore of Wyndso, and fifty shillings to the pore of Wethersfield.

That legacy giuen to Mr. Haynes is left to further consideration.

The is 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 there apprehensions, according to their present lighte, that whereas Mr. Whiting giues his wife her widowes 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 married before.

And whereas, hee giues her one fourth p't of his whole personall estate, It is in like manner there apprehensions, the 24th March, 1649, that it was his intent & meaning that his said wife should not haue a fourth p't of his howsing & lands.

[262]

APRIL 20th, 1649.

An Inventory of the Estate of Mr. William Whiting, deceased.

In the parlour; It: A featherbed, 2 flock beds, 2 p' of sheets, blankitts, stooles, a clock, a safe, a bedstead, £ s. d. valued at, 17. 06. 00

In the Hall; It: a table, a courte cubberd, 6 joint stooles, 3 chaires, 6 cushions, and andirons &c. valued at, 04. 17. 00

In the parlour Chamber; It: 2 flock beds and boulsters, 03. 00. 00

It: 2 featherbeds, boulsters and pillowes, 14. 00. 00

It: 6 blankitts, 1 p'sheets, 2 coverlitts & a trundle bed, 07. 01. 00

It: a coverlitt, valance, curtaine, cubbert cloth, 2 small carpets, 09. 00. 00

It: a bedstead, 2 chaires, and 4 stooles, 02. 06. 09

It: a cubberd, a window cushion, cobirons and 3 p of bellowes, 02. 02. 08

It: 8 paire of fine sheets, 6 large table cloaths, 12 pillow beers, 4 doz. fine napkins, and 6 shorte table cloaths, 19. 06. 00

It: a chest contayning seuerall remnants of wollen and linnen, intended for the vse of the family, valued at, 10. 00. 00
<table>
<thead>
<tr>
<th>Item Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>a trunk and 4 window curtains</td>
<td>00. 18. 00</td>
</tr>
<tr>
<td>In the Hall Chamber; It: 6 cushions, 2 green carpets, a coverlet, a set of curtains and valance of green say, 5 old curtains and valance</td>
<td>07. 12. 00</td>
</tr>
<tr>
<td>a chest &amp; 4 trunks 17. 10s.; 2 remnants of Kither mast stuff, 2l.</td>
<td>03. 10. 00</td>
</tr>
<tr>
<td>In the closet; It: sev'ral pewter dishes cont: 91 lbs.; a flagon, 2 candlesticks &amp; a chamber pot, valued at</td>
<td>06. 10. 00</td>
</tr>
<tr>
<td>In the garritt; It: a flockbed, 2 boulsters, a blanket, 2 ruggs, 2 pillows and a bedstead</td>
<td>05. 00. 00</td>
</tr>
<tr>
<td>It: 5' of sheets and 5 doz: napkins</td>
<td>05. 00. 00</td>
</tr>
<tr>
<td>In the kitching chamber; It: a bed, 2 coverings, a 5' of sheets, and two bedsteads</td>
<td>03. 10. 00</td>
</tr>
<tr>
<td>In the Kitching; It: 2 brass pots, 5 iron pots and an iron kettle, 4 brass pans and 6 brass kettles and 9 skilletts</td>
<td>14. 10. 04</td>
</tr>
<tr>
<td>a pot potnet, a brass mortar &amp; chafing dish</td>
<td>01. 00. 00</td>
</tr>
<tr>
<td>12 old pewter dishes, 6 porringer, 2 quart pots, 1 pinte, 2 chamber pots &amp; a roaster</td>
<td>02. 03. 04</td>
</tr>
<tr>
<td>a frying pan, gridiron, 3 spitts, a jack, racks and cobirons</td>
<td>01. 17. 00</td>
</tr>
<tr>
<td>a furnace, 2 dripping pans, and a grater</td>
<td>03. 04. 00</td>
</tr>
<tr>
<td>in tubbs and keelers &amp;c.</td>
<td>02. 10. 00</td>
</tr>
<tr>
<td>It: a new iron kettle &amp; a warming pan</td>
<td>00. 13. 04</td>
</tr>
<tr>
<td>It: in plate and mony</td>
<td>14. 10. 00</td>
</tr>
<tr>
<td>In the closet, more; It: in wampum</td>
<td>161. 06. 08</td>
</tr>
<tr>
<td>It: in howes and hatchets, shoes, nayles, pinns, paper, shott, fish hooks, and all blades</td>
<td>39. 09. 00</td>
</tr>
<tr>
<td>in Beauer, 10l. 4s.; It: in Ammunition &amp; gunpowder, 7l. 10s.</td>
<td>16. 19. 00</td>
</tr>
<tr>
<td>in shagg cotton, stockings, hollands, deare skinns &amp; 9 yards stuff</td>
<td>17. 14. 00</td>
</tr>
<tr>
<td>in hatts, caps, gilded looking glasses, 7 pieces tape, tinn cups and dram cups</td>
<td>19. 03. 00</td>
</tr>
<tr>
<td>25 yards green tammy, 2l. 18s. 4d.; 13 pieces of duffles, 130l.</td>
<td>04. 13. 06</td>
</tr>
<tr>
<td>in looking glasses, pewter bottles, brass ladles, brushes, bells, thimbles, boxes, kniues, sissors, combs, Jewes harps</td>
<td>132. 18. 04</td>
</tr>
<tr>
<td>4 small brass kettles</td>
<td>19. 06. 02</td>
</tr>
<tr>
<td>2 Raccoone coats, 1 Wolf skin coate, 4 Bear skinns, 3 Mooss</td>
<td>01. 06. 08</td>
</tr>
<tr>
<td>one small haser, 2l.</td>
<td>06. 10. 00</td>
</tr>
<tr>
<td>Tobacco pipes, 1l. 10s.</td>
<td>03. 10. 00</td>
</tr>
<tr>
<td>in beauer, mooss and wampum, more</td>
<td>250. 00. 00</td>
</tr>
<tr>
<td>in 2 great guns, anker, a cable, &amp; hides, vpbon Cariso: * adventure</td>
<td>61. 11. 06</td>
</tr>
</tbody>
</table>

*Curacoa 1*
Wills and Inventories.

It: in skinnys, and debts, vpon a voyage to Virginia, in
anno 1647, yet due, . . . . 67. 10. 00
It: in Tobacco, at Virginia, . . . . 65. 00. 00
It: in the proceed of corne and pork, sold in anno 1648, 48. 00. 00
It: in oyle, soape, vinegar and other goods from Dela-
war, ye last yeare, . . . . 30. 00. 00
It: in trade at Long Island, . . . . 30. 00. 00
It: in stock for trade at Waranoc, . . . 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 ½ is doubtful, . 372. 00. 00
It: in debts at Dillawar, w'tre harsderous, . . . . . 90. 00. 00
It: in debts heere, vpon 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 harsderous, at least in great
p't, sent for England, in Tresrice, valued at, . . . . . 50. 00. 00
It: goods and debts at Piscutaway, very harsderous, 150. 00. 00
It: 7 cowes, a bull stagg and a young bull, 5 calues, and
9 other cattle, at Warranoco, & 1 at the sea side, at 102. 00. 00
It: 2 mares, 3 horses and 3 colts, . . . . . 77. 00. 00
It: 20 hogges, small and great, that were killed, . . . . 45. 00. 00
It: 23 store hogges, 20l.; It: beeve in the tubb, 10l., . 30. 00. 00
It: howsing' and land at Wyndsor, at . . . . . 300. 00. 00
It: howsing and land in Hartford bounds, . . . . . 400. 00. 00
Debts owynge 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,
Nathaniell Warde,
John White.

[263] The last Will and Testament of Mr. Thomas Hooker,
late of Hartford, deceased.

I Thomas Hooker, of Hartford, vpon Connecticut 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
also that w'tre is on the east side of the Riuer, to bee enioyed
by him and his heires for euer, after the death of my wife, Susanna
Hooker, provided he be 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 overseers of this my will for the maintenance and education of my children not disposed of, according to their best discretion.

I doe also giue vnto my sonne John, my library of printed bookes and manuscripts, vnder the limitations and provisoes hereafter expressed. It is my will that my sonne John deliuer to my sonne Samuel, so many of my bookees as shall bee valued by the overseers of this my will to bee worth fifty pounds sterling, or that hee pay him the somne of fifty pounds sterling to buy such bookees as may bee vseful to him in the way of his studdyes, at such time as the overseers of this my will shall judge meeete; but if my sonne John doe not goe on to the perfecting of his studdyes, or shall not giue vpp himselfe to the service of the Lord in the worke of the ministry, my will is that my sonne Samuel inioye and possesse the whole library and manuscripts, to his proper use for euer; onely, it is my will that whateuer manuscripts shall bee judged meeete 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 overseers 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 Samuel, in case the whole library come not to him, as is before expressed, the sum 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 overseers of my will.

I doe also giue vnto my daughter Sarah Hooker, the sum 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, where shall first happen; the disposall and further educa-
tion of her and the rest, I leave my wife, advising them to attend her counsell in the feare of the Lord.

I do give unto the two children of my daughter Joanna Shephard deceased, and the child of my daughter Mary Newton, to each of them the sum of ten pounds, to be paid unto them by my son John, within one yeare after hee shall come to the possession and enioyment of my howsings and lands in Hartford, or my son Samuel, if by the decease of John, hee come to enioye the same.

I do make my beloved wife Susanna Hooker, executrix of this my last Will and Testament, and (my just debts being paid,) do give and bequeath unto her all my estate and goods, moveable and immoveable, not formerly bequeathed by this my will. And I desire my beloved friends, Mr. Edward Hopkins and Mr. William Goodwyn, to afford their best assistance to my wife, and doe constitute and appoint them the overseers of this my will. And it having pleased the Lord now to visit my wife with a sicknes, and not knowing how it may please his Majesty to dispose of her, my mind and will is, that in case shee departe this life before shee dispose the estate bequeathed her, my aforesaid beloved friends, Mr. Edward Hopkins and Mr. William Goodwyn, shall take care both of the education and dispose of my children (to whose love and faithfullnes I commend them,) and of the estate left and bequeathed to my wife, and do committ it to their 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 their owne apprehensions; being willing onely to intimate my desire that they which deserve best may have most; but not to limmit them, but leave them to the full scope and bredth of their owne judgments; in the dispose whereof, they may have respect to the forementioned children of my two daughters, if they see meet. It being my full will that what trust I haue committed to my wife, either in matter of estate, or such manuscripts as shall bee judged fitt to bee printed, in case shee lieue not to order the same herselue, bee wholly transmitted and passed ouer 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
WILLS AND INVENTORIES.

appoint such other faithfull men as they shall judge meete, (in case they bee deprued of life or libberty to attend the same, in theire owne persons,) to manage, dispose and performe the estate and trust comitted to them, in as full manner as I haue comitted it to them for the same end.

This was declared to bee the last Thomas Hooker.

Will and Testament of Mr. Thomas Hooker, the seuenth day of July, 1647,

In the presence of
Henry Smith,
Saũuell Stone,
John White.

[265] An Inventory of the estate of Mr. Thomas Hooker, deceased, taken the 21st Aprill, 1649.

In the new Parlour; It: 3 chaires, 2 stooles, 6 cushions, a clock, a safe, a table, window curtainges &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 curtainges, andirons and doggs &c. in the chimney, 09. 00. 00
In the Chamber ouer that; It: a featherbed and boulster, 2 pillowes, a strawbed, 2 blankitts, a rugg, and couerlitt, darnix hangings in 7 peeces, window curtainges, curtainges and valence to the bed, a bedstead, 2 chaires, and 3 stooles, andirons &c. in the chimney, & a courte cubberd, 14. 05. 00
It: curtainges and valence to the same bed, of greene say, and a rugg of the same, with window curtainges, 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 blankitts, 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 ouer the new Parlour; It: 2 featherbeds, 2 boulsters, a p' of pillows, 5 blankitts and 2 ruggs, stript valence and curtainges 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 garriots; It: in corne and hoggshheads and other houshould lumber, 14. 15. 00
In the attic come and hogheads and other houshould lumber, 14. 15. 00
In the Kittchin; It: 2 brass kettles, 3 brass potts, 2 cha
In the Brew house; It: a copper mash tubbs, payles, treyes, &c. 04. 10. 00
In the sellars; It: 2 stills and dairy vessells, 06. 00. 00
It: in yearne ready for the weauer, 08. 00. 00
It: 2 oxen, 2 mares, 1 horse, 2 colts, 8 cowes, and 2 heifers, 3 two yeares ould and 6 yearlings, valued at 143. 00. 00
It: husbandry implements, 05. 00. 00
It: Howsing and Lands within the bounds of Hartford, on both sides the Riuver, 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 particulars were prised the day and yeare aboe 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 Wetersfeild, deceased.

I Henry Smith, of Weathersfeild, 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 leave no occasion of trouble to my children when I am gonn, and that I may free mysef from distractions of this kinde, if it shall please God to visit mee with sicknes before I dye; I doe therefore leave this testimony vppon 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 whom I haue for euer giuen vpp my selfe, both soule and
body, being fully persuaded of his unchangeable love and good-will, 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 owntward estate, wch because it is but little, and I haue well prooued the difficultyes of this Country, how hard a thinge it will bee for a woman to mannage the affaires of so great a familye as the Father of Mercyes hath blessed me withall; and haue had allso experience of the prudence and faithfullnes of my deare wife, who shall, in parting with me, parte allso with a great parte of her liuelihood; I do therfore bequeath and giue vnto her, the full power and dispose of all that estate wch God hath giuen mee, in howses, lands, cattells 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 Sañuell 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 Riuer eastward; and allso, to him and my second sonne Noah, fieue acres apeece of meadow, with vplands proportionable thereunto, and to the rest of my children vnmarried twenty pounds apeece, at the age of one and twenty yeares, or at the time of her death, wch shall come the sooner. And for my two daughters that bee married, my desire is, that they may haue twenty shillings a peece, and euerie one of theire children, fieue shillings a peece, either in bookes or such other things as my wife shall best please to parte withall. And I desire the Church, whose servants 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 wittnesse hereof, I haue subscribed my name, the 8th May, 1648.

Henry Smith.

[267] The Inventory of Mr. Henry Smith of Weathersfeild, lately deceased.

Imp: wearing clothes, 20. 00. 00
It: Bookes, 40. 00. 00
It. 3 feather beds, with all things belonging to them, two sutes of linen, 40. 00. 00
It: 2 flock beds, with two suits of Linnen, and all things belonging to them, 08. 00. 00
It: Table linnen, 4l. It: one carpet, 1l. It: chests and trunks, 1l. 10s., 06. 10. 00
It: 4 cushion stoolees, 15s. It: 9 cushions, 1l. 10s., 02. 05. 00
It: Tables, chaires, stoolees, 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 vessels, tubbs, and other wooden vessells, 02. 00. 00
It: Armes and Ammunition, 04. 00. 00
It: Axes, howes and other husbandry tooles, 03. 10. 00
It: in Corne, 14l. 10s. It: in Maulte, 2l. 8s., 16. 18. 00
It: Meate and Bacon, 6l. It: Bees, 8l., 14. 00. 00
It: Horses and lands, 180l. It: a Horse and Mare, 23l., 203. 00. 00
It: 3 Cowes, 15l. It: one last yeares heifer, 1l. 10s., 16. 10. 00
It: one sow and 2 piggs, 01. 10. 00
It: due to the estate in debts, 40. 00. 00

Owing from the estate, 026. 02. 06

The sum remaining is 370. 18. 06

James Boosy,
Sammuell Smith.

[268] The last Will and Testament of GYLES GIBBS, of Wyndosr, deceased.

Know all men by these presents that I, Gyles Gibbs, of Wyndosr, on Connecticut, yeoman, being weake in body but of perfect understanding and memory, doe ordaine this my last will and Testament, as followeth:

Imp: my will is, that my sonne Gregory bee put forth an Apprentice to some godly man, for the space of fiue 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 likeinge of my overseers, I doe then bequeath vnto him my lott over the great Riuer, to him and his heires foreuer, in case my said overseers haue any incouragement to judge him worthy; otherwise at their discretion, I bequeath him 5l. to bee paid him at the age of 21 yeares. Allso, I giue to my two sonnes, Sammuell and Beniamin, 20l. a peice, and to my daughter Sarah, 20l., to bee paid them at the age of 21 yeares. And to
Jacob, my sonne, I giue my howse and lotts, meadow, home-lotte and great lott and lottes whatsoeuer on this side the great Riuier, 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 concerninge the dispo-sition of my sonne Gregory, but doe judge him vnworthy a fathers blessing, vnder 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 appoitne Katherine, my wife. And ouerseers of this my Will and Testament, I appoitne the Deacons of the Church of Wynd-sor, 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, beginninge from September next.

Witness,
John Warham,
Ephraim Huitt.

[269] Wyndsor, 8th Septemb', 1648.
An Inventory of the estate of Samuell Allyn, late of Wyndsor, deceased.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
<th>Value (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>the howsing and homelottes</td>
<td>11l.</td>
<td>18.00 00</td>
</tr>
<tr>
<td>meadow, 7l.</td>
<td>.</td>
<td>.</td>
</tr>
<tr>
<td>15 acres over the great Riuier</td>
<td>.</td>
<td>15.00 00</td>
</tr>
<tr>
<td>18 acres of vpland</td>
<td>.</td>
<td>04.10 00</td>
</tr>
<tr>
<td>in goodes; one bed with his furniture</td>
<td>.</td>
<td>05.00 00</td>
</tr>
<tr>
<td>two beds more, &amp;c.</td>
<td>.</td>
<td>02.14 00</td>
</tr>
<tr>
<td>one pillowbeere, one table cloath and napkins</td>
<td>.</td>
<td>00.10 08</td>
</tr>
<tr>
<td>his wearing apparrell</td>
<td>.</td>
<td>05.05 00</td>
</tr>
<tr>
<td>3 iron potts, 2l. 5s.; in brass, 1l. 10s.; in pewter, 1l.</td>
<td>.</td>
<td>04.15 00</td>
</tr>
</tbody>
</table>

44
WILLS AND INVENTORIES.

It: in hogheads, 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 working tools, 2l. 2s.; It: a muskett and sword, 13s., 02. 15. 00
It: a table, and forme, and other lumber, 00. 10. 00
It: in cattle; one eowe, one heifer, I yearling, 12. 00. 00
It: two swynes, 04. 00. 00

Henry Clarke,
Daud Willton,

76. 18. 08


I Thomas Nowell, of Wyndsoor on Conecticutt, being right in understanding and of perfect memory, in regard of my age and weakness desiring to sett my howse in order, as my last Will and Testament and a token of my loue and respect, doe bequeath vnto Robert Wilsson my kinsman, one steere and one cowe; and vnto Isable Phelps my kinswoman, one cowe. And in case my wife shall after my deceas marry againe, then it is my will and Testament that at the time of marriage forespeied, the said Elizabeth, ouer and aboue my foresaid gifts, shall pay to the said Robert and Isable each of them, ten pounds a piece 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 soever, 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 Wyndsoor 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,
Bray Rosseter.

Thomas Nowell.
An Inventory of the Estate of Thomas Nowell, late of Wyndor deceased, prized by us whose names are here underwritten, Febr. 22th, 1648.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The dwelling house, barne, outhouses, with the homelott, orchyard, with an addition of meadow adjoining</td>
<td>75.00</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>2</td>
<td>13 aker of meadow, 3L 10s. p' acre</td>
<td>45.10</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>3</td>
<td>66 aker of vpland, with some additions</td>
<td>03.00</td>
<td>00</td>
<td>00</td>
</tr>
</tbody>
</table>

In the Parlour; Item, one standing bed, with its furniture, 17.00 00 00

Item, one trundle bed, with its furniture, 10.00 00 00

Item, one couerlitt, 4 p' of sheets, 3 p' pillow beers, 06.12 00 00

Item, 3 table cloaths, 15 table napkins, 02.18 00 00

Item, 14 yards ½ of new linen, with some cotton cloath, 02.03 08 00

Item, more new cloath, 5 yards ½, 00.13 09 00

Item, a cuberd, a table, a chaire, a small box, 3 stooles, 02.10 00 00

Item, 2 truncks, one chest, 1L 6s.; Item, 15 cushions, 03.12 00 00

Item, 2 Bibles, and some other booke, 00.14 00 00

Item, a p' of gold waights, 00.03 00 00

Item, his wearing apparrell, 1L 11s.; Item, 2 carpetts, 2L, 13.11 00 00

Item, in mony and plate, 34.00 00 00

[271] Item, a pewter flagon, 2 platters, 3 saltes, 2 pintes, 01.06 00 00

Item, a pr. of andirons, tongs and other things, 00.13 00 00

Item, 38 yards of kersy, 1L 4s.; Item, 5 yards ½ of sarge, 1L 15s. 12.19 00 00

In the Kitchin; Item, in Pewter, 04.00 00 00

Item, in Brass, 04.03 04 00

Item, one iron pott, one fryinge pann, 00.12 00 00

Item, 2 peeces, a p' of bandleers, 01.06 00 00

Item, one broiling iron, one cleaver, 1 spittle iron, 2 spits, one smoothing iron, one gridiron, 00.18 08 00

Item, 2 p' of andirons, fire shouell and tongs, 00.18 00 00

Item, 2 chaffing dishes, potthookes and hanging, 00.05 06 00

Item, one chaire, one p' of bellowes, 7s.; Item, 2 linnen wheeles, 6s. 00.13 00 00

In the sellar; Item, 2 beare barrills, one butter churme, 2 Runletts, 00.13 00 00

Item, one case of bottles, one salting trough, 00.08 00 00

Item, in Porke, 2L 10s.; Item, in tubbs and other lumber, 1L, 03.10 00 00

In the Parlour Loft; Item, one bed with its furniture, 05.00 00 00

Item, 7 bush: rye, 3 bush: maulte, 20 bush: pease, 04.13 00 00

Item, 22 bush: wheat, 04.08 00 00

Item, 2 sacks, 2 baggs, 1 hogshd.; some old tooles, 00.18 08 00

Item, yearne, linnen and cotton, 01.14 00 00

Item, 12 yards of okam cloath, 00.18 00 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 pillion, 1 sidesaddle and pillion 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, 26. 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, Civility and Christianity, call for, as due to every man in his place and proportion, without Impeachm' and infringement, hath euer beene and euer 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 punished; 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 lawes for the government of this Commonwealt, & present them to the next General Court." (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 byer 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 paged. 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.

44*
510 **CODE OF LAWS.**

**[7*] ABILITY.**

It is ordered by this Courte, that all persons of [the age] of twenty one yeares and of right vnderstanding, whether excomunicated, con-
demned or other, [shall] haue full power and libberty to make theire W[ills and] Testaments, and other lawfull alienations of theire [lands] and estates, and may bee Plaintifhes in a civill case.

**ACTIONS.**

It is further ordered and decreed, that in all Actions brought to any Courte, the Plaintiff shall haue libberty to withdraw his Action, or to be non suted, before the Jury haue giuen in theire verdict, in w"h case hee shall allwayes pay full costs and charges to the Defend', and may afterward renew his suite at another Courte, the former non suite 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 giuing of voates, verdicts or sentences in any civill Courtes or causes, shall bee twenty and one yeares, but in case of chusing of Guardians, fourteene yeares.

**ARRESTS.**

It is ordered and decreed by this Courte and Authority thereof, that no person shall bee 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 bee arrested and imprisoned, where hee shall bee kept at his owne charge, not the Plaintiffs, till satisfaction bee made, vnless the Courte that had cognisance of the cause or some Superior Courte shall otherwise determine; provided neuertheless, that no mans person shall bee kept in prison for debt but when there appeares some estate w"h hee will not produce, to w"h end any Courte or Commissioners authorized by the Generall Courte, may administer an oath to the party or any others suspected to bee priuye in concealing his estate; [ ] shall satisfie by service, if the Creditor require [it,] but shall not bee sold to any but of the English Nation.

**[8*] ATTACHEMENTS.**

It is ordered, sentenced and decreed, that the ordinary summons or process for the present within this Jurissdiction and untill other
provision made to the contrary, bee a warrant fairly written, vnder some magistrate or magistrates hand or hands, mentioning the time and place of appearance, and if the said party or partyes do not appeare according to the said warrant or summons vppon Affidauit 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 willfull contempt; and in case no sufficient securitye or bayle bee tendred, to imprison the said party or partyes, returneable the next Courte that is capable to take cogniscance of the said buisnes in question; and vppon retornue of the said Attachement, the said Courte to doe therein as according to the Lawes and orders of this Jurissdiction; and in that case also the party delinquent to beare his owne charge.

It is also ordered, that Attachements to seize vppon any mans Lands or estate bee onely graunted for, or against, such goods as are Forreigners and doe not dwell or inhabitt within this Jurissdiction; or in any case vppon 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 serued vppon his person; in that or any other just causes there may bee Attachement or Attachements graunted vppon the Limitations expressed; provided that in all cases of Attachements, all or any of the Creditors haue libberty to declare vppon the said Attachement, if hee come in at the returne of the said Attachement; provided also that if any Attachement laid vppon any mans estate, vppon a pretence of a great sum, and if it bee not prooued 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 damaghes as are susteined 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 [8*] giuen by him to prosecute his Action in Courte and to answer the defendant such Costs as shall [be awarded] him by the Courte; and in all Attachements of goods or lands, legall notice shall bee giuen vnto the Party or left in writing at his howse or place of usuall abode if hee liue within this Jurissdiction, otherwise [his] suite shall not proceed. And it is further ordered and declared, that every man shall have libberty to Repleuye his Cattle or goods impounded, distreined, seized or extended, (vnless it bee
upon execution after Judgment and in payment of Fynes,) provided in like manner hee put in good security to prosecute his Replevy and to satisfy such damage, demands or dues as his Adversary shall recover 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 whatsoever, without Allowance under the hands of those men that are to order the affaires in each Towne, upon the Penalty of six pence for every shovell full so taken, unless such stones as they had laid there before. It is also 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; upon the Penalty of ten pounds.

BARRATRY.

It is ordered, decreed and by this Courte declared, that if any man bee proved and adjudged a Common Barrater, vexing others with unjust, frequent and needless suits, it shall bee in the power of Courtes both to reject 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 upon 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 Assignment, and that it shall bee lawfull for the said Assignee to sue for and recover the said Debt due upon Bill and so assigned, as fully as the original Creditor might have done; provided the said Assignement bee made upon the backside of the Bill or Speciality, not excluding any just or clear interest any man may have in any Bills or Specialities made ouer to them by Letters of Attorneye or otherwise.

BOUNDS or ROWNS AND PERTICULAR LANDS.

Forasmuch as the Bounds of Townes and of the Lands of particular persons are carefully to bee mainteined, and not without great danger to bee remoued by any; with 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, with by due care and meanes might bee prevented;
It is therefore ordered by this Courte and Authority thereof, that every Towne shall sett out theire Bounds within twelve months after the publishing hereof, and after theire Bounds are graunted; and that when theire 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 adjacent Townes to goe the bounds betwixt their said Townes and renew theire markes; with markes shall bee a great heape of stones or a trench of six foot long and two foot broad, the most Auncient Towne, (where the River is determined by the Courte to bee Wethersfield,)* to give notice of the time and place of meeting for this perambulation, with time shall bee in the first or second month, upon paine of five pounds for every Towne that shall neglect the same; provided, that the three men appointed for perambulation shall goe in theire 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 Assigne, the bounds betwixt his land and other mens, once a yeare, in the first or second month, being requested thereunto upon one weekes warning, hee shall forfeit for every day so neglecting, ten shillings, halfe to the party moving thereto, the other halfe to the Towne. And the owners of all impropriated grounds shall bound every particular parcell thereof with sufficient Meare stones, and shall preserue and keepe them so upon the former penalty.

BURGLARY AND THEFT.

Forasmuch as many persons of late yeares have beene and are apt to bee injurious to the goods and liues of others, notwithstanding all care and meanes to prevent and punish the same;

It is therefore ordered by this Courte and Authority thereof, that if any person shall commit Burglary, by breaking vp any dwelling house, or shall robb any person in the field 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 commit [such Burglary or] rob in the feild or howse on the Lords day, beside the former punishments, hee shall for the first offence haue one of his eares cutt of, and for the second offence in the same kinde, hee shall loose 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 Pillaging 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 hurt or steale away any grafts or fruitie trees, fruites, linnen, woollen, or any other goods 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 thereof, 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 criminall nature are committ, both by English and Indians, in Townes remoate from any prison or other fitt place to with such malefactors may bee committed till the next Courte; It is therfore hereby ordered, that any Magistrate, vpon complaint made to him, may heare and vpon due proofed 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 leuye the same, provided the damage or fyne exceed not forty shillings; provided also that it shall bee lawfull for either party to appeale to the next Courte to bee houlden in that Jurisdiction, giuing 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 wherein hee liueth, of what Cases he hath so ended. And alsole the Constable, of all such fynes as they haue receuied; And where the offender hath nothing to satisfie, such Magistrate may punish by Stocks or whipping, as the Cause shall deserve. It is also ordered that all servants or workemen imbeazling the goods of their Masters, or such as sett them on worke, shall make restitution, and bee lyable to all Lawes and Penalties as other men.
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. I. (p. 77, ante.) It has not been thought necessary to repeat them here. The others follow:—

13. If any Child or Children above sixteene yeares old and of sufficient understanding, shall Curse or smite their natural father or mother, hee or they shall bee put to death, unless it can bee sufficiently testified that the Parents have beeene very vnchristianly negligent in the education of such Children, or so prouoke them by extreame and cruell correction that they haue beeene forced thereunto to preserve themselves from death [or] maiming. Exo: xxi: 17; Levit: xx. [9]; Exo: xxi. 15.

14. If a man haue a stubborne and rebellious sonne of sufficient yeares and understanding, viz: sixteene yeares of age, w^*^b^*^ 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 natural 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 Court and Authority thereof, that whatsoever Childe or Servant, within these Liberties, shall bee convict ed of any Stubborne or Rebellious Carriage against their Parents [14*] or Governours, || w^*^b^*^ is a forerunner of the aforementioned euills, the Governour or any two Magistrates haue liberry and power from this Court to committ such person or persons to the howse of Correction, and there to remaine vnder hard labour and severe punishment, so long as the Court 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 Court and Authority thereof, that all Casck used for Tarr or other Commodities to bee put to sale, shall bee Assized as follow^a^b^, viz: euery 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 every Tunn, and so proportionably.

And It is also ordered, that every Cooper shall have a distinct Brandmarke on his owne Casck, vpon 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 practiue of some disordered persons in the Country, who vse to take other mens Horses, sometimes vpon the Commons, sometimes out of their owne grounds, common feilds and Inclosures, and ride them at theire pleasure, without a leaue or privity of theire owners:—

It is therfore 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, vpon 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 punished by whipping, imprisonment or otherwise, as by law shall bee adiudged, and any one Magistrate may heare and determine the same.

It is also 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 vpon him to make any fence with him, except hee shall also improue in several, 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 maintaine the same. And if either of them shall after lay open his said feilds, (withe none shall doe without three months warning,) hee shall have libberty 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 house lotts not exceeding ten acres: But if in such, one shall improue, his neighbour shall [bee] compellable to make and maintaine one halfe of the fence betweene them, whether hee improue [or not.]
C O D E O F L A W S.

[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 unruly Cattle wth will not be restrained by ordinary fences, or where any man shall put his Cattle, or otherwise voluntarily trespass vpon 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.

CA T T L E T O B E E M A R K E D.

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 Jurisdiction shall eare marke or brand all their Cattle and Swyne that are above half a yeare old (except Horses,) and that they cause theirs several markes to bee registred in the Towne Booke, and whatsoeuer Cattle shall bee found vnmarked after the first of July next, shall forfeitt five shillings a head, whereof two shillings sixpence to him that discouers it, and the other to the Country.*

C O M M O N F I E L D S.

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 improuements as are most proper to them, and may best advance the same,) receives 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 themselves five 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 own thoughts, sett downe vnder their hands in what way the said Lands may, in their judgements, bee best improved for the common good. And whatsoeuer is so decreed and determined by the said five men in each Towne, or any three of


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them, concerning the way of improving of any such Lands, shall be 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 damage hath risen not only from the vnrulines of some kinds of Cattle [but also] from the weaknesses and insufficiency of many fences, whence much variance and difference hath followed, whether if not prevented for the future may bee very prejudicial to the publique peace;

It is likewise therefore ordered, that the said five men so chosen or at least three of them shall set downe what fences shall be made in any Common grounds, and after they are made to cause the same to be viewed, and to sett such fynes as they judge meete upon any as shall neglect or not duly attend their order therein; and where fences are made and judged sufficient by them, whatsoever damage is done by hogs or any other Cattle, shall bee paid by the owners of the said Cattle. And the several Townes shall have liberty once every yeare to alter any three of the former five, and to make choyce of others in their room. It being provided that any particular man or men, shall have liberty to inclose any of their particular grounds, and improve them according to their own discretion by mutuall agreement, notwithstanding this order.* This service is committed to the Townsmen, as appeares by an order of Courte, 5th of Feb', 1650, on the other side of this booke.†

CAVEATS ENTERED.

Whereas it appeares that divers to defeate and defraude their Creditors may secretly and underhand make Bargaines and Contracts of their Lands, Lotts and Accomodations, by means whereof, when the Creditor thinkes he hath a means in due order of Law to declare against the said Lands, Lotts and Accomodations, and so recover satisfaction for his debt, hee is wholly deluded and frustrated, whether 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 consideration doe order, sentence and decree, That if any Creditor for the future doe suspect any debtor, that hee may proue non soluant in his personall estate, hee may repute 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 five men, in place of seven, Feb. 5th, 1644-5. (p. 118.) † Page 214.
the Lands, Lotts and Accomodations of the said debtor, and shall give to the said Register or Recorder foure pence for the entry thereof: 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 Accomodations. And so if the Creditor recouer, 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, whoe 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 theire 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 giueto the Creditor or Creditors satisfaction to his or theire content, hee shall haue the first refusing thereof. Allso it is declared, that hee wch first enters Caveatt as abouesaid, and his debt being due at his entring the said Caveatt, shall bee first paid; and so euery Creditor as hee enters his Caveatt and his debt becomes due, shall bee orderly satisfied, vnless it appeare at the next Courte, the debtors Lands, Lotts and Accomodations prove insufficient to pay all his Creditors, then euery man to haue a suitable proportion to his debt out of the same, and yet notwithstanding euery man to receiue his parte according to the entry of his Caveatt. Yet this is not to seclude any Creditor to recouer 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 euuer 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 allso 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 y* first Caveatt entred, then this order to bee
dulye obserued, according to the premisses and true intent and mean-
ing 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 w*h 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 vpon [the said Caveatt or Caveatts] w*h shall bee in-
valid or voide to [charge] the saide Lotts, Lands and Accomodations
aforesaid.*

[19*]

DISORDER IN COURTE.

It is ordered by this Courte that whosoeuer 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 whateuer member of the Gen-
erall Courte shall reueale any secreet w*h the Courte inioynes to
bee kept secreet, or shall make knowne to any person what any one
member of the Courte speakes concerning any person or businesses
that may come into agitation in the Courte, shall forfeitt for evey
such fault ten pounds, and bee otherwise dealt withall at the dis-
cretion of the Courte. And the Secretary is to read this order at
the beginning of evey Generall Courte.‡

CHILDREN.

Forasmuch as the good Education of Children is of singuler bo-
hoofe and benefitt to any Common wealth, and whereas many pa-
rents and masters are too indulgent and negligent of theire duty in
that kinde;—

It is therfore ordered by this Courte and Authority thereof, that
the Select men of evey Towne, in the severall precincts and quar-

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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 Barbarism in any of their families as not to endeavor to teach by themselves or others their children and apprentices so much Learning as may enable them perfectly to read the English tongue, and knowledge of the Capital Laws, upon penalty of twenty shillings for each neglect therein; Also, that all Masters of families do once a week at least, catechize their children and servants in the grounds and principles of religion; and if any be not able to do so much, that then at the least they procure such children or apprentices to learn some short orthodox Catechism, without book, that they may be able to answer to the questions that shall be propounded to them out of such Catechism by their parents or Masters or any of the Select men, when they shall call them to a trial of what they have learned in this kind. And further, that all Parents and Masters do breed and bring up their children and apprentices in some honest lawful calling, or some other trade profitable for themselves and the Common wealth, if they will not nor cannot train them up in learning to fit them for higher employments. And if any of the Select men, after Admonition by them given to such Masters of families, shall find them still negligent of their duty in the particulars aforesaid, whereby children and servants become rude, stubborn and unruly, the said Select men with the help of two Magistrates shall take such children or apprentices from them, and place them with some masters for years, boys till they come to twenty one and girls to eighteen years of age complete, who will more strictly look to, and force them to submit to government, according to the rules of this order, if by fair means and former instructions they will not be drawn unto it.

CONSTABLES.

It is further ordered by the Authority aforesaid, that any person tended to any Constable of this Jurisdiction by any Constable or other officer belonging to any Forreign Jurisdiction in this Country, or by warrant from any such Authority, such shall presently be received and conveyed forthwith from Constable to Constable, till they shall be brought unto the place to which they are sent, or before some magistrate of this Jurisdiction, whose shall dispose of them as the Justice of the Cause shall require; and that all Hue
and Cries shall bee duely receiued and dilligently persued to full effect.

It is ordered by the Authority of this Courte, that every Constable within our Jurisdiction shall henceforth haue full power to make, signe and put forth persuits or Hue and Cries, after Murthers, Malefactors, Peacebreakers, Theues, Robbers, Burglarers and other Capitall offenders, where no magistrate is neare hand. Also, 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 sight of the Constable or by present information from others: As also to make search for all such persons either on the Saboath day or other, when there shall bee occasion, in all howses licenced to sell either Beare or Wyne, or in any other suspected or disordered places, and those to apprehend and keepe in safe custody till opportunity serves [21*] to bring them before one of the next Magistrates for further examination; Provided, that when any Constable is empoyed 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 whome any such offender shall bee brought; and if it appeare by good testimony that any shall willfully, obstinately or contemnuously refuse or neglecte to assist any Constable, as is before expressed, hee shall pay to the use of the Country forty shillings; and if any Magistrate or Constable, or any other upon urgent occasions shall refuse to doe thereon best induet for raising and prosecuting Hue and Cries, by foot, and if need bee, by horse, after such as haue committed Capitall crimes, they shall forfeit to the use aforesaid for every such offence, forty shillings.

And it is also ordered, that the Constables in each Towne shall bee chosen from yeare to yeare before the first of March, and sworn 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 Covens or fraudulent Alienations or Conveyances of Lands, tenements
or any hereditaments, shall bee of no validity to defeat any man
from due debts or legacies, or from any just Title, clayme or pos-
session of that wth is so fraudulently conveyed, and that no convey-
ance, deed or promise whatsoever shall bee of validity, if it bee
gotten by illegall violence, imprisonment, threatening or any kinde
of forcible compulsion caled Dures.

CRUELTY.

It is ordered by this Courte and Authority thereof, that no man
shall exercise any tyranny or cruelty towards any brute creatures
wth are usually 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
texe 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 whenso-
euer any person shall come to any very sudden, vntimely or vnat-
urall 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 pre-
sent a true verdict thereof vnto some neare Magistrate vppon their
oath.

DELINQUENTS.

It is ordered, that all persons hereafter comitted vppon Delinquen-
cy, shall beare the charges the Country shall bee at in the prosecu-
tion of them; And shall pay to the Ma' of the prison or Howse of
Correction, two shillings six pence before hee bee freed therefrom.
Vide Execution vppon Delinquents.

ECLESEASTICALL.

Forasmuch as the open contempt of Gods word, and messengers
thereof, is the desolating sinne of Ciuill States and Churches, and
that the preaching of the Word by those whom God doth send is
the chiefe ordinary meances ordained by God for the converting,
edefying and sauing the soules of the elect, through the presence
and power of the Holy Ghost thereunto promised; and that the min-
istry 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 aparte 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 contemnuously [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 w* 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 whoe hath sent him, and to the disparagement of that his
holy ordinance, and making God's wayes contemptible or ridiculous,
that euerie such person or persons, (whateuer censure the Church
may passe,) shall for the first scandall, bee convented 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
contemnuous carriages, they shall either pay fiue pounds to the pub-
lique Treasure, or stand two houres openly vppon a block or stoole
foure foot high, vppon a Lecture day, with a paper fixed on his
breast written with Capital Letters, AN OPEN AND OBSTINATE CON-
TENNER 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
wheresoever the ministry of the word is established according to the
order of the Gospell throughout this Jurisdiction, euerie person shall
duely resorte and attend thereunto respectiuely vppon the Lords day,
and vppon such publique fast dayes and dayes of Thanksiuing as
are to bee generally kept by the appointment of Authority. And if
any 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, fiue 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 ac-
cording to his word ; as allso to deale with any Church member in a
way of Cituell [justice] || notwithstanding any Church relation,
office or interest, so it bee done in a Cituell and not in an Eclesiasti-
call way : nor shall any Church censure degrade or depose any man
from any Cituell dignitye, office or authority bee 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 whom they
shall bee restored vpon just and reasonable termes.

EXECUTION.

Whereas by reason of the great scarcity of mony, Execution being
taken of seuerall persons goods that haue bene sould at very cheape
rates, to the extreame dammage of the Debtor ;

It is therfore ordered, that whatsoever Execution shall bee graunted
vpon any debts made after the publishing of this order, the Cred-
itor shall make choyce of one partye, the Debtor of a second, and the
Courte of a thirde, whoe shall prisse the goods so taken vpon Execu-
tion aforesaid, and deliuer them to the Creditor,

EXECUTION UPON DELINQUENTS.

It is ordered, that the Gouerno' or any other Magistrate in this
Jurisdiction shall haue libberty and power to call forth any person
that hath beene publiquely corrected for any misbehauio', to doe ex-
ecution vpon any person or persons by whipping or otherwise, and
that at any time hereafter as occasiion doth require; and in case of
defect or want of such, any other person as hee or they shall thinke
meet.

FENCES.

For the preventing of differences that may arise in making or set-
ting 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, ther 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
[25*] lyne for either of the bordering partyes where the proportion of Fences belongs vnto 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 levye and receiue the same, [and] the Acco" to bee giuen in by the severall 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 punished, 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 particular person. And whosoever shall wittingly and willingly burne or destroy any frame, timber hewne, sawne, or riuen, 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 equity and justice, hee shall stand in the Pillorye three several Lecture dayes, and render double damages to the partye wronged, and also bee disabled to giue any evidence or verdict to any Courte or Magistrate.

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* June 3d, 1644. (p. 105.) The accidental substitution of on, 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.
‡ Dead
Fornication.

It is ordered by this Court and Authority thereof, that if any man shall commit fornication with any single woman, they shall be punished either by inioying to marriage, or fyne, or corporall punishment, or all or any of these, as the Court or Magistrates shall appoint, most agreeable to the word of God.

Gaming.

Upon complaint of great disorder by the use of the Game called Shuffle Board, in houses of Common Intertainment, whereby much precious time is spent unfruitfully and much waste of Wyne and Beare occasioned,—

It is therefore ordered and enacted by the Authority of this Court, that no person shall henceforth use the said Game of Shuffle Board, in any such house, nor in any other house used as Common for such purpose, upon payne for every keeper of such house to forfeitt for every such offence twenty shillings; and for every person playing at the said Game in any such house to forfeitt for every such offence five shillings. The like penalty shall bee for playing in any place at any unlawful game.

Guards at Meeting.

It is ordered by this Court, that there shall bee a Guard of twenty men, every Saboath and Lecture day, compleat in theire Armes, in each severall Towne vppon the Riuer; and at Seabrooke and Farmington, eight a peece; 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.†

Highe Wayes.

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 every yeare chuse one or two of theire inhabitants as

* May 29th, 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 respectiuely, whoe haue 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 familye, 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 imployment; 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 Team, sixe shillings, which said fynes shall bee imployed by the Surveyors to hire others to worke in the said ways; And the Surveyors shall within foure dayes after the severall dayes appointed for worke, deliver 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 deliuered to the Surveyors for the vse aforesaid. And if the Surveyor neglect to performe the service hereby comitted to him, either in not calling out all the inhabitants in theire severall proportions as before, or shall not returne the names of those that are deficient, hee shall incur the same penaltye as those whome hee so passes by are lyable by vertue of this order, w** shall bee imployed to the vse aforesaid, and to bee levyed also by distress vppon information and prooфе before any one Magistrate.*

**I D L E N E S.**

It is ordered by this Courte and Authority thereof, that no person, howseholder or other, shall spend his time idlely or vnprofitably, under paine of such punishiment 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 Coasters, 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 impowering them to call out persons and teams, was passed July 5th, 1643. (p. 91)
It is ordered and decreed, that where any company of Indians doth sitt downe neare any English plantations, that they shall declare whoe is their Sachem or Chiefe, and that the said Cheife or Sachem shall pay to the saide English such tresspasses as shall be committted by any Indian in the said plantation adjoyning, either by spoiling or killing any Cattle or Swyne, either with trapps, doggs or arrowes: And they are not to pleade that it was done by strangers, unless they can produce the partye and deliuer him or his goods into the custody of the English: And they shall pay the double dammage if it were done voluntarily.* The like ingagement this Courte also makes to them in case of wrong or injurye done to them by the English, wherewith shall bee paid by the partye by whose it was done, if hee can bee made to appeare, or otherwise by the Towne in whose limmits 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 pececes and other instruments, many times to the hazzard of limbs or liues of English or Indians, and also oft steale diverse goods out of such howses where they resorte; for the preventing whereof, It is ordered, that whatsoever Indian shall hereafter meddle with or handle any English mans weapons, of any sorte, either in their howses or in the feilds, they shall forfeit for every such default halfe a fathom of wampum; and if any hurne or injurye shall therevpon 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 dammages. And for anythinge they steale, they shall pay double, and suffer such further punnishment as the Magistrates shall adjuudge them. The Constable of any Towne may attache 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 Jurisdiction shall, directly or indirectly, amend, repaire, or cause to bee amended or repaired, any gunn, small or great, belonging to any Indian, nor shall indeauo' the same; nor

* Thus far, ordered, Apr. 5th, 1638. p. 19.  † June 11th, 1640. p. 32.
shall sell nor give to any Indian, directly or indirectly, any such gunn, nor any gunpowder, or shott, or lead, or shott mould, or any military weapon or weapons, armor, or arrowe heads; nor sell nor barter nor give any dogg or dogges, small or great; upon paine of ten pounds fyne for every offence, at least, in any one of the afore-mentioned particulars; and the Courte shall have power to increase the fyne, or to impose corporall punishishment where a fyne cannot bee had, at their discretion.*

And it is also ordered, that no person nor persons shall trade with them at or about their wigwams, but in their vessels or pinnaces, or at their 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 therfore 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 Jurisdiction, without license of this Courte, or from some two Magistrates, hee shall forfeit for every g unn ten pounds, for every pound of gunpowder five pounds, for every 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 agrivate or lessen the penalty, according as the nature of the offence shall require.

Whereas diverse persons departe from amongst vs, and take vp their abode with the Indians, in a prophane course of life; for the preventing whereof,

It is ordered that whatsoeuer person or persons that now inhabith, or shall inhabit within this Jurisdiction, and shall departe from vs and settle or joine with the Indians, that they shall suffer three yeares imprisonment at least, in the House of Correction, and vndergoe such further censure, by fyne or corporall punishment, as the perticular 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 clausue "nor sell &c. any dogg or dogges, small or great," which was added subsequently. pp. 79, 80.
† Oct. 12th, 1643. p.95.
‡ Dec. 15th, 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 prohibit all trade with the Indians within there respective Jurisdictions under penalty of confiscation;

It is therefore 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 foraigne nation, or any English liuing amongst them or vnder the governmen't of them, or any of them, to trade with any Indian or Indians within the limmits of this Jurisdiction, either directly or indirectly, by themselves or others, vnder penalty of confiscation of all such goods and vessels as shall bee found so trading, or the due value thereof, vpon just proofe made of any goods or any vessels 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 vessels 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 seiz- ing, and the other to the publique.*

This Courte, judging it necessary that some meanes should bee vsed to convey 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 Jurisdiction, 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 there wyues and conversations according to the rule of his Worde: And Mr. Gouerno' and Mr. Dep- uty, and the other Magistrates are desired to take care to see the thinge attended, and with there own presence so farr as may bee convenient, encourage the same.

This Courte haung 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 thereunto, 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.
The Commissioners seriously considering the many willfull wrongs
and hostile practices of the Indians against the English, together with
their interteining, protecting and rescuing of offenders, as late our
experience sheweth, (wch if suffered, the peace of the Colonyes cannot
bee secured,) It is therefore concluded, that in such cases the Magis-
trates of any of the Jurisdictions may, at the charge of the Plaintiff,
and according to the nature and value of the offence and damnage, seize and bring away any
of that plantation of Indians that shall interteine, protect or rescue
the offender, though it should bee in another Jurisdiction, when
through distance of place, commission or direction cannot bee bad,
after notice and due warning given them, as actors, or at least access-
ary to the injurye and damage done to the English: onely women
and children to bee sparingly seized, unless knowne to bee some way
guilty. And because it will bee chargeable keeping Indians in pris-
on, 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 necessary as before; and if it bee de-
yed, that then the Magistrates of the Jurisdiction delimiter the
Indian seized to the party or parties endamaged, 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 unjoust seizings of
some of ours, yet they could not at present finde no better meanes
to preserve the peace of the Colonyes, all the aforesaid outrages and insolences tending to an open warr: Onely they thought
fitt that before any such seizure bee made in any plantation of In-
dians, the ensuing Declaration bee published, and a Copye given
to the particular Sagamores:

The Commissioners for the United Colonyes, considering how
peace with righteousnes may bee preserued betwixt all the English
and the several 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 ever, doe any willfull damnage to any of the English Colonyes, vpon prove, 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, interteine, hyde, proteet,
keepe, convey 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 intente them that doe the wrong, keeping peace and all tears of Amity and Agreement with all other Indians.

INKEEPERS.

Forasmuch as there is a necessary use of howses of Common IntertEinement in every Common wealth, and of such as retaille wine, beare and victuals, yet because there are so many abuses of that lawfull liberty, 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 drinke excessively, viz: above halfe a pint of wyne for one person at one time, or to continue tippling above the space of halfe an houre, or at vnseasonable times, or after nine of the clock at night, in or about any of their howses, on penalty of five shillings for every such offence. And every person found drunken, viz: so that hee bee thereby bereaued or dissabled in the use of his understanding, appearing in his speech or gesture, in any of the saide howses or elsewhere, shall forfeitt ten shillings; and for excessive drinking, three shillings, four pence; and for continuing above halfe an houre tippling, two shillings six pence; and for tippling at vnseasonable times, or after nine a clock at night, five shillings, for every offence in these particulars, being lawfully convicted thereof; and for want of payment, such shall bee imprisoned untill they pay, or bee set in the stocks, one houre or more, in some open place, as the weather will permitt, not exceeding three hours at one time: Provided notwithstanding, such licensed persons may interteine seafaring men or land trauellers in the night season when they come first on shoare, or from there journye, for theire necessary [33*] refreshment, or when they prepare for || there voyage or journeye the next day early, [if there] bee no disorder amongst them; and alse strangers and other persons in an orderly way may continuue [in] such howses of Common IntertEinement during meal times or vpon lawfull buisines, what time their occassions shall require.*

And it is also ordered that if any person offend in drunkenes, ex-

*Some of the provisions of this section are included, in substance, in the order of May 25th, 1647.
cessiue or long drinking, the second time they shall pay double fynes: And if they fall into the same offence the third time, they shall pay treble fynes: And if the parties bee not able to pay their fynes, then hee that is found drunke shall bee punnished by whipping to the number of ten stripes, and hee that offends by excessiue or long drinking, shall bee put into the stocks for three hours, 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 behauiour.

And It is further ordered, that the severall Townes vppon the Riuier within this Jurissdiction, shall provide amongst themselves in each Towne, one sufiitient Inhabitant to keepe an Ordinary, for pro- vision 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 meete for that employment. 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 euerie Inkeeper or Victuailer shall provide for interteinement 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 euerie 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 also at all other times so oft as they shall see cause, for all offences and offendors against this Law in any the particulars thereof: And if vppon due information or complaint of any of theire Inhabitants or other credible persons, whether Tauerner, Victualler, Tabler, or other, they shall refuse to make search as aforesaid, or shall not to theire power performe all other things belonging to theire 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 euerie 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 vpon 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 delivered out of his howse, to any wth 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 haue 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.

INDITEMENTS.

If any person shall bee indicted of any Capitall 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 vse of the Common Treasury, till hee make his lawfull appearance, and such withdrawing of himselfe shall stand in stead of one witnes to prooue his crime, vnless hee can make it appeare to the Courte that hee was necessarily hindred.

[35*]

JURYES AND JURORS.

*It is ordered by the Authority of this Courte, that in all cases wth are entred vnder forty shillings, the sute shall bee left to bee tryed by the Courte of Magistrates as they shall judge most agreeable to equity and righteousnes. And in all cases that are tryed 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 twelue, agree, the verdict shall bee deemed to all intents and purposes sufficient and full; vpon wth 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.

* [In margin.] *In old Book, Feb: 5, "44." See p. 118, ante.
And it is further ordered, that the Courte of Magistrates shall have liberty (if they do not find in their judgements, the Jury to have attended the evidence given in, and true issue of the case, in their verdict,) to cause them to return to a second consideration thereof; and if they still persist in their former opinion, to the dissatisfaction of the Courte, it shall be in the power of the Courte to impannell another Jury, and commit the consideration of the case to them. And it is also left in the power of the Courte to vary and alter the damages given in by any Jury, as they shall judge most equal and righteous, provided, that what alteration shall at any time be made in that kind, be done in open Courte, before Plaintiff and Defendant, or Affidavit made that they have been required to be present, and that alteration which is made done either the same Courte, or provision made to secure the verdict of the Jury until the case be fully issued. And whereas many persons, after their several causes in Courte have been tried and issued, have slipped 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 whosoever shall have any action or suit in Courte, after the publishing hereof, shall, as soon as his case is issued pay the whole charges of the Courte, that concerns either Jury or Secretary, before he departs the same. And the like also shall be done by all those whose Actions are not taken vp, and withdrawn before the sitting of the Courte wherein they were to be tried; or otherwise, for neglect or non performance of either, bee committed to prison, there to remaine till hee or they have 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 yearly in Septemb', or as many and oft as the Gouerno' 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 Jurisdiction.*

**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,

*July 5th, 1643. p. 91.*
yeare, day and waste, escheats and forfeitures vpon the death of parents or ancestors, bee they naturall, unnaturall, casuall or judic.

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 levied, and vpon execution in Civill Actions, the officer shall demaund the same of the party or at his howse and place of usuall aboade; and vpon refusall or non payment, hee shall haue power (calling the Constable, if hee see cause for his assistance,) to breake open the dore of any howse, chest or place where hee shall haue notice that any goods lyable to such Levy or Execution 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 any such occassion, vpon notice, 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 levied, without considerable charge, hee shall levye the said charge allso with the execution. The like order shall bee obserued in levying of fynes; provided, it shall not bee lawfull for such officer to levye any mans necessarye 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 allso ordered and declared, that if any officer shall doe injurye 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 also pernicioues to the publique weale and inuiuious to perticular persons;

It is therefore ordered by this Courte and Authority thereof, that every person of the age of discretion, who is accounted fourteene yeares, who shall wittingly and willingly make or publish any Lye which may bee perniciuous to the publique weale, or tending to the damage or inuiure of any perticular person, to deceiue and abuse the people with false newes or reportes, and the same duey proued in any Courte or before any one Magistrate, who hath hereby power granted 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 shillings, or bee whipped upp on 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 thirtie. And if yett any 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 sixe stripes more then formerly, not exceeding forty at any time. And for all such as being vnnder age of discretion, that shall offend in Lying, contrary to this Order, their Parents or Masters shall giue 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 slaunder or otherwise, by any proceeding upp on this Order.

Masters; Servants; Sojourners.

It is ordered by this Courte and Authority thereof, that no Master of a Familye shall giue intreitement or habitation to any young man to soiourne in his familye, but by the allowance of the inhabitants of the Towne where hee dwells, vnnder the penalty of twenty shillings p' weke. And it is alse 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 under paine or penalty of twenty shillings a week.*

It is also 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, under paine of fyne or corporall punishment at the discretion of the Courte, as the offence shall deserve. And that all workemen shall worke the whole day, allowing convenient time for food and rest.

It is also ordered, that when any Servants shall runn from their Masters, or any other inhabitants shall priuately goe away with suspicion of ill intentions, It shall bee lawfull for the next Magistrate, or the Constable and two of the chiefe 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 imroue their time to their own advantage; for the preventing whereof, It is ordered, that whatsoever Servant [or] Apprentice shall hereafter offend in that kinde, before their Covenants or tearme of service are expired, shall serve their said Masters, as they shall bee apprehended or retained, the treble terme or threefold time of their absence in such kinde.†

MANSLAUGHTER.

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 field or high way, or to breake into any dwelling house, 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 dissorter growing in this Common wealth, through the contemptes cast vppon the Civill Authority, was willing to prevent, doe order and decree:

That whosoeuer 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 1630.
† 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, dissfranchisement 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 who so ever 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 whatsoever, 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 giue 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 seuere 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 every Execution hee serues, wch is under the sum of fiue pounds, two shillings six pence, and foure pence for every myle hee goes to serue the said Execution out of the Towne where hee liueth: And for every Execution hee serues of or aboue fiue 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 four pence for every myle, as before: And for every Execution he serves of or above the sum of ten pounds, he shall be allowed five shillings, and four pence for every myle as before. Also he is to be allowed his other just and necessary charges; only it is provided that if he be excessive therein, upon due complaint and proof made, it shall be redressed. And it is also further ordered that the Marshall shall be allowed for every Attachment he serves half so much as is before allowed him for Executions, only he is to have four pence for every myle he goes to serve the Attachment as before.

It is further ordered by the Court and Authority thereof, that every Officer* that shall at any time be fined for the breach of any penal law or other just cause, such person or persons so offending shall forthwith pay his or their fine or penalty [or give] in security speedily to do it, or else shall be imprisoned or kept to work till it be paid, that no loss may [come] to the Commonwealth; and what other fines or debts already due or shall be due to the Country, the Marshall for the time being, upon warrant from the Treasurer, and according to his oath, shall be faithful in doing the duty of his place in levying and returning the same, upon pain of forfeiting two shillings of his own estate for every pound, or else such fine as any Court of Justice shall impose on him for neglect.

MEASURES AND WEIGHTS.

Forasmuch as it is observed that there are divers of Weights, Yards and Measures amongst us, whereby damages many times ensueth by commerce with several persons; for the preventing whereof,

It is now ordered, that no man within these liberties, shall, after the publishing of this order, sell any commodities but by sealed weight or measure, under the penalty of twelve pence each default. The Clarke is to have a penny for sealing a weight or measure each time; and no weight or measure is to be accounted authentic that is not sealed or approved by the Clarke, once every year. The said Clarke is to break or demolish such Weights, Yards or Measures as are defective.†

* 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.
It is ordered and by this Courte declared, that all persons that are above the age of sixteen yeares, except Magistrates and Church officers, shall bear Armes, unless they have, vpon just occasion, exemption graunted by the Courte; and every male person within this Jurisdiction above the said Age, shall have in continual readiness, a good muskett or other gunn, fit for service, and allowed by the Clark of the Band, with a sword, rest and bandaleers, or other serviceable provision in the room of thereof, where such cannot bee had; as also such other military provision of powder, match and ballotts as the lawe requires, and if any person whoe is to provide 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 be judged \[42^*\] of a greater value by a fift part] then such Armes or Ammunition is of, hee shall be excused of the penalty for want of Armes (but not for want of appearance) untill hee bee provided. And the Clarke shall endeavour 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 Jurisdiction shall bee trained at least six times yearely, in the months of March, Aprill, May, Septemb', Octobr or November, by the appointment of the Captaine or Chiefe officer in the severall townes: And the times of their meeting together shall be at eight of the clock in the morning. And the Clarke of each Band shall, twice euery yeare at least, veiw the Armes and Ammunition of the Band, to see if they all bee according to Lawe; And shall vpon every Traininge day give his attendance in the field, euery day, (except hee hath specialle leave from his Captaine or Cheife Officer) to call over the Roll of the Soulgers and take notice of any defect by their absence or otherwise: And hee shall duely present to the Governor 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 punish 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 be absent any of the dayes appointed for traininge, after the houre appointed, or shall not continue the whole time, shall forfeit the sum of two shillings six pence for every default, except such as are licensed under 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 omit to distreine any delinquents, aboue the said terme of fourteene dayes, hee shall forfeit and pay to the use 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 Particular 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 maintaine and continued and accounted as the Country stock. And it is also further ordered, that the several Townes within this Jurisdiction shall provide and maintaine as follow, viz:—

Wyndsor, one barrill and halfe of Powder, four hundred and fifty pound of Lead, one hundred fathom of match, nine Cotton Coates or Corseletts and suffitient 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.

Fairefield and Stratford, 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 Pequott, 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.]

Each Towne allso shall provide so many good firelocke muskitts and good backswords or Cuttlasses, as the Corseletts are they are charged with by this order. All who shall bee provided by the severall Townes by the Courte in September next, and mainteined constantly for the future, vppon the penalty of ten shillings p'month for each Townes defect or neglect herein.

Allso it is further ordered, That euery male person within this Jurisdiction, that is aboue the age of sixteen 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 Bullits or shott, and two fathom of Match to euery Matchlock, vppon the penalty of fiue shillings a month for each persons default herein: provided notwithstanding, that if the proportions of powder laid vppon each Towne and person either doth not at present or shall not, (by reason of the increase of theire numbers,) for the future, amount in all to three pound of powder for every Souldger, then each Towne shall, vppon 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 severall Souldgers of the Trained Bands in each Towne within this Jurisdiction haue not beeene allowed some powder vppon theire Training dayes, for theire practice and exercise in theire severall firings:—

It is ordered by the Authority of this Courte, that there shall bee allowed to euery Souldger in the severall Trained Bands in each Towne as aforesaid, halfe a pound of powder a piece 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 wth the said Souldgers doe belong, to bee called forth,
improved and disposed of, at the discretion of the Captaine or other principal leaders in each Trained Band.

It is also ordered, that the Captaines, Lieutenants and Ensignes shall bee freed from watching and warding, and the Serjeants from warding and halfe their watch.

[45*] MINISTERS MAINTENANCE.

Whereas the most considerable persons in [these Colonies] came into these partes of America that they [might] inioye Christe in his ordinances, without dis[turbance ;] And whereas amongst many other pretious [mercies] the ordinances haue beene and are dispensed amongst vs with much purity and power ; this[Courte] tooke it into their serious consideracon how due meintenance, according to God, might bee provided and setled, both for the present and [future,] for the encouragement of the Ministers who [labour] therein; And doe order, that those who are [taught] in the word, in the severall 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 withhold or delay due payment, the Civill power to bee exercised, as in other just debts.*

OATHS.

[The oaths for the Governor, Magistrates, Constables, Freeman, 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 euerlasting 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, dureing 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 do swear, by the great and dreadful name of God, that you will with all due care and faithfulness 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 do your endeavor to find out such things as are contrary to religion and peace: So help you God, in our Lord Jesus Christ.

[48*]

PEAGE.

It is ordered by this Court and decreed, that no Peage, white or black, bee paid or receiued, but what is strunge and in some measure strung suitably, and not small and great, vncomely and disorderly mixt, as formerly it hath beene.

POORE.

It is ordered by this Court and Authority thereof, that the Court of Magistrates shall have power to determine all differences about lawfull settling and providing for poor persons, and shall have power to dispose of all unsettled persons, into such Townes as they shall judge to bee most fitt for the maintenance and employment of such persons and families for the ease of the Countrye.

POUND; POUND BREACH.

For prevention and due recompense of dammage in Corne fields and other inclosures done by Swyne and Cattle, It is ordered by this Court and Authority thereof, that there shall bee one sufficient Pound or more made and maintained in euery Towne and Village within this Jurisdiction, for the impounding of all such Swyne and Cattle as shall bee found in any Cornefield or other Inclosure: And whosoever impounds any Swyne or Cattle shall give 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 Swyne or Cattle escape out of the pound, the owner, if knowne, shall pay all damages, according to law.

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 offensiue 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 losse 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, fие pounds; and shall also pay all damages to the party wronged: And if in the Rescue any bodily harmes bee done to the person of any man or other, they shall haue remedye 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 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 dammages 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 thereunto, (and that they were Abettors) they shall all pay forfeitures and damages as if themselves had done it.

**PROFANE SWEARING.**

It is ordered and by this Courte decreed, that if any person within this Jurisdiction 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 proofe to pass a sentence, and leuye the said penalty, according to the usuall 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 every Inhabitant shall henceforth contribute to all charges both in Church
and Common wealth whereof hee doth or may receiue benefitt, and
every such Inhabitant who doth not voluntarily contribute propor-
tionably to his ability with the rest of the same Towne to all com-
mon charges, both Ciuill and Ecleseasticall, shall bee compelled
therevnto 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, whereuer they dwell, shall bee rated for all
Towne Charges, both Ciuill and Ecleseasticall as aforesaid, where
the Lands and Estates shall lye, and theire persons, where they
dwell.

For a more equall and ready way of raising means [for] defray-
ing of publique charges in time to come, and for preventing such in-
conveniences as haue fallen out vppon former assessments;—It is
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 euery Towne within this Jurissdiction, requiring
the Constable to call together the Inhabitants of the Towne, whose
being so assembled shall chuse three or foure of theire able Inhabit-
ants, whereof one to bee a Commissioner for the Towne, whose 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 sixene yeares old
and vpwards, and a true estimation of all personall and realle estates
being (orreputedtobee,) the estate of all and euery the persons in
the same Towne, or otherwise under theire custody or managing, ac-
cording to just valuation, and to what persons the same belong,
whether in theire owne Towne or other where, so neare as they can
by all lawfull wayes and meanes wth 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 use of the Inhab-
itants in generall, whether belonging to the Townes or particular
persons, but not to bee kept or hearded vppon it to the damage of the
proprietors,) mills, shippes and all small vessells, merchantable goods,
cranes, wharifes, and all sortes of Cattle, and all other knowne estate
whatsoever, as also all visible estate either at sea or on shore; all
wth persons and estates are by the said Commissioners and select men
to be assessed and rated as heere followwth, viz: Euery person afo-
said, (except Magistrates and Elders of Churches) two shillings six
dence by the head, and all estates both reall and personall, at one
denny for every 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 steare, 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 pound; of three yeare old, eight pounds; betweene two and three years 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 sorts vnder 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 beare the publiques charge then Common Labourers and workemen, as Butchers, Bakers, Bruers, Victuailers, Smiths, Carpenters, Taylors, Shoemakers, Joiners, Barbers, Millers and Masons, with all other manuell persons and Artists, such are to bee rated for their returns and gains 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, therire parents and masters shall pay for them, but such as take wages shall pay for themselves.

And it is further ordered, that the Commissioners for the severall Townes vppon this Riuuer shall yearly meet vppon the third Thursday in the sixth month at Hartford, and the Commissioners for the Townes of Fairefeild and Stratford shall meet the same day in one of those Townes, (and two dayes before the Generall Courte in Sept: they shall meete y' Commissioners vppon y' Riuier in Hartford,*;) and bring with them, fairly written, the just number of males listed as aforesaid, [and] the Assessment of estates made in theirseveral 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 vnder their hands to the Generall Courte, the second Thursday in September, and then, directions shall bee given to the Treasurer for gathering of the said Rate, and euery one shall pay

* The clause in parenthesis, is interlinied.
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 improued to the owner's, reputed owner’s, or other proprietor’s use 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 thereupon, shall bee assessed by the Rates of the Towne next vpto it; the measure or estimation 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 [52*] of the said Lists or Assessments, || according to the intent of this order, euery such offender shall bee fyned forty shillings for euery such offence, or so much as the Country shall bee damnified 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 distresse to be taken for any of the Rates and Assessments aforesaid, the officer shall distress goods or Cattle, if they may bee had; and if no goods, then lands or houses; 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 their 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 receiued Warrants from the Treasurer, during their 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, have 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 be 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, upon petition to the General Courie, shall haue order to collect the same againe, equally, of ye Towne, with his just dammages for the same.

It is further ordered by this Courie, that all Collectors and gatherers of Rates shall appoint a day and place and giue reasonable warning to the Inhabitants to bring in their proportions, upon every man so warned shall duey attend to bring in his Rate, or vpon 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 penaltys 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 severall Townes, the names of such persons belonging to them or any of them, as shall either be borne or dye; and alio that every new married man shall likewise bring in a certificate of his Marriage, under the hand of the Magistrate with married him, to the said Register; And for each neglect the person to whom it doth belong shall forfeitt as followeth, 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 upon longer neglect, according to the judgement of the Courie. And the Register of each Towne shall yearely convey to the Secretary of the Courie a true transcript of the Births, Deaths and Marriages, giuen vnder theire hands, with a third parte
of the aforementioned fees, under the penalty of forty shillings for every such neglect, all which forfeits shall be 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 aforesaid shall each of them provide a Ledger Booke, with an Index or Alphabet, vnto the same: Allso shall chuse one [54*] whoe shall be a Towne Clarke or Register, who shall, before the Generall Courte in September next, record every mans howse 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 given, to bring in to the said Towne Clarke or Register a noate of his howse and land, with the bounds and quantity of the same by the nearest estimation, shall forfeit ten shillings; and so ten shillings a month, for euer month hee shall so neglect; the like to be 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 Acknowledgment 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 party so refusing and commit him to prison without Bayle or Maineprise, vntill hee shall acknowledge the same: And the Grauntee is to Enter his Caution with the Recorder, and this shall saue his interest in the mean time. And all Bargaines or Morgages of lands whatsoever shall bee accounted of no value vntill they bee recorded, for wth Entry the Register shall receive six pence for every perecell, deliuering euer owner a Coppy of the same vnder his hand, wherof foure pence shall bee for himselfe and two pence for the Secretary of the Courte. And the said Register shall, euer Generall Courte in May and September, deliuer into the same a Transcript fairely written of all such Graunts, Bargaines or Ingagments recorded by him in the Towne Booke; And the Secretary of the Courte shall record it in a Booke fairely written, provided for that purpose, and shall preserue the Coppy brought in vnder the hand of the Towne Clarke. Also the said Towne Clarke shall have for every search of a perecell, one penny, and for every Coppy of a perecell, two pence; and a Coppy of the same vnder the hand of the said Register or Towne Clarke and two of the men chosen to gouerne the Towne, shall bee a suffitiente evidence to all that haue the same.*

* Oct. 10th, 1639. p. 37.
For the better keeping in minde those passages of Gods Providence w' th 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 deliuer 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 deliuer in the same to the Generall [55*] Courte: || But if any perticular 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 requisit 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 w'h 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 Copy of the said Will or Testament and enter it into a Booke or kepe the Copy in safe custody; as also enter the names vppon record of the Children and Legatees of the Testator or deceased person. And the said orderers of the affaires of the Towne are to see euer 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 their eideauours in seeing that the estate of the Testator bee not wasted nor spoiled, but improved for the best advantage of the Children or Legatees of the Testator, according to the minde of the Testator, for their e and every of their vse, and by their e and every of their 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 Administracon 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
bee an Inventory registred, that if any of the kindred in future
time appeare, they may have 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 also, 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 duly prooued in, and duly 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 proothing of it, wth exception to bee forthwith duly
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 dammage. And also that if any knoune planters
or settled inhabitants dye Intestate, Administracon bee graunted by
that Colony vnto wth the deceased belong, though dying in another
Colony. And the Administracon being duly certefied, 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 graun-
et by that Colony where the person shall dye and departe this life,
and that care bee taken by that Gouernement to gather in and se-
cure the estate, vntill it bee demanded and may bee deliuered ac-
cording to rules of justice:—Which vppon 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 keeps
men from the knowledge of the Scriptures, as in former times keep-
ing them in an unknowne 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'tn 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 therfore ordered by this Courte and Authority thereof, that every Towne shipp within this Jurisdiction, after the Lord hath increased them to the number of fifty housethoulds, 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 prudentialls of the Towne shall appointe; provided that those who send their 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 housethoulders, 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 every such Towne shall pay fiue pounds p' Annū, 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 ordered, that two men shall bee appointed in every Towne, within this Jurisdiction, whoe shall demand what every familye will giue, 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 Commissioners.*

SECRETARY.

It is ordered and decreed, that within twenty dayes after the session of every Generall Courte, the Secretary thereof shall send forth Coppies of such Lawes and orders as are or shall bee made at either of them, wth are of generall concernement for the gouvernement of this Commonwealth, to the Constables of each Towne within this Jurisdiction, for them to publish within fourteene dayes more, at some publique meeting in their seuerall Townes, and cause to bee written into a Booke and kept for the vse of the Towne. And once every yeare the Constables in each Towne shall read or cause to bee read in some publique meeting all the Capitall Lawes, and giue notice to all the Inhabitants where they may at any time see the rest of the Lawes and orders and acquaint themselves 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 Inventoryes as are exhibited into the said Courte, and shall fyle the originall of them, and giue a Coppy thereof to such as desire it, for wth hee shall haue for every 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: allso for recording of every 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 every Attachemt, 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 every or any Recogniscance in Courte, six pence, and for the withdrawing of it twelue pence, wth shall bee paide before the bouden bee freed from his said Recogniscance.

It is allso 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 therire defend before the Courte. Allso if any other Magistrate shall graunt a Warrant wth concerns 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 euery 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 euery 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. 10th, 1639; (p. 39;) amended.
of the same Towne, within six dayes, whoe shall enter the same in a [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 having 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 apprize it by sufficient men, and also 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 paines, 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 plantation 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 defectiue and impound them; also 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 desirestobe bee included in this order.

For the better preserving Corne and meadow on the east side of the great Riuere, 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 several Townes or in their yards under the penalty of two shillings a head for every hog or swyne, for every time they shall be found there contrary to this order.

**TIMBER.**

It is ordered by this Courte, that no Timber shall be felled within three miles of the mouth of Mattabesek River, nor at unseasonable times, viz: from the beginning of April to the end of September, and that it be improved into pipes, statues or some other merchantable commodity, within one month after the felling thereof, or carted together; and that the Timber so improved shall not be transported from the River but for discharge of debts or fetching in some necessary provision.

**TOBACCO.**

Forasmuch as it is observed that many abuses are crept in and committed by frequent taking of Tobacco, It is ordered by the Authority of this Courte, that no person under the age of twenty yeares, nor any other that hath not already accustomed himselfe to the use thereof, shall take any Tobacco, untill he hath brought a certificate under the hands of some who are approved for knowledge and skill in phisick, that it is usefull for him, and also that hee hath receiv'd a lycense from the Court for the same. And for the regulating of those who either by their former taking it haue to their owne apprehensions made it necessary to them, or upon advice are persuaded to the use thereof, It is ordered, that no man within this Colonye, after the publication hereof, shall take any Tobacco publicly in the street, high ways, or any barne yards, or upon training days in any open places, under the penalty of six pence for each offence against this order in any the particulars thereof, to be paid without gainsaying upon conviction, by the testimony of one witness that is without just exception, before any one Magistrate. And the Constables in the several Townes are required to make presentment to each particular Courte of such as they doe understand and eject to bee trespassors 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 calves,
and such like orderly cattle, the party or parties trespassed shall procure two able men of good report and credit to view and adjudge the harms, when the owner of the beast shall satisfy (when known,) upon reasonable demand, whether the beast were impounded or not; but if the owner be known and near residing, as in the same Towne, or the like, notice shall be left at the usual place of his abode, of the Trespass, before an estimator be 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 upon him, that if hee approve 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 review and adjudge the said harms, 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.

TREASURER.

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 under, then the Treasurer is to accept of the hand of one; but if it bee for the payment of some bills to bee allowed, 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 give satisfaction.*

VOATES.

It is ordered by this Courte and decreed, that if any person within these Liberties have beene or shall bee fyned or whipped for any scandalous offence, hee shall not bee admitted after such time to have any voate in Towne or Common wealth, nor to serue on the Jury untill the Courte shall manifest theire satisfaction.

VERDICTS.

That love and peace, with truth and righteousness may continue and flourish in these confederated Colonyes, It was, upon the recommendation of the Commissioners, ordered, that any Verdict or sentence of any Courte within the Colonyes, presented under authentique testimony, shall have a due respect in the severall Courtes of this Jurisdiction, where there may bee occasion to make use hereof, and

shall be accounted good evidence for the party, until better evidence or other just cause appear to alter or make the same void: And that in such case, the issuing of the cause in question be resented for some convenient time, that the Court may be advised with where the verdict or sentence first passed. Provided notwithstanding, that this order shall be accounted valid and improved only for the advantage of such as live within some of the confederated Colonies; and where the verdicts in the Courts of this Colony may receive reciprocal respect by a like order established by the General Court of that Colony.*

WYNNE AND STRONG WATER.

Whereas many complaints are brought into the Court, by reason of diverse abuses that fall out by several persons that sell wyne and strong water, as well in vessels on the River as also in several houses; for the preventing hereof, It is now ordered by the Authority of this Court, that no person or persons, after the publishing of this Order, shall neither sell Wyne nor strong water by retail, in any place within these Liberties, without license from the particular Court or any two Magistrates,† or where there is but one Magistrate, by a Magistrate and one of those appointed to order the affairs of the Towne.

WACHES.

It is ordered by this Court and decreed, that there shall be a sufficient Watch maintained in every Towne, and that the Constable of each Towne shall duly warn the same and see that the inhabitants or residents doe severally in their turns observe the same, according as the inhabitants doe agree.‡ And this Court doth explain themselves and order that who so ever within this Jurisdiction, that is liable to watch, shall take a journey out of the Towne wherein he liueth after he hath had timely notice and warning to watch, hee shall provide a watchman for that turne, though himselfe be absent; and if any man that takes a journey, or goes out of the Towne wherein he liueth, if hee returne home within a weeke after the Watch is past his house, hee shall be called back to watch that turne past a weeke before.§

[63*] And for the better keeping Watches and Wards by the Con-

* Approved by the General Court, Oct. 25th, 1644. p. 113.
† Feb. 14th, 1643-4. p. 190. The clause which follows was added subsequently.
CODE OF LAWS.

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 who shall upon lawfull warning refuse or neglect to watch or warde, either in person or some other fitt for that service: And if, being convented, hee cannot give a just excuse, such Magistrate shall grant warrant to levy five shillings on every such offender, for every such default: the same to be employed 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 thereunto required. And if there bee in the same howse diuerse such persons, whether sonnes, servants or soiourners, they shall all bee compellable to watch as aforesaid. Provided that all, such as keepe families at their farms, being remote from any Towne, shall not bee compellable to send their servants 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, who destroy great numbers of our Cattle, notwithstanding provision formerly made by this Courte for suppressing of them; therefore, 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 Treasurie of the Country: provided, that due proofe 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 vpon 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 certefied and shall take further order therein.
VESSELS.

It is ordered by this Court 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 shot they carry forth with them in their said vessells, and shall take a Certificate, under the said Registers or Recorders hand, of the same, paying to him for every Certificate, fourpence: And if any vessel shall attempt to goe from the said Towne or Porte, or Townes and Portes, before he hath entred as aforesaid, or shall bee found with any more or greater quantity of powder and shot aboard the vessel or vessells then they had a Certificate to shew they had entred, shall forfeit and pay for each default the true value of all such powder and shot as they should have entred as aforesaid. And all such persons or Ma" of such Vessells shall give a true account, upon 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 have just cause to conceive that hee or they carry forth more of the premises then in an ordinary way is requisitt for their necessary defence and safety in their intended voyage, then the said persons or Ma" of Vessells shall give in security vnto the said Recorder, (if by him required thereunto,) that hee shall give 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 themselves in any place within this Jurisdiction, nor shall any Inhabitant retayle any goods wth belongs to any Forreigner, for the space of one whole yeare after the said twenty ninth of September next, vpon penalty of confisscation of the value of one halfe of the goods so retailed, to bee paid by the seller of them.

H O M E L O T T S.

Whereas there is creeping in, in severall Townes and plantations within this Jurisdiction, a great abuse of buying and purchasing Home Lotts and laying them together, by meanes whereof great de-populations 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 upon, shall, within twelve months after the making of
this order, erect and build a house there, fit for an inhabitant to
dwell in, unless the Courte, upon knowledge of the case, find cause
to abate, or give longer time for building.

It is ordered, that the prices of Corne for the year ensuing, for all
Country Rates, (except where engagements to the contrary are ex-
pressed,) shall be as followeth:

- Wheat, four shillings six pence per bush:
- Pease, three shillings six pence per bush:
- Rye, three shillings six pence per bush:
- Indian, three shillings per bush:

And that there shall be liberty for all men to pay one third part 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: 1642, 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'res shalbe better settled at home; yet is it vnsfit 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'y, (vnder whose wing the traders vpon Conecticut & Planeters in New Netherl[d], if any be, doe sheltre themselves,) vpon his Mat'ns sub'ts th'abouts. Wherfor my advise (the best I can offfer for present,) is,—

1. That the Parties interested, (by whom the Mem's enclosed hath been drawne) procure some Declaracon or Act, from the Parlem't, at least from the Howse of Commons, or their Comittee for these businesses; 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'sl vnto mee, w'th this Mem's or the like enclosed, requiring mee to represent the same, in whole or p't, as I shall see requisit, to the States G'rall, & West-India Comp'y, 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's, & Act. And to make him sensible of the inconueniences & harmes w'th may & certainly will befall the West India Comp'y, &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.

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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. Laur* Wright &c. At Chartrehowse.
For yourself.

[Dr. 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 Colonies, 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 proba- bly 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* COMBITION OF SOUTHAMPTON wth HARFORD.

[From 'Towns & Lands,' Vol. I. Doc. No. 7.]

Whereas formerly some Ouerturs haue by letters past betwixt sum deputed by the Jurisdiction of Conectecote and others of y* plantation of Southampton vpon Long Iland, concerning vnion into one boddy and gouernment, whereby y* said Towne might be interested in y* general combination of y* united Collonies, for prosecution and issuing wherof, Edward Hopkins & John Haines being authorised wth power from y* Generall Corte for y* Jurisdiction of Conecticute, & Edward Howell, John Gosmore and John More de-puted by y* Towne of Southampton, It was by the said parties con-cluded & agreed, And y* said Towne of Southampton doe by their said deputies, for themselves and their successors, assoitate and joyne themselves to y* Jurisdiction of Conecticute, to be subject to al the lawes there established, according to y* word of God and right reson, wth such exceptions & limmitations as are hereafter expressed.

The Towne of Southampton, by reson of ther passage by sea being ynder more difficulties and uncertainities of repayreing to y* seueral 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 Magistrates and other ocations, wth may proue prejudicial to them; for preventing wherof, it is agreed, y* for y* p'sent yntil more plantations be settled neere to y* Towne of Southampton wth may be helpful each to other in publike ocations, (and y* by mutual agree-ment betwixt y* said Towne and y* Generall Corte for y* Jurisdiction of Conectecote if it be otherwise ordered,) there shalbe yearly chosen
two Magistrats inhabiting wthin ye said Towne or liberties of Southampton, who shal haue ye same power wthin P'ticuler Courts vpon ye Riuer of Conectecote, though no other Magistrats of ye Jurisdiction be p'sent, for ye Administration of Justice and other occasiones wthin may concerner the welfare of ye said Towne, offences only wthin concerner life excepted, or limbe, wphin always shalbe tryed by a Courte of Magistrats to be held at ye Riuers mouth, wthin said Magistrats for ye Towne aforesaid, shalbe chosen in manner following:

The Towne of Southampton, by ye freemen therof shal send to some Generall Courte for ye Jurisdiction of Conectecote or to ye Gouernor thereof, before ye Court of Election, wthin is ye second Thursday in Aprill, the names of three of their members of their said Towne, and such as are freemen thereof, whom they nominate for Magistrats the yeare ensuing, out of wthin ye Generall Courte for ye Jurisdiction shall choose two, who vpon oath taken before one or both of ye Magistrats for ye p'cedent yeare at Southampton, for ye due execution of their place, shal haue as ful power to procede therin as if they had beene sworn 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 extraordinary hand of Providence, be hindred from sending ye names of ye persons to be in Election for Magistrats, unto ye Generall Court in Aprill, or having sent, ye same doe miscarrie, it is in such case then prouided & agreed, ye ye two Magistrats 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 already established by ye General Court for ye Jurisdiction of Connectecote, there be found any difference therein from such as are also for ye present settled in ye Towne of Southampton, the said Towne shal haue libertie to regulate themselves according as may be most suitable to their owne comforts and conueniences in their own judgment, provided those orders made by them concerner themselves only and intrence not vpon ye interestes of others or ye General Combination of ye vnited Collonies, and are not cross to ye rule of righteousness. The like power is also reserved vnto themselves for the future, for making of such orders as may concerner their Towne occasiones.

It is agreed & concluded, ye if any party find himselfe aggrieved by any sentence or judgment passed by ye Magistrats, residing at Southampton, he may appeale to sum P'ticuler or General Court vpon ye Riuer, v'vided he put in securitie to ye satisfaction of one or both of ye Magistrates at Southampton spedily to prosecute his said appeale, and to answer such costs and damages 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 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
APPENDIX.

other things that concerneth themselues, not being lyable to be taxed for fortifications or other expences y' only apertaine to the plantations upon the Riuers, or elswhere. But in such expences as are of mutuall & common concernment, both y' one and the other shal beare an equall share in such proportion as is agreed by the united 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' P'vidence of God, combined wth y' Jurisdiction of Conectecote, doe acknowledg myself to be subjct to y' Gouernment therof & do sweare by the greate and dreadfull name of the euerliuing God to be true & faithfull to the same, and to submit both my person & estate therunto, according to al the wholesom lawes and orders y' are or hereafter shall be made and established by lawful Authority, wth such limittations & exceptions as are expressed in y' Combynation of this Towne wth y' aforesaid Jurisdiction, & that I wil nether plot nor practice any euil against y' same, nor consent to any that shal so doe, but wil timely discouer it to lawful authority there established; and y' I wil as I am in duty bound maintaine the honner of the same and of y' lawfull Magistrates therof, promoteing y' publike good of it, whilst Ishal continue an Inhabbitant there; & whensoeuer I shal giue my voate or suffrage touching any matter wth concerns this Common Wealth, bein cald therunto, I wil giue it as in my conscience I shal judge may conducetoye best good of y' same, wthout respect [of] p'sons, or fauor of any man; soe help me God in y' Lord Jesus Christ.

The forementioned agreements wear concludedy' day & yeare aboue written, betwene ye parties aboue mentioned in behalfof y' Jurisdiction of Conectecott and y' Towne of Southampton, wth reference to y' aprobation of y' Commissioners for y' united Collonies, wth being obtayned the said agreements are to be atended and obserued, according to y' true intent and purpose thereof, or otherwise to be voyde and of noe effect; and in testimonie thereof haue interchangably put to their hands.

[Endorsed, in the hand writing of Secretary Clark.] A coppy of ye Combination with Southamptoon.

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 ought 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

* See Appendix, No. X, (1.)  
† App. No. X, (3.)  
‡ Pages 327-329, ante; and App. Nos. VI. and XI.
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 Massachusetts p'pounded an intrest by conquest; the Commissioners for Connecticut 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, & soe within the bounds at first p'pounded for Connecticut," the Commissioners decided that "unlesse the Massathusets hereafter shewe better title, the Jurisdiction should belong to Connecticut."

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 Southerntown. To this settlement, or rather, to the whole of the territory which it in part occupied, the General
APPENDIX.

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. Penwick, 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 works." [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 impower 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. Colonies. 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 Massachusetts, '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 appointed Major John Mason, 'to act in behalf of the Colony, in the business.' (page 335, ante.) Accordingly, in September following, Major Mason presented to the Commissioners the plea of Connecticut, 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 Commissioners of Massachusetts, and the ensuing replication and rejoinder, decided that they 'saw no cause to vary from the determination 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 received your Letter and findings recorded a Court order of 1649, wherein ye Court declared their acceptance of your Towne vnder this Government; a copy whereof we have herewith sent you; and havinge received a full resignation of your Towne vnder this government, by your Agents, Life' Gardner etc: we shall present ye same to our next Gen: Court for a further and full confirmation thereof: And in ye' meane tyme did take ye' case wha was presented from you into serious consideration; and there hath passed a legall tryall thereupon; whereupon, tho there did not appeare sufficient evidence to proove her guilty yet we cannot but well ap-
proive 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 cary 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 tranceportation 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' Countrys account.

[The copy of this letter preserved on file, is believed to be in the handwriting 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 Kennebuc for to bring us under their government according to the terms as Southampton is; and also to carry Goodwife Garlick, that she may be delivered up unto the authorities there for the trial 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. CULLICK.

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, 341, 345, 357; Petition of Mrs. Cullick, App. No. XI; Agreement with Mr. Fenwick, App. No. III. The “repaying 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, 1658,) is preserved in Vol. 1. of ‘Private Controversies,’ Doc. No. 9. The introduction is as follows:

“The counsell which the Prophet gave to King Hezekiah, upon y; Lord’s message to him that hee should dye and not live, is season-able 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 ye time up certain; whereof by mercy being sensible, though att present in good health, I make this my last Will and Testament, as followeth:”

First he gives to his “dearely beloved wife Katherine,”* the remaider of his term of years in Womringhurst, 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 Clave-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 Hasterigg, (who is subsequently referred to as the ‘father in law’ of the testator.)
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 Thirston 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 saltmarsh 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 owing there unto mee, to bee divided amongst them and in such manner as ye' 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 loving friend Mr. Edward Hopkins think it fitt: And to bee imploied and used to that end as my said loving friend Mr. Edw. Hopkins shall order and direct."

To his "deare and loving 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 Fleeete;" and
to his "father in law, Mr. Clavering & to Thomas Burrell, Brinkebarne" (Northumberland,) 40 shillings each, to buy rings:

To his "ancient acquaintance & dearly beloved friend, Sir Thomas Widdrinton," £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.


No. VIII. (p: 358.)

LETTER TO THE COMMISSIONERS OF THE U. COLONIES, COMPLAINING OF AFFRONTS RECEIVED FROM THE NARRAGANSETTS.

[Indians Vol. I. Doc. No. 4.]

Hono'd Gen:

The former insolent and proud cariage and manifold abuses that o' people in this Colony haue (as yo' Wors wel vnd'stand,) have sustained from the Vncircumcised Heathens round about vs, have bin noe small exercise to o' spirits quietly, though not contentedly, to bear. Yet hoping after see much paines taken by the Worship' Com' at y' last sess' at Hartford, both by Messuages sent to several of them, and impositions and iniunctions upon them, for wrongs done, and y' intimations of yo' minds in reference to such carriages manifested and declared unto them, that it might haue pwayled to haue curbed their proud humors and in issue haue accomplisshed a peaceable correspondence in point [of'] neighbourly cariage 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 vnciuil 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 whom 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. We cannot but judge evils 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 WorshP with 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, wab if yo' Worships, after yo' serious consideration on what hath now as an addition to former matters bene p'sented to yo' Worshs, see not cause to stir or act on o' behalfe, we cannot but take y' best advice y' God shall direct vnto what God requires and calls for at o' hands, to provide for o' peoples safety, not onely in indeaouring to discover the guilty but alse to vse just and lawful meanes to p'event such abuses and affronts for y' future. O' earnest desire is that yo' WorshP would be pleased to expeditte a returne to o' Gouernor Winthrop or Deputy Gouernor, Maior Mason, what your WorsP 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 beares such 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 conceaue 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 reduplicate animadversion on y' p'cedent lines; hoping for a speedy intimation 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 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 Mohegan, resolved "to require and force the Narragansetts to a just satisfaction;" and for that end, commissioned Capt. Geo. Denison, Thomas Stanton, Thomas Mynor and others, to repair to Ninigret and the Narragansett sachems and require of them the punishment of the offenders and full reparstion of injuries done to the English; that "at least four of the chief of them that shot into the English house at Monhegin should be proceeded with and punished, according to justice; and in case they cannot be drawn thereunto;" that five hundred shillings 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 Narragansetts, "for insolencies committed at Mr. Brewster's, in killing an Indian servant at Mrs. Brewster's feet, to her great affliction, and stealing corne, and other affronts." [Rec. of Com'rs; in Hazzard. ii. 433.]
The General Court, in October following, (p. 355, ante,) allowed the Narragansetts "two months longer than the time agreed on, according to their desire, to bring in the wampum that they are assessed 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 Courtethat is to be held at Hartford, in March next following ye'date heerofe.

Much Honored,

We receaued wrytings from you, sygned by y'Secretary, wherein you desire y'trustees to appointe a tymel & place to meeete with a Comittee which you have chosen to treate with them, and to put a fynall issue to y'thing. I am desired in y' name of all y'trustees, to informe y'Court, y'we cannot entertaine y'motion, both for y'we are not able to vndertake such travell, nor do we see any vse at all of it (if we were able;) for we have ordered Three hundred & fifty pownds, sett out of Mr. Hopkins state committed to our trust, to be allowed to Hartford, vpon these conditions & termes following:

(1.) That it be by them improued, according to y'minde of y'donor, exprest in his will. (2.) That y' 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 y'managem of y'rest of y'estate, according to o'trust: that so loue & peace may be settled & established between vs. (3.) That you will deliuer us back y' attested copy of y' Will sent vs from England, or els a true Copy of it, vnder y'seale of y'Collony.

Now if it pleasethe Honored Courte (or there Committy) to accept of this Tendry of 350L., as is abouesaid, and shalldeliuervntoys, or to our atturnies, an instrum drawne vp in wryting, & sealed with y'seale of y'Collony, whearin all y'conditions of y'Tendry abouesaid shalbe fully & plainly exprest and confirmed by the Court as abouesaid, before y'last of March next ensueing y'date heerofe, that then this grante of 350L. to Hartford, as abouesaid, shalbe settled vpon them, to be improued by them, according as is exprest in y'will of the doner. But if y' Courte do not fully & plainly declare ther acceptance, according as is aboue exprest, then we hereby declare our grante to them heer inserted to be a nullity & voyde; and thus I humbly take leave of you,

Hadley, February 24th, 1661.

Will: Goodwin, in y'namel of y'rest of y'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 meet to be attended in refrence to Mr. Hopkins estate by him bequeathed for to be improued]
APPENDIX.

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 administration 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 several motives to induce us to be of youre minde, my finall returne to all is this, That as I haue noe cause, soe 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 tendered 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 farther obstructions by your means, and ordering of the improvment of it according to the Doners end, expressd 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, without any farther agitations about the disposall of it, which hath already 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 bindeth us to doe thus. Hoping and heartily wishing that you would accept 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 Worl'd Gour, Agent for and in behalf of the Generall Court at Conect', both for presenting or Address and Petition to ye Kings Ma't, and also for procureing a Pattent 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* Fines, Mr. Sam* Peck, Doct. of Phisick, and Mr. Floid, of y* Corporation; vnto whose advice and counsell the Com-

* middot 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 Copye 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 Collony. And in case the Copye of this Pattent can by noe meanes vse'd be obtained, then you are desired to advise w* with y* Counsell forementioned, what to doe in reference to y* heires of Mr. Fenwick for y* regaining such sums as haue bine dis-
bursed for y* purchase of Jurisdiction Right.

And in case the forementioned Pattent can be procured, our de-
sire is, that you would be pleased to consid* both what privilidges, rights and imunities are therein granted, and to compare it w* y* Copye of y* Bay Pattent; and what is conduceanle in both to y* wellbing and future comfort of this Colony, our desire may is inserted and compr'ended in the Pattent granted and confirmed to this Colony. [But in case vpon rep'sentation of our Purchase and moneys expended vpon it, the heires of Mr. Fenwick, or any other y* Patenttees, doe tender the confirmation of the Pattent, (y* we con-
ceive we bought,) we shal rest satisfied w* that Pattent, provided it may be compleated and y* confirmation finished w* out further ex-
pense to this Colony.

But in case a Pattent be yet to be procured for the Collony, our de-
sire is, that it may compr'end al y* rights, privilidges, authority and imunities that are granted in y* Massachusetts Colonyes Pattent. And that, respecting the Pattent, it may be granted and confirmed to severall Patenttees, together with theire Associates and such [ax] may be adjoyneyd to them, their heires and successors, for ever.

The Extent of y* bounds to bee; from y* limits or bounds of y* Massachuset and Plimouth, vnto y* Delliway Riuer south, as far as may be be granted that way. And that, respecting the qualifi-
cat: of such-as may be added as Freemen to this Company of Pat-
tentees 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 Gouvernour, Dep: Gouvernour, Mr. Henry Clark, Mr Sam* 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, (prin-
ed 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 procurings the charter; but informs Gov. W. that he had written to the Earl of Manchester (at that time Lord Cham-
berlain of the household;) "to give the best assistance he may." Lord Say & Sele died April 14th, 1662. His son, Nathaniel Finesse (Fines) had been one of the Commissioners of the great seal, under the Parliament, and subsequently, a member of Cromwelle's privy coun-

* Lord Brooke. here IDGIIIIOIIE-|
Allyn, Mr. Richard Treat, Mr. William Phelps, Nathan Gold, together with their Associates hereafter named, Mr. John Warham, Sam' Stone, John Whiting, Sam' Hooker, James Fitch, Rich: Lord, Henry Woolcot, John Steele, Edw: Stebbin, John Talbot, Benjamin Nubery, Dan' Clarke, Mathew Campfield, Will' Wadsworth, John Hawley, John Allyn.

The persons whom we desire to be nominated in ye Patent, to whom it should be granted and confirmed are, John Winthrop Esq', and Major John Mason Esq', Sam' Willis, Henry Clark, Math: Allyn, William Phelps, Richard Treat, Nathan Gould, John Talbot, Chri: 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 we doe present to be inserted in ye Patent, if it may be obtained, are, eastward to Plimouth line, northward to ye limits of ye Massachusetts Colony, and westward to ye Bay of Delloway, if it may bee.†

And respecting liberties and privilidges inserted in the Patent, not to be inferior or short to what is granted to ye Massachusetts.

And respecting Customes, that if it may be obtained, we, in regard of our meane and low condition, may be freed for ye may be exported from hence to England, and from thence to vs, for ye space of 21 yeares or so long as can be procured.

And also ye Islands adjacent, ye are not already granted to any other, may be included in ye Patent.

And likewise respecting the moneys expended by ye agreement with Mr. Fenwick, to take ye' best advice you can meet with from the Noblemen mentioned or others whom you think meet to address unto, what is requisite to bee done for to regaine ye' 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 ye' particular in ye' Bay Patent, where they are to begin to run their line twixt themselves and vs.

We desire as opportunity tenders 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 Maj' may be informed of their settling upon the Maine, and still 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 River, we do not judge it requisite to expend money upon a Patent."

‡ By Capt. Cullick, as Mr. Fenwick's executor. See pages, 329, 573, ante.
[The Address to the King.*]

Most Dread Sovereign,

It was far from our purpose to be of the latest of your Majesty's subjects, in these our humble approaches unto your Royal presence. We are not only separated by soe vast an Ocean from our deare English Brethren that have a place under your immediate influence and splendor of soe great a Monarch, in your princely Pallace of his renowned imperial City, the glory of your whole earth, but also, by a lone tract of a dismall wildness, are very remote from other English Americans of your parts of your ordinary recourse of shipping; whereby we were depriued by the too soone approaching Winter, together with some other impediments, of the timely effecting of your which was long since concluded of duty and desire, namely to prostrate ourselves by an humble Address at our sovereign Prince's feet.

Our Fathers & some few yet alive of their associates in so great an undertaking, of transporting themselves, their wives and children, into this western world, had certainly very pious and publicke ends, the propagation of the blessed Gospel of the Lord Jesus amongst the Heathen, who till then had never heard the sound thereof, as also the the honour and further extent of the British monarchy; And therupon came over, upon the full and free consent, allowance and special favour of his Highnes, our ever lamented late Sovereigne Lord, your Royal father of glorious memory, expressly declared in his gracious Letters granted to your undertakers of your Plantation of your Massachusetts Bay, in New England. In your part of the Countr, neer the port of their first arrival they settled for a time, till they had found that place would be too strait for soe great a number if they should continue all there long together. They therefore undertooke a troublesome, hazardous and chargeable discovery of the more inland parts of your Country; where coming to your great faire River of Connecticut, haveing opportunity by the free tender of your sale of some large tracts of lands fit for your settling of divers Plantations or Townes, proffered unto them by your Sachems or Heathen Princes and with your concurrence of your other natives vndr 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 your same; which could not but tend to your enlargement of your Dominions, and be a good step towards your yet further extent thereof, and your benefit of your English people. And thereupon transplanted themselves and vs to this place, where we were but now in a manner upon our very beginnings of taking possession and inhabiting your places with we had brought at noe small expenses, when those sad and unhappy times of troubles and wars begin in England, which we could only bewail with 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. (H. of Conn. I. 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. subsequendy appointed, 'to peruse and compleat the Address and draw vp the Petition.' (page 367, ante.)
mournfull teares: And haue eu er 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 ingagements and intire to yo' Ma' intrests, even now at y* retorne 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 ; wherby we are newly animated and encouraged to take vpon vs this boldnes to implore your Ma' favour and grattious protection, y* you would be pleased to accept this Colony, your owne Colony, a little branch of yo' mighty Empire; y* as we haue hitherto (by y* great goodnes of y* Almighty,) since y* overpassed 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 therby 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 receauing it by y' ships before winter, it made vs thus presume vpon yo' favourabule acceptance of o' publishinge to y* world o' true aligence to o' Lord the King.

Most illustrious S', be please to excuse o' poverty, that haue nothing to p'sent yo' Ma' from this Wild'nes but o' hearts and loyall affections, w* vp to supplicate y* Eternall Ma', the King of Heauen and Earth, for all happiness and blessings both temporall and spiritual to be plentifully and abundantly powred downe from Heauen vpon yo' Royal Throne, that soe we therby, together w* 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-
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Chester had heartily concurred in the restoration of Charles II, and on the King's return was received into especial favor, made a lord of the bed chamber, and of the privy council, knight of the garter, lord lieutenant of Huntingdonshire, and subsequently, lord chamberlain of the household; "in which great charge he behaved himself with that honour, candour and great civility, as he justly obtained the affection and respect of all men." (Walker's H. of Kst. of the Garter.) He died May 5th, 1671, age 69.

Right Honble:

O' present station and condition being by the wise step-ordering Providence of y's Almighty settled in this remote wilderness, strange in a strange land, far distant from such opportunities that might be advantageous to vs and o' posterity in a familiar access by o'selves or representatives unto his Highness o' gracious Sovereign, for y's obtaining 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 y's Lord may stir vp to be favoures of the work of God amongst vs. And the abundance and plenary test, y' we haue soe frequently bene furnished w' not only respecting y's gracious inclination and disposition of yo' Honour's spirit towards the sons of Sion, but also doth not a little encourage vs in yo' owne behalf and as representing the whole Colony, humbly to p'sent o' desires and earnest requests unto yo' Lordship, to afford vs yo' favour in countenancing and vshering into yo' Kings Majestye audience o' Address and Petition, if yo' Honour judge it seasonable; and o' further request is that we may obtain yo' counsel and advice to o' Agent, in such particulars 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 Patent for this Colony. For although y' Honerable Committee of Lords and Commons did owne this a distinct Colony, and soo we haue euer stood since our begin: in administracon and confaederation with y' Brethren of y' Massachuset, yet we want a Patent to secure o' standing and to confirme o' privilidges, and to strengthen vs against such as may oppose o' p'sent intrests in civil pol(icy). Honerable Sir, wee can thus far excuse o' boldnes in p'senting o' humble requests at this time to yo'self, together w'some others of noble quality, whose intercession if we can obtain we hope wilbe of great availo on o' behalfe. The great disappointment y' we meet w' about an Agreement was made by this Colony w' y' forementioned Mr. Fenwick, doth necessitate vs theronto. We disbursed a considerable sum of estate, to yo' value of 1600l., vnto Mr. Fenwick. He p'tending power and authority, as a Pattrttee, oyer y' Riuier and the lands adjacent, when he intended to returne to England, propounded to this Court at Connecticut, the sale of Sea Brook Fort, y' lands upon y' Riuier and other lands more remote; w' if refused by y' 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 y' Dutch, w' as was concealed would haue bene very destructive to o' comforts, occasioning broyles and contests twixt them and vs. We therfore, conceaving 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
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advantage both of Civil and Ecclesiastick rights, privilidges and inunities, for o'selues and posterities, vnder y* shadow of Patent Right, (by vertue whereof, he p'tended, and could haue noe other way, power or authority to make sale vnto vs of w' he agreed to confirme vnto this Jurisdiction,) we willingly disbursed (tho' much disabled, by reason of o' meanes and pouerty,) the sum forementioned; wth 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 respects, to lay out o'selues, and to improve all the interest y' we can raise in o' native soyle, for obtaining reliefs in this o' state and condition, w' humane frailty hath in a great measure cast vs into. Had we not bene too credulous and confident of y* goodness and faithfulness of that Gent: we might possibly haue bin at a better pass. But we shall 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' advice and counsell, as need re-quires, and occasion offers itself.

If this poor people may find such acceptance, and o' request such entertainment, wth yo'self, as that throw yo' Hon' help and mediation we may find grace and audience w' o' Gratious Souraigne, 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.

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No. XI. (p. 404.)

MRS. CULICK'S PETITION, TO THE GENERAL COURT, IN MAY, 1663.

[Towns & Landa, Vol. I. No. 68.]

To the Hon'd Generall Court of Connecticut Jurisdiction, now assembled, the humble petition of Elizabeth Cullicke, relict to Captayne John Cullick, deceased,

Humbly sheweth:

That whereas there weare entred into (by yo' Petitioner's husband,) certayne obligations for the makeing of paym't the sum of five hundred pownds vnto this hono'd Co't, according to the tymes speci-fied in the twoe obligations given for the same, together w'the paym' of interest in case of failur in poyn of tyme, one of w'th obli-gations hath bene satisfied & taken vp, & the other in pt satisfied, viz: one hundred pounds, foure shillings, tempence, being payde, so that there remaines one hundred fourty & nine pounds, fiftene shillings, twoe pence, by the sayd obligation, for yo' petitioner to pay, as executrix vnto her late husband. And forasmuch that the ground of those obligations given by yo' petitioner's husband, was vpon the apprehention that there had bene 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 therein, for that there was found w'h the Executor of Mr. Edward Hopkins some such writing, w'h 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	ayned,—

Wherefore yo" Petitioner doth pray this Hon'd Gen'rall C0't, that they will please to accept of what hath beene alreadypayde; and that you would remit the one hundred fourty nine pounds, fifteen 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 Hono'd Court. And yo" petitioner shal pray.

Elizabeth Cullick.

[The petitioner was Mr. Fenwick's sister, and married Capt. John Cullick, May 20th, 1661.]

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 Colony,—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. Dalley, 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 Govt Winthrop. " The copy of the Patent for Connecticut, being the copy of that copy which was in Mr. Hopkins' custody,"—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 colonies, 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, (several 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 Honored and Reverend Friends of New Haven, Milford, &c. to be communicated 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 Fenn, 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 Connecticut."

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 handwriting 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 propose 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 y* Colony of Connecticut the 28th of December, 1663.

The Council did nominate & appoint Mr. Willys, John Allyn & Mr. Wayt Winthrop to goe to Guilford, and treat w* Mr. Leet (and any others whom Mr. Leet shall desire to joynge w* himselfe) about indemnitie 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 y* Council, p'me

Mr. James Richards is John Allyn, Secret'ye.
desired to attend y* servuice also.”

Following this, is a certified copy of the “instructions for y* aforesayd 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,)
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 attaine 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 "redintegrate 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 Rosseter, (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 John Burr.

75, 7th line from bottom, for [49] read [91].

144, 17th line from bottom, for Fiske, read Fishe.

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 1845, read 1648.