RECORDS

OF

MASSACHUSETTS.

VOL. I.

1628-1641.
RECORDS
OF
THE GOVERNOR AND COMPANY
OF THE
MASSACHUSETTS BAY
IN
NEW ENGLAND.
PRINTED BY ORDER OF THE LEGISLATURE.
EDITED BY
NATHANIEL B. SHURTLEFF, M.D.,
MEMBER OF THE MASSACHUSETTS HISTORICAL SOCIETY, FELLOW OF THE AMERICAN
ACADEMY OF ARTS AND SCIENCES, AND MEMBER OF THE
AMERICAN ANTIQUARIAN SOCIETY.
VOL. I.
1628-1641.
BOSTON:
FROM THE PRESS OF WILLIAM WHITE,
PRINTER TO THE COMMONWEALTH.
1853.
MAY IT PLEASE YOUR EXCELLENCY:

In compliance with a Resolve of the Legislature, passed on the second day of May last, authorizing the printing of the first two volumes of the General Court Records, I have, this day, appointed Dr. NATHANIEL B. SHURTLEFF, of Boston, to prepare said volumes for the press, and to take charge of the work to its completion.

Before making this appointment, the undersigned consulted with those whose views upon an undertaking of this kind are entitled to great respect, and it was the concurrent opinion of gentlemen particularly interested in historical and antiquarian pursuits, that the above named is eminently qualified to execute the trust in a manner creditable to the Commonwealth.

For many years Dr. Shurtleff has taken a deep interest in the preservation of our Colonial Records, and in collecting a variety of materials tending to illustrate and to perpetuate the early history of Massachusetts; and he being familiar with the peculiar styles of writing and language of the several Secretaries who recorded the doings of the Courts at this early period, and having also a good reputation, both at home and abroad, for the accuracy which marks all his researches in this department of literature, it gives me great pleasure to announce to your Excellency that his services have been secured in carrying out this interesting provision of legislative enactment.

Respectfully,

EPHRAIM M. WRIGHT,
Secretary of the Commonwealth.

To His EXCELLENCY,

JOHN H. CLIFFORD.
INTRODUCTORY REMARKS.

IN executing the trust of editing the two oldest volumes of the Colony Records of Massachusetts, which have been preserved more than two centuries in the archives of this Commonwealth, it has been an earnest endeavor that the printed copies should be, as nearly as practicable, reproductions of the ancient volumes; and also that their contents, of great historical value, should appear in a form easily accessible to all who may desire to examine them, and of such endurance as to be beyond, it is hoped, the probability of prospective loss.

To those unacquainted with the old Records of Massachusetts, and with their present condition, a brief description of these venerable relics may not seem out of place in this connection; and by all who feel an interest in their preservation in the present printed form, it may be considered equally proper that a short account should be here given of the manner in which the duty has been performed.

The Colony Records, as they are commonly called, but which, in strict phraseology, should be designated the "Records of the Governor and Company of the Massachusetts Bay in New England," are preserved in five manuscript folio volumes. The first of these contains the records of the Company previous to the removal of the letters patent and the government to America, under conduct of Governor Winthrop, in the summer of 1630; and also the records of the same Company, commencing at the first Court of Assistants, held in Charlestown on the twenty-third of August, 1630, and ending with the minutes
of the Court held on the tenth of December, 1641. The first page of this volume, supposed to be in the handwriting of Mr. Washborne, who acted as the first Secretary of the Company, contains memorandums evidently relating to the early outfitting of vessels destined for this country, and which bear no date of the time when they were written. Unfortunately a few words of the writing at the commencement of this page have been lost by trimming the volume too closely in rebinding.

The second volume commences in 1642, and is continued to the close of the year 1649. The first portion of it is lost, containing probably the first part of the record of the proceedings of the General Court held on the eighteenth of May, 1642. The first eighteen pages of what remains are very much worn and decayed, and are for the most part scarcely legible; but by the aid of a transcript of the volume, made more than a century ago, when it was in somewhat better condition, and by a duplicate leaf in the handwriting of Secretary Nowell, who wrote the volume, the decayed portions have been very nearly ascertained and restored in the printed copy.

For the running titles at the top of the pages of the American portion of these records, in respect to common usage, the words "The Records of the Colony" have been adopted, in contradistinction to the European portion, generally known as the Company's Records.

These two volumes, as his Excellency correctly remarks, in a message to the Legislature, "from their great age, their frequent inspection, and the corrosion of the paper by the ink which was used by the recording officers, are in such a state of dilapidation and decay as to be in many places totally illegible." Besides the decayed condition of the paper, the chirography is very difficult for readers unaccustomed to the style peculiar to the age when the records were written. The first Secretary, Mr. John Washborne, was a very bad penman; and, fortunately, although he was engaged to act in his capacity of scribe for one whole year, he was superseded in the office in about nine weeks, by Mr. William Burgis, who, by a free election, was chosen over him for the year ensuing. The last-named gentleman, who was remarkable for his fluent and legible style of writing, acted as Secretary of the Company until the subsequent month of March, when the records appear in the handwriting of Mr. Simon Bradstreet. Mr. Bradstreet, who took a
conspicuous part in the early management of the Colony, and who was Governor of the Colony at the time when the first charter was superseded by the provincial charter of 1692, being, at the time of the removal to America, one of the Assistants, performed the duty of Secretary until 1636, when he was succeeded by Mr. Increase Nowell, who completed the first volume, and wrote the whole of the second volume, excepting a few small portions which appear in the handwriting of Mr. Edward Rawson.

To most readers the style of penmanship of Secretaries Bradstreet and Nowell would be extremely forbidding; but to one familiar with their peculiar styles, which they carried out with great exactness, the chirography is far from being disagreeable. The greatest fault of Mr. Nowell was in dropping letters, using superior letters for contractions, and in repeating words, and sometimes whole sentences; many instances of which will be observed by the reader of the printed records. The writing of each Secretary has been carefully noted, although the peculiarity of spelling, and of contractions, as well as of phraseology, would very well have indicated the same.

The writing in the margin of these volumes is by many different persons, chiefly by Secretary Rawson, whose entries are far from being what they should have been. Many entries are by modern hands, who, with a mistaken idea that they were making the ancient marginal writing more intelligible, have made numerous repetitions. The modern entries, not being part of the records, have not been printed in cases of repetition.

The three succeeding volumes are in various styles of writing, and extend to the time when the colonial government of Massachusetts was superseded by the Council under President Dudley in 1686.

The first portion of the sixth volume contains the records of the Council of Safety, and of the government subsequent to the expulsion of Andros, and previous to the establishment of the provincial government in May, 1692.

For the period extending from the dissolution of the colonial government to its temporary restoration in 1689, no public records, strictly so called, appertaining to Massachusetts legislation, are preserved in the archives of this Commonwealth. A large part of this hiatus, which has
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existed probably more than one hundred and fifty years, has been recently supplied from copies preserved in the State Paper Office in London. During the presidency of Dudley, which lasted about seven months, and which ended in December, 1686, and for the first year during the usurpation of Sir Edmond Andros, the records have thus been restored. But, unfortunately, there are none from the twenty-ninth of December, 1687, to the final overthrow and expulsion of the latter.

His Excellency, John H. Clifford, Governor of the Commonwealth, having called the attention of the Executive Council to the decayed and perishing condition of the oldest records, and having charged Honorable Stephen M. Weld and others of that body to make a thorough examination of the same, on their report, transmitted to the Legislature, on the twelfth of February last, a special message, wherein he recommended and strongly urged the printing of the two oldest volumes. These comprise the records of about twenty years of the earliest part of our political existence, commencing with the minutes kept by the Company just previous to their obtaining the letters patent which established the company that colonized a large portion of the territory now included within this Commonwealth.

With praiseworthy promptness, the Legislature responded to the message of the Governor by passing a resolve, which received the executive sanction on the second of May last, empowering him to cause the two oldest volumes to be printed, under the superintendence of the Secretary of State, Honorable Ephraim M. Wright. That gentleman having delegated his trust to the editor, the work was forthwith commenced. The copying has been faithfully performed by David Pulsifer, Esq., a person well qualified for the purpose, being an expert in reading ancient chirography, and well informed in the early history of Massachusetts. By the politeness of Samuel F. Haven, Esq., librarian of the American Antiquarian Society, the first volume has been printed from a copy made some time since for that society, which had contemplated its publication; that design having been deferred, in consequence of this undertaking under the sanction of the Legislature, the prompt appearance of these volumes has been much aided by this use.

Notwithstanding the great care bestowed by the copyist, the editor considered it of the greatest importance that the proof sheets should be
closely collated with the original record, and consequently has, with considerable labor, compared every word of the printed copy with the original manuscript, and has also revised all doubtful words and passages with the same. Therefore, when words or letters are omitted, and when passages are of doubtful import, he feels obliged to charge these occurrences to those who wrote the original records. Each Secretary had a peculiar style of spelling and of phraseology, as well as of chirography; and in the days when the records were written, the rules of grammar were not very strictly adhered to; nor was there any fixed and certain way of spelling proper names, the clerk chiefly depending upon his ear in determining them, and thereby often making mistakes in writing them, which, however, are very easily detected. Whenever and wherever these faults occur in the original, they will be found in the printed copy, as it has been an aim to have every word spelled as in the old record. The editor has, however, taken the liberty to use capitals as they are used by the best modern printers, and has also, for the assistance of the reader, made a more free use of punctuation than is to be found in the original manuscript. Nevertheless, he has never intentionally altered the meaning of any passage, preferring in doubtful cases to let the original punctuation prevail.

In addition to the records, properly so called, it has been thought expedient to place in a more legible and enduring form the letters patent granted to Sir Henry Rosewell and his associates. This instrument, the political guide of our fathers, has been generally known as the Colony Charter. It passed the seals on the fourth of March, 1628-9, and is the identical instrument which Mr. Matthew Cradock, the first Governor of the Company, made oath to observe on the eighteenth of March of the same year, and which Governor Winthrop, his immediate successor, brought from England in 1630, when the government was transferred to this country. This is printed from the original manuscript, beautifully engrossed on four sheets of parchment, and now preserved in the archives of the Commonwealth, with the same care that has been bestowed upon the records. To this the editor has supplied a marginal index for further facilitating its use.

In arranging the records for printing, several pages of a miscellaneous character, which, by the mistake of the person who rebound the
first volume, had been misplaced, and inserted in the midst of the Company's records, have been printed at the end of the volume. The lists of freemen, which, in the first volume, were recorded without due regard to the times of admission, have been collected together, and printed likewise at the end of the volumes, for the greater convenience of reference.

In an appendix, the early letter of Governor Cradock to Captain Endicott, which has been preserved many years in the oldest volume of records, has been printed, together with several other letters of much value, emanating from the Governor and Company while in England, formerly part of the letter book of the Company, and now forming a portion of the first volume of records in Suffolk Registry of Deeds.

Ornamenting the title-page is a correctly-engraved copy of an impression of the silver seal used for official acts by the colonial Governors, and several times alluded to in the records and letters.

In the performance of his duty, the editor has studiously avoided making comments upon the subject matter of the records, confining his notes entirely to a description of the written volumes, with such explanations only as were deemed necessary to make known the writers of the various portions.

Marginal dates have been introduced throughout the volumes; and that no doubt should arise as to what year each month belonged, double dating has been used in all instances from the first of January to the twenty-fourth of March, inclusive.

It is necessary that the reader should bear in mind that as the colony records were written at a period when the Julian method of computing time was in use, the legal year commenced on Conception Day, the 25th of March. Therefore, when double dating occurs, the first figure indicates the legal year, and the last the historical year, which commenced on the first of January. By the same calendar the months were numbered, as well as named, and were often expressed by these numbers only; as, —

2. April, 6. August, 10. December,
3. May, 7. September, 11. January,
INTRODUCTORY REMARKS.

The days of the week were likewise numbered, and sometimes expressed by peculiar symbols; as,—

1, or ⊙, Sunday, 4, or ☄, Wednesday, 6, or ☄, Friday,
2, or ☐, Monday, 5, or ☐, Thursday, 7, or ☐, Saturday.
3, or ☐, Tuesday.

The paging of the manuscript volumes has been retained in the printed copy by placing in the margin the number of the original page, enclosed in brackets, and by denoting the place where each page commences in the text by a star. As the pages of the first part of the oldest volume were not numbered, and as several misplaced pages, whose true places have been determined by means of water stains and other marks, have been restored to their proper places, it became necessary to change the old paging in a few instances, and to number the pages which were not numbered. Lest any confusion should arise in consequence of these changes, where citations have been made previous to this time, the following list of alterations is here given:—

Pages 1\textsuperscript{a} to 13\textsuperscript{a} were formerly unnumbered;

Page 1 was formerly page 75;
\begin{itemize}
  \item 2 \text{"} \text{"} \text{"} 76;
  \item 3 \text{"} \text{"} \text{"} unnumbered;
  \item 4 \text{"} \text{"} \text{"} unnumbered;
  \item 5 \text{"} \text{"} \text{"} page 1;
  \item 6 \text{"} \text{"} \text{"} 2;
  \item 7 \text{"} \text{"} \text{"} 3;
  \item 8 \text{"} \text{"} \text{"} 4;
  \item 9 \text{"} \text{"} \text{"} 77;
  \item 10 \text{"} \text{"} \text{"} 78;
\end{itemize}

Pages formerly numbered 5 to 10 are blank.

All intended obliterations have been omitted in the printed copy, and all interlineations caused by clerical error have been printed in their proper places.

In order to preserve the character of the ancient record, various typographical symbols, representing the contractions used in ancient chirography, have been employed wherever such contractions occur in the manuscript. A list of these will be found in its proper place.
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The indexes have been carefully prepared by Francis H. Underwood, Esq.; and it is believed they will prove to be as accurate as they are minute. The names of such persons as took the oath of freemen, have been entered in separate indexes, in order to simplify in a considerable degree the general indexes.

The editor cannot close these remarks without rendering due acknowledgments to the Honorable Ephraim M. Wright, Secretary of the Commonwealth, for his personal kindness throughout the whole work, and for the facilities which he afforded in the arduous labor of conducting these volumes through the press, and without which it is believed the work could not have been accomplished, except with much more labor, and many inevitable errors.

N. B. S.

Boston, November, 1853.
MARKS AND CONTRACTIONS.

A Dash " (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line ~ indicates the omission of one or more letters next following the one marked.

A Superior Letter indicates the omission of contiguous letters, either preceding or following it.

A Caret ^ indicates an omission in the original record.

A Cross X indicates a lost or unintelligible word.

All doubtful words supplied by the editor are included between brackets, [ ].

Some redundancies in the original record are printed in Italics.

Some interlineations, that occur in the original record, are put between parallels, || ||.

Several characters have special significations, namely:

@, — annum, anno.
b, — ber, — numb, number; Robt, Robert.
ê, — ci, ti, — acéön, action.
êô, — tio, — jurisdicçon, jurisdiction.
ê, — cre, cer, — aës, acres.
ê, — Trèr, Treasurer.
ê, — committê, committee.
d, — dd, delivered.
h, — chr, charter.
ô, — tre, letter.
û, — mm, mn, — comittee, committee.
û, — recomiâçon, recommendation.
û, — mer, — fornåly, formerly.
û, — month.
û, — mm, — Peñ, Penn; año, anno.
û, — Dâi, Domini.
û, — ner, — manfi, manner.
ô, — on, — mentô, mention.
ô, — mô, month.
p, — par, por, — pt, part; ption, portion.
ô, — per, — psön, person.
p, — pro, — porcön, proportion.
ô, — pre, — present, present.
ô, — quesçon, question.
ô, — esquire.
ô, — Apr, April.
ô, — capî, captain.
ô, — ner, — señal, several.
ô, — ver, — sevälar, several.
ô, — the; yô, them; yô, then; yô, their;
yô, this; yô, that.
ô, — es, et, — statutô, statutes.
ô, — et cetera.
vizô, — videlicet, namely.
ô, — full point.
ô, — used by Secretary Nowell before figures for a pound mark.

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THE COLONY CHARTER. 1628-9.
THE CHARTER
OF THE
COLONY OF THE MASSACHUSETTS BAY
IN NEW ENGLAND.
1628–9.

CHARLES, BY THE GRACE OF GOD, King of England, Scotland, France, and Ireland, Defender of the Faith, &c, To all to whom these Present shall come, Greeting. Whereas our most deare and royall father Kinge James, of blessed memory, by his Highness letters patent bearing date at Westminster the third day of November, in the eighteenth yeare of his raigne, hath given and granted unto the Counsell established at Plymouth in the County of Devon, for the planting, ruling, ordering, and governing of Newe England in America, and to their successors and assignes for ever: All that parte of America lying and being in breadth from forty degrees of northerly latitude from the equinoctiall line, to forty eight degrees of the saide northerly latitude inclusively, and in length of and within all the breadth aforesaid throughout the maine landes from sea to sea, together also, with all the firme landes, soyles, groundes, havens, ports, rivers, waters, fishing, mynes, and myneralls, aswell royall mynes of gould and silver, as other mynes and myneralls, precious stones, quarries, and all and singular other commodities, jurisdiccons, royalties, priviledges, franchises, and prechemynenes, both within the said tract of lande upon the mayne, and also within the islands and seas adjoyning: Provided always, That the saide islandes or any the premises by the said letters patent intended and meant to be granted were not then actuallie possessed or inhabited by any other Christian Prince or State, nor within the boundes, lymitts, or territories of the Southerne Colony then before granted by our said deare father, to be planted by divers of his loving subiects in the south partes. To have and to hould, To hold in fee.
possess, and enjoy all and singular the aforesaid continent, landes, territories, islands, hereditament, and precinct, seas, waters, fishing, with all and all manner their coïdities, royalties, liberties, preheynences, and profit that should from thenceforth arise from thence, with all and singular their appurtenances, and every parte and parcell thereof, into the same Councell and their successors and assignes for ever, To the sole and proper vse, benefitt, and behoofe of them the same Councell and their successors and assignes for ever: To be houlden of our same most deare and royall father, his heires, and successors, as of his manor of Eastgreenewich, in the County of Kent, in free and common Socage, and not in Capite nor by Knight Service. Yeildinge and paying therefore to the same late Kinge, his heires, and successors the fifte parte of the ore of gould and silver which should, from tyme to tyme, and at all tymes then after, happen to be found, gotten, had, and obteyned in, att, or within any of the same landes, lyuytt, territories, and precinct, or in or within any parte or parcell thereof, for or in respect of all and all manner of duties, demaunds, and services whatsoever to be don, made, or paide to our same dear father, the same Kinge, his heires, and successors, As in and by the same letters patent (amongst sundrie other clauses, powers, priviledges, and grantes therein conteyneyed) more at large appeareth.

AND WHEREAS the same Councell, established at Plymouth, in the County of Devon, for the plantinge, ruling, ordering, and governing of Newe England in America, have, by their deede, indented under their common scale, bearing date the nyuenthe day of March last past, in the third yeare of our raigne, given, graunted, bargained, sould, encoffed, aliened, and confirmed to Sir Henry Rosewell, Sir John Young, knightes, Thomas Southcott, John Humphrey, John Endecott, and Symon Whetcumbe, their heires and associat for ever, All that parte of Newe England in America aforesaid which lyes and extendes betweene a greater river there commonlie called Monomack, alias Merriemack, and a certen other river there called Charles river, being in the bottome of a certayne bay there commonlie called Massachusetts, alias Massachusett, alias Massatussett bay, and also all and singular those landes and hereditament whatsoever lyeing within the space of three English myles on the south parte of the same Charles river, or of any or everie parte thereof: And also all and singular the landes and hereditament whatsoever, lyeing and being within the space of three English myles to the southward of the southernmost parte of the same bay, called Massachusetts, alias Massachusett, alias Massatussett bay: And also all those landes and hereditament whatsoever which lye and be within the space of three English myles to the northward of the same river called Monomack, alias Merrymack, or to the northward of any
and every parte thereof: And all landes and hereditament\(\) whatsoever, lying within the lymytt\(\) aforesaide, north and south, in latitude and breadth, and in length and longitude, of and within all the breadth aforesaide, throughout the mayne landes there, from the Atlantick and western sea and ocean on the east parte, to the south sea on the west parte, and all landes and groundes, place and places, soyles, woods and wood groundes, havens, portes, rivers, waters, fishing\(\), and hereditament\(\) whatsoever, lying within the said boundes and lymytt\(\), and everie parte and parcell thereof: And also all islandes lying in America aforesaide, in the saide saises, or either of them, on the westorne or easterne coastes or partes of the saide tractes of lande by the saide indenfurc\(\) menc\(\)ed to be given, granted, bargained, sold, enfeoffed, aliened, and confirmed, or any of them: And also all mynes and mynerals, as well royall mynes of gould and silver, as other mynes and mynerals whatsoever in the saide landes and premisses, or any parte thereof: And all jurisdiccons, right\(\), royalties, liberties, freedomes, ymannunities, priviledges, franchises, prelum\(\)nences, and co\(\)mmodities whatsoever, which they, the saide Councell, established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of Newe England in America, then had or might vse, exercise, or enjoi in and within the saide landes and premisses by the saide indenturc\(\) menc\(\)ed to be given, granted, bargained, sold, enfeoffed, and confirmed, or in or within any parte or parcell thereof. To have and to hold the saide\(\) To hold in fee, parte of Newe England in America which lies and extends and is abutt\(\)ed as aforesaide, and every parte and parcell thereof: And all the saide islandes, rivers, portes, havens, waters, fishing\(\), mynes and myneralls, jurisdiccons, franchises, royalties, liberties, priviledges, co\(\)mmodities, hereditament\(\), and premisses whatsoever, with the appurtenances, vnto the saide Sir Henry Rosewell, Sir John Younge, Thomas Southcett, John Humfray, John Endecott, and Simon Whetcombe, their heires and assignes, and their associatt\(\), to the onlie proper and absolute vse and behoife of the said Sir Henry Rosewell, Sir John Y\(\)oungc, Thomas Southcett, John Humfray, John Endecott, and Simon Whetcombe, their heires and assignes, and their associatt\(\), for evermore. To be houlden of vs, our heires and successors, as of our man\(\)nor of Eastreenewich, in the County of Kent, in free and common Socage, and not in Capite, nor by knightes service, Yeilding and payinge therefore vnto vs, our heires and successors, the five parte of the care of gould and silver which shall, from tyme to tyme, and all tymes hereafter, happen to be founde, gotten, had, and obtained in any of the saide landes within the saide lymytt\(\), or in or within any parte thereof, for and in satisfaction of all manner duties, demandes, and services whatsoever, to be don, made, or paid to vs, our
heires or successors, as in and by the said recited indenture more at large maie appeare. 

Nowe knowe yee, that wee, at the humble suite and peticion of the saide Sir Henry Rosewell, Sir John Younge, Thomas Southcott, John Humfrey, John Eudecott, and Simon Whetcombe, and of others whom they have associated unto them, HAVE, for divers good causes and considera-
cions vs moving, granted and confirmed, And by the present of our espe-
ciall grace, certen knowledge, and meere mocon, doe grant and confirme unto the saide Sir Henry Rosewell, Sir John Younge, Thomas Southcott, John Humfrey, John Eudecott, and Simon Whetcombe, and to their associate,

All the lands before granted by the Council established at Plymouth.

To hold in fee.

And other the premises hereby menconed to be granted and con-
firmed, and every parte and parcel thereof, with the appurtenances, to the saide Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Eudecott, Simon Whetcombe, Isaack Johnson, Samuell Aldersey, John Ven, Mathew Cradock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assigns, All the saide parte of Newe England in America, lyving and extending betwene the boundes and lymitts in the said recited indenture expressed, and all landes and groundes, place and places, soyles, woods and wood groundes, havens, portes, rivers, waters, mynes, minerals, jurisdicciouns, rightes, royalties, liberties, freedomes, immuni-
ties, priviledges, franchises, preheminences, hereditament, and commodities whatsoever to them the saide Sir Henry Rosewell, Sir John Younge, Thomas Southcott, John Humfrey, John Eudecott, and Simon Whetcombe, their heires and assigns, and to their associate, by the saide recited indenture given, granted, bargained, solde, enfeoffed, aliened, and confirmed, or menconed or intended thereby to be given, granted, bargained, sold, enfeoffed, aliened, and confirmed. To HAVE and to hould the saide parte of Newe England in America, and other the premises hereby menconed to be granted and con-
firmed, and every parte and parcel thereof, with the appurtenances, to the saide Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Eudecott, Simon Whetcombe, Isaack Johnson, Samuell Aldersey, John Ven, Mathew Cradock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assigns for ever, to their owne proper and absolute vsse and behooffe for evermore. To be holden of vs, our heires and successors, as of our manner of East-greenewich aforesaid, in free and common Souge, and not in Capite nor by knightly service, and also yeolding and paying therefore to vs, our heires and successors, the fifte parte owne of all
oare of gould and silver, which, from tyme to tyme, and att all tymes hereafter, shalbe there gotten, had, or obtayned, for all services, exactious, and demandes whatsoever, according to the tenure and reservation in the said recited indenture expressed. And further know ye, That, of our more especiall grace, certen knowledge, and meere mocon, Wee have given and granted, And by theis present doe for vs, our heires and successors, give and grant unto the said Sir Henry Rosewell, Sir John Younge, Sir Richard Patentees, Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Symon Whetcombe, Isaack Johnson, Samuell Aldersey, John Ven, Mathewe Cradock, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniel Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assignes, All that parte of Newe England in America which lies and extendes betwene a great river there coononlie called Monomack river, alias Merrimack river, and a certen other river there called Charles river, being in the bottome of a certen bay there coononlie called Massachusetts, alias Mattachusett, alias Massatustet bay: And also all and singuler those landes and hereditament whatsoever, lyeing within the space of three Englishe myles on the south parte of the saide river called Charles river, or of any or every parte thereof: And also all and singuler the landes and hereditament whatsoever lyeing and being within the space of three Englishe myles to the southward of the southermost parte of the saide baye called Massachusetts, alias Mattachusett, alias Massatustet bay: And also all those landes and hereditament whatsoever which lye and be within the space of three English myles to the northward of the saide river called Monomack, alias Merrymack, or to the norward of any and every parte thereof, and all landes and hereditament whatsoever, lyeing within the lymitt aforesaide, north and south, in latitude and breeth, and in length and longitude, of and within all the breith aforesaide, throughout the mayne landes there from the Atlantick and westerne sea and ocean on the east parte, to the south sea on the west parte: And all landes and groundes, place and places, soyles, woodes and wood groundes, havens, portes, rivers, waters, and hereditament whatsoever, lyeing within the said bounds and lymitt thereof, and every parte and parcell thereof, and also all islandes in America aforesaide, in the saide seas, or either of them, on the westerne or easterne coastes, or partes of the saide tract of landes hereby mencioed to be given and granted, or any of them, and all mynes and myneralls, aswell royall mynes of gould and silver as other mynes and myneralls whatsoever, in the said landes and premisses, or any parte thereof, and free libertie of fishing in or within any
the rivers or waters within the bounded and lymytt\(c\) aforesaid, and the seas thereunto adjoining: And all fishes, royal fishes, whales, balan, sturgious, and other fishes, of what kinde or nature soever that shall at any tymne hereafter be taken in or within the said seas or waters, or any of them, by the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Hamfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathewe Cradock, George Harwood, Increase Noell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assignes, or by any other person or persons whatsoever there inhabiting, by them, or any of them, to be appointed to fishe therein. Provided, alwayes, that ye the said landes, islandes, or any other the premisses herein before menc\(o\)ed, and by them present\(c\) intended and meant to be granted, were, at the tymne of the granting of the said former letters patent\(c\), dated the third day of November, in the eighteenth yeare of our said deare fathers raigne aforesaid, actuallie possessed or inhabited by any other Christian Prince or State, or were within the bounded, lymytt\(c\), or territories of that Southerne Colony then before granted by our said late father to be planted by divers of his loving subject\(c\) in the south partes of America, That then this present grant shall not extend to any such partes or parcells thereof, soe formerly inhabited or lyeing within the boundeds of the southerne planta\(c\)on as aforesaid, but as to those partes or parcells soe possessed or inhabited by such Christian Prince or State, or being within the boundeds aforesaid, shalbe utterly voyd, theis present\(c\) or any thinge therein conteyned to the contrarie notwithstanding. To have and to hould, possesse and enjoy the saide partes of Newe England in America, which lye, extend, and are abbutted as aforesaid, and every parte and parcell thereof: And all the islandes, rivers, portes, havens, waters, fishing\(c\), fishes, mynes, myneralls, jurisdic\(c\)ons, franchises, royalties, liberties, priviledges, commodities, and premisses whatsoever, with the appurtenances, vnto the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Hamfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathewe Cradock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assignes forever, to the oulde proper and absolute vse and behoufe of the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall,
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Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathewe Cradocke, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, their heires and assigns for evermore. To be holden of vs, our heires and successors, as of our mannor of Eastgreenewich, in our Countie of Kent, within our realme of England, in free and co[n]ion socage, and not in Capite nor by knight service, and also yielding and paying therefore to vs, our heires and successors, the fift parte onlye of all care of gould and silver which, from tymce to tymce, and at all tymes hereafter, shall be there gotten, had, or obtained for all services, exacte, and demaundes whatsoever. PROVIDED alwaies, and our express will and meninge is, That onlye one fift parte of the gould and silver care abovenamed in the whole, and noe more, be reserved or payable unto vs, our heires and successors, by coloure or vertue of theis present care. The double reservaeons or recitalls aforesaid, or any thinge herein conteyned, notwithstanding. AND FORASMUCH as the good and prosperous success of the plantaçon of the saide partes of Newe England aforesaid intended by the said Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endecott, Simon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathew Cradocke, George Harwood, Increase Noell, Richard Pery, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcroft, to be speedily sett vpon, cannot but cheffely depend, next vnder the blessing of Almighty God and the support of our royall authoritie, vpon the good government of the same, To the ende that the affaires and buyssinesses which, from tymce to tymce, shall happen and arise concerning the saide landes and the plantation of the same, maie be the better managened and ordered. WEE HAVE FURTHER hereby, of our especiall grace, certen knowledge, and meere moçon, given, graunted, and confirmed, And for vs, our heires and successors, doe give, graunt, and confirme vnto our saide trustie and welbeloved subject, Sir Henry Rosewell, Sir John Younge, Sir Richard Saltonstall, Thomas Southcott, John Humfrey, John Endicott, Simon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathew Cradocke, George Harwood, Increase Nowell, Richard Pery, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William
Pinchion, and George Foxcrofte: And for us, our heirs and successors, wee will and ordyne, That the saide Sir Henry Rosewell, Sir John Yong, Sir Richard Saltonstall, Thomas Southcott, John Humfre, John Endicott, Symon Whetcombe, Isaac Johnson, Samuell Aldersey, John Ven, Mathewe Cadock, George Harwood, Increase Noell, Richard Pery, Richard Bellingham, Nathaniell Wright, Samuell Vassall, Theophilus Eaton, Thomas Goffe, Thomas Adams, John Browne, Samuell Browne, Thomas Hutchins, William Vassall, William Pinchion, and George Foxcrofte, and all such others as shall hereafter be admitted and made free of the Company and Society hereafter mentioned, shall, from tyme to tyme, and at all tymes for ever hereafter, be, by vertue of this present, one body corporate and politique in fact and name, by the name of the Governor and Company of the Massachusetts Bay in Newe England: And them by the name of the Governor and Company of the Massachusetts Bay in Newe England, one bodie politique and corporate in deede, fact, and name, Wee doe for us, our heirs and successors, make, ordyne, constitute, and confirme by theis present, and that by that name they shall have perpetuall succession: And that by the same name they and their successors shall, and maie be capable and enabled, aswell to implead and to be impleaded, and to prosecute, demand, and aunswere, and be aunswered vnto, in all and singular suites, causes, quarrells, and actions of what kinde or nature soever. And also to have, take, possessse, acquire, and purchase any landes, tenement, or hereditament, or any goodes or chattells, And the same to lease, grant, demise, alien, bargain, sell, and dispose of as other our liege people of this our realme of England, or any other corporacion or body politique of the same maie lawfullie doe: And, further, that the said Governor and Company and their successors maie have for ever one common scale, to be used in all causes and occasions of the said Company, and the same scale maie alter, change, breake, and newe make, from tyme to tyme, at their pleasures. And our will and pleasure is, And wee doe hereby for us, our heirs and successors, ordyne and graunte, That, from henceforth for ever, there shall be one Governor, one Deputy Governor, and eighteene Assistants to be chosen out of the freemen, and there shall be such and so many freemen as shall order the governing thereof, and the plantation thereof, and the government of the people there. And for the better execucion of our royall pleasure and graunte in this behalf, wee doe, by theis present, for us, our heirs
and successors, nominate, orderyne, make, constitute our welbeloved the said Mathew Cradocke to be the first and present Governor of the said Company, and the said Thomas Goffe to be Deputy Governor of the said Company, and the said Sir Richard Salmonstall, Isaac Johnson, Samuell Aldersey, John Ven, John Humphrey, John Endecott, Simon Whetcombe, Increase Noell, Richard Pery, Nathaniel Wright, Samuell Vassall, Theophilus Eaton, Thomas Adams, Thomas Hutchins, John Browne, George Foxcroft, William Vassall, and William Pinchion to be the present Assistant of the said Company, to continue in the said several offices respective for such tyme and in such manner as in and by these present is hereafter declared and appointed. And, further, wee will, and by these present for vs, our heires and successors, do orderyne and grant, That the Governor of the said Company, for the tyme being, or in his absence, by occasion of sickness or otherwise, the Deputie Governor, for the tyme being, shall have authoritie, from tyme to tyme, vspon all occasions, to give order for the assembling of the said Company, and calling them together to consult and advise of the businesses and affaires of the said Company. And that the said Governor, Deputie Governor, and Assistant of the said Company, for the tyme being, shall or maie once every moneth, or ofcener at their pleasures, assemble, and hould, and keepe a Courte or Assemblie of themselves, for the better ordering and directing of their affaires. And that any seaven or more persons of the Assistant, together with the Governor or Deputie Governor, soe assembled, shalbe saide, taken, held, and reputed to be, and shalbe, a full and sufficient Courte or Assemblie of the said Company for the handling, ordering, and dispatching of all such busynesses and occurrent as shall, from tyme to tyme, happen touching or concerning the said Company or plantaçon, and that there shall or maie be held and kept by the Governor or Deputie Governor of the said Company, and seaven or more of the said Assistant, for the tyme being, vspon every last Wednesday in Hilary, Easter, Trinity, and Michas terms respective for ever, one greet, generall, and solempne Assemblie, which four Generall Assemblies shalbe stiled and called the Four Greet and Generall Court of the said Company: In all and every or any of which saide Greet and Generall Court soe assembled, Wee doe, for vs, our heires and successors, give and grant to the said Governor and Company, and their successors, That the Governor, or, in his absence, the Deputie Governor, of the said Company for the tyme being, and such of the Assistant and freemen of the said Company as shalbe present, or the greater number of them soe assembled, whereof the Governor or Deputie Governor and six of the Assistant, at the least to be seaven, shall have full power and authoritie to choose, nominate, and appointe such and soe
many others as they shall think fit, and that shall be willing to accept the same, to be free of the said Company and Body, and them into the same to admit, and to elect and constitute such officers as they shall think fit and requisite for the ordering, managing, and dispatching of the affairs of the said Governor and Company and their successors, And to make lawes and ordinances for the good and welfare of the said Company, and for the government and ordering of the said lands and plantation, and the people inhabiting and to inhabit the same, as to them from tyme to tyme shalbe thought meete. Soe as such lawes and ordinances be not contrarie or repugnant to the lawes and statutes of this our realme of England. And our will and pleasure is, And wee doe hereby for vs, our heires and successors, establish and ordyne, That yearly once in the yeare for ever hereafter, namely, the last Wednesday in Easter terme yearly, the Governor, Deputy Governor, and Assistant of the said Company, and all other officers of the said Company, shalbe, in the Generall Court or Assembly to be held for that day or tyme, newly chosen for the yeare ensuing by such greater parte of the said Company for the tyme being, then and there present, as is aforesaid. And ye if it shall happen the present Governor, Deputy Governor, and Assistant by their present appointed, or such as shall hereafter be newly chosen into their roones, or any of them, or any other of the officers to be appointed for the said Company, to dye or to be removed from his or their severall offices or places before the said generall day of eleccion, (whome wee doe hereby declare for any misdeemeanor or defect to be removable by the Governor, Deputie Governor, Assistant, and Company, or such greater parte of them in any of the publique Court( to be assembled as is aforesaid,) That then, and in every such case, it shall and maie be lawfull to and for the Governor, Deputie Governor, Assistant, and Company aforesaid, or such greater parte of them soe to be assembled as is aforesaid, in any of their assemblies, to proccede to a newe eleccion of one or more others of their Company in the roome or place, roones or places, of such officer or officers soe dyeing or removed, according to their discrecions. And ymedeliatly uppon and after such eleccion and eleccions made of such Governor, Deputie Governor, Assistant or Assistant, or any other officer of the said Company in manner and forme aforesaid, the authoritie, office, and power before given to the former Governor, Deputie Governor, or other officer and officers soe removed, in whose stede and place newe shalbe soe chosen, shall, as to him, and them, and everie of them, cease and determine. Provided, also, and our will and pleasure is, That aswell such as are by their present appointed to be the present Governor, Deputie Governor, and Assistant of the said Company as those that shall succeed
them, and all other officers to be appointed and chosen as aforesaid, shall, before they undertake the execution of their said offices and places, respectively take their corporall oaths for the due and faithful performance of their duties in their several offices and places, before such person or persons as are by their present herevnder appointed to take and receive the same; That is to saie, the said Mathew Cradock, whoe is hereby nominated and appointed the present Governor of the said Company, shall take the said oaths before one or more of the Masters of our Courte of Chancery for the tyme being, vnto which Master or Masters of the Chancery Wee doe, by their present, give full power and authoritie to take and administer the said oath to the said Governor accordingli. And after the said Governor shall be sworn, then the said Deputy Governor and Assistant, before by their present nominated and appointed, shall take the said several oaths to their offices and places respectively belonging before the said Mathew Cradock, the present Governor, soe formerlie sworn as aforesaid. And every such person as shall be, at the tyme of the annuall electioon, or otherwise vpon death or removall, be appointed to be the newe Governor of the said Company, shall take the oaths to that place belonging before the Deputy Governor or two of the Assistant of the said Company, at the least, for the tyme being. And the newe elected Deputy Governor and Assistant, and all other officers to be hereafter chosen as aforesaid, from tyme to tyme, to take the oaths to their places respectively belonging before the Governor of the said Company for the tyme being. Vnto which said Governor, Deputy Governor, Assistant, Wee doe by their presents give full power and authoritie to give and administer the said oaths respectively, according to our true meaning herein before declared, without any comission or further warrant to be had and obteyned of vs, our heires or successors in that behalf. And wee doe further, of our especiall grace, certen knowledge, and meere moeion, for vs, our heires and successors, give and grantye to the said Governor and Company, and their successors for ever, by their present, That it shalbe lawfull and free for them and their assigns, at all and every tyme and tymes hereafter, out of any of our realmes or domynions whatsoever, to take, leade, carry, and transport for and into their voyages, and for and towards the said plantacon in Newe England, all such and soe many of our loving subject, or any other strangers that will become our loving subject, and live under our allegiance, as shall willinglie accompany them in the same voyages and plantacon, and also shipping, armour, weapons, ordinance, munition, powder, shott, corne, victualls, and all manner of clothing, implement, furniture, beasts, cattle, horses, mares, marchandizes, and all other things
necessary for the said plantačon, and for their use and defence, and for trade
with the people there, and in passing and returning to and fro, any law or
statute to the contrarie hereof in any wise notwithstanding, and without
payinge or yeildinge any custome or subside either inward or outward to vs,
our heires or successors, for the same, by the space of seaven yeares from the
day of the date of their present. Provided, that none of the said persons
be such as shaile hereafter by especiall name restrayned by vs, our heires or
successors. And for their further encouragement, Of our especiall grace and
favor, wee doe by their present for vs, our heires and successors, yeild and
grant to the said Governor and Company, and their successors, and every of
them, their factors and assignes, That they and every of them shaile free and
quit from all taxes, subsidies, and customes in Newe Englaund for the like
space of seaven yeares, and from all taxes and impostions for the space of
twenty and one yeares vpon all goodes and merchandises at any tyme or tymes
hereafter, either vpon importation thither, or exportation from thence into our
realme of England, or into any other our dominions, by the said Governor
and Company, and their successors, their deputies, factors, and assignes, or any
of them, Except only the five pounds per centum due for custome vpon all
such goodes and merchandizes, as after the said seaven yeares shaile expired
shaile brought or imported into our realme of England, or any other of our
dominions, according to the ancienct trade of merchants, which five pounds
per centum onlie being paide, it shall be thenceforth lawfull and free for the
said adventurers the same goodes and merchandizes to export and carry out of
our said dominions into forraigne partes, without any custome, tax, or other
dutie to be paid to vs, our heires or successors, or to any other officers or min-
isters of vs, our heires and successors. Provided, that the said goodes and
merchandizes be shipped out within thirteene monethes after their first landing
within any parte of the said dominions. And wee doe for vs, our heires and
successors, give and graunte vnto the said Governor and Company and their
successors, That whencesoever, or soe often as any custome or subside shall
growe due or payable vnto vs, our heires or successors, according to the
lymittleon and appointment aforesaid, by reason of any goodes, wares, or mer-
chandizes to be shipped out, or any retorne to be made of any goodes, wares,
or merchandize, vnto or from the said partes of Newe Englaund hereby men-
čed to be graunted as aforesaid, or any the landes or territories aforesaid,
That then and soe often and in such case the farmers, customers, and officers
of our customes of England and Ireland, and everie of them for the tyme
being, vpon request made to them by the said Governor and Company, or
their successors, factors, or assignes, and vpon convenient security to be given
in that behalf, shall give and allow unto the said Governor and Company, and
their successors, and to all and every person and persons free of that com-
pany as aforesaide, six moneths tyne for the payment of the one halfe of all
such custome and subsidie as shalbe due and payable unto vs, our heires and
successors, for the same, For which theis our letters patent, or the duplicate
or the inrollment thereof, shalbe unto our saide officers a sufficient warrant and
discharge. Nevertheless, our will and pleasure is, That yf any of the said
goodes, wares, and merchandize which be or shalbe at any tyme hereafter
landed or exported out of any of our realmes aforesaide, and shalbe shipped
with a purpose not to be carried to the partes of Newe England aforesaide,
but to some other place, That then such payment, dutie, custome, imposicion,
or forfeyturye shalbe paid or belonge to vs, our heires and successors, for the
said goodes, wares, and merchandize which be fraudulently sought to be trans-
ported, as yf this our graunted had not benn made nor graunted. And wee
doe further will, And by theis present for vs, our heires and successors, firme-
ly enioine and comande as well the Treasurer, Chaunceellor, and Barons of the
Exchequer of vs, our heires and successors, as also all and singular the cus-
tomers, farmers, and colletors of the customes, subsidies, and impost, and
other the officers and ministres of vs, our heires and successors, whatsoever,
for the tyme being, That they and every of them, vpon the shewing forth unto
them of theis letters patent, or the duplicate or exemplification of the same,
without any other writ or warrant whatsoever from vs, our heires or succes-
sors, to be obtayned or sued forth, doe and shall make full, whole, entire, and
due allowance and cleare discharge unto the saide Governor and Company, and
their successors, of all customes, subsidies, imposicion, taxes, and duties what-
soever that shall or maie be chaimed by vs, our heires and successors, of or
from the said Governor and Company and their successors, for or by reason of
the said goodes, chattels, wares, merchandizes, and premises to be exported out
of our saide dominions, or any of them, into any parte of the saide landes or
premises hereby menced to be given, granted, and confirmed, or for or by
reason of any of the said goodes, chattells, wares, or merchandizes to be im-
ported from the said landes and premises hereby menced to be given, grannt-
ed, and confirmed, into any of our saide dominions or any parte thereof, as
aforesaide, excepting onlie the saide five pounds per centum hereby reserved
and payable after the expiration of the saide terme of seaven yeares, as afores-
said, and not before. And theis our letters patent, or the inrollment, duplic-
cate, or exemplification of the same shalbe for ever hereafter from time to
tyme, as well to the Treasurer, Chauncellor, and Barons of the Exchequer of
vs, our heires and successors, as to all and singular the customers, farmers, and
collectors of the customs, subsidies, and impost of vs, our heires and successors, and all searchers and other the officers and ministers whatsoever of vs, our heires and successors for the time being, a sufficient warrant and discharge in this behalf. And further, our will and pleasure is, And wee doe hereby, for vs, our heires and successors, ordayne, declare, and graunte to the saide Governor and Company, and their successors, That all and every the subject of vs, our heires or successors, which shall goe to and inhabite within the saide landes and premises hereby mencioned to be granted, and every of their children which shall happen to be borne there, or on the seas in going thither or returning from thence, shall have and enjoy all liberties and immunities of free and natural subject within any of the domynions of vs, our heires or successors, to all intent, construeons, and purposes whatsoever, as ye they and everie of them were borne within the realme of England. And that the Governor and Deputie Governor of the said Company for the tyme being, or either of them, and any two or more of such of the saide Assistant as shalbe thereunto appointed by the saide Governor and Company, at any of their court or assemblies to be held as aforesaid, shall and maie att all tymes, and from tyme to tyme hereafter, have full power and authoritie to minister and give the oathe and oaths of supremacy and allegiance, or either of them, to all and everie person and persons which shall at any tyme or tymes hereafter goe or passe to the landes and premises hereby mencioned to be granted to inhabite in the same. And wee doe, of our further grace, certen knowledge and meere mocon, give and graunte to the saide Governor and Company, and their successors, That it shall and maie be lawfull to and for the Governor or Deputie Governor and such of the Assistant and Freemen of the said Company for the tyme being as shalbe assembled in any of their General Court aforesaid, or in any other Courtes to be specially suffoned and assembled for that purpose, or the greater parte of them, (whereof the Governor or Deputie Governor and six of the Assistant, to be alwaies seaven,) from tyme to tyme to make, ordaine, and establishe all manner of wholesome and reasonable orders, lawes, statutes, and orduinances, direccones, and instruccones not contrarie to the lawes of this our realme of England, aswell for setting of the formes and ceremonies of governme and magistracy fitt and necessary for the said plantaçon and the inhabitant there, and for naming and stiling of all sorte of officers, both superior and inferior, which they shall finde needefull for that governme and plantaçon, and the distinguishing and setting forth of the several dutys, powers, and lymytt of every such office and place, and the formes of such oathes warrantable by the lawes and statutes of this our realme of England as shalbe respectively ministered unto them, for the execucion of the said several
THE MASSACHUSETTS BAY IN NEW ENGLAND.

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offices and places, as also for the disposing and ordering of the ele\qcns of such of the said officers as shalbe annuall, and of such others as shalbe to succeede in case of death or removeall, and ministring the said oaths to the newe elected officers, and for imposicions of lawfull fynes, mult\\, imprisonment, or other lawfull correction, according to the course of other corporacrons in this our realme of England, and for the directing, ruling, and disposing of all other matters and thinges whereby our said people, inhabitant\\ there, maie be soo religiously, peaceablie, and civilly governed, as their good life and orderlie conversa\\n maie wynn and incite the natives of country to the knowledg and obedience of the onlie true God and Savior of mankinde, and the Christian fayth, which, in our royall intention and the adventurers free profession, is the principall ende of this plantacion. Willing, comman\ing, and requiring, and by this present\\ for vs, our heires and successors, ordelyng and appointing, That all such orders, lawes, statut\\, and ordi\nce, instruc\ions, and dire\ss, as shalbe soo made by the Governor or Deputie Governor of the said Company, and such of the Assistant\\ and Freemen as aforesaide, and published in writing under their co\n\n\n scale, shalbe carefullie and dulye observed, kept, performed, and putt in executi\\n according to the true intent and meaning of the same. And the\ our letters patent\\, or the duplicate or exemplification\ thereof, shalbe to all and everie such officers, superior\ and inferior, from tyme to tyme, for the putting of the same orders, lawes, statutes, and ordi\nce, instruc\ions, and dire\ss in due executi\\n\n our heires and successors, a sufficient warrant and discharge. And we\ doe further, for vs, our heires and successors, give and grant to the said Governor and Company, and their successors, by this present\\, That all and everie such cheife comman\ers, cap\nai\es, governors, and other officers and ministers, as by the said\ orders, lawes, statut\\, ordi\nce, instruc\ions, or dire\ss of the said Governor and Company for the tyme being, shalbe from tyme to tyme hereafter emploied either in the government of the said inhabitant\\ and plantacion, or in the waye by sea thither or from thence, according to the natures and lymytt\\ of their offices and places respectively, shall from tyme to tyme hereafter for ever within the precinct\\ and partes of Newe England hereby mencioed to be granted and confirmed, or in the waie by sea thither, or from thence, have full and absolute power and authoritie to correct, punishe, pardon, govern, and rule all such the subject\\ of vs, our heires and successors, as shall from tyme to tyme adventure themselves in any voyadge thither or from thence, or that shall at any tyme hereafter inhabit within the precinct\\ and partes of Newe England aforesaide, according to the orders, lawes, ordi\nce, instruc\ions, and dire\ss aforesaide, not being repugnant to the lawes and statutes of our realme of Eng-
THE CHARTER OF THE COLONY OF

Officers, &c., to protect themselves against others.

Restitution, &c., to be made, if the planters rob or spoil.

These presents not to abridge the trade of fishing, &c., on the coast of New England.

land, as aforesaid. And wee doe further, for vs, our heires and successors, give and grant to the said Governor and Company and their successors, by their present, That it shall and maie be lawfull to and for the cheife commanders, governors, and officers of the said company for the time being, who shall be resident in the said parte of Newe England in America, by their present granted, and others there inhabiting, by their appointment and directioun from tyme to tyme, and at all tymes hereafter, for their speciall defence and safety, to encounter, expulse, repell, and resist by force of armes, aswell by sea as by land, and by all fitting waies and meanes whatsoever, all such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant: And to take and surprise, by all waies and meanes whatsoever, all and every such person and persons as shall at any tyme hereafter attempt or enterprise the destruction, invasion, detriment, or annoyance to the said plantation or inhabitant.
subject whatsoever to use and exercise the trade of fishing upon that coast of New England in America by these present granted to be granted; But that they and every or any of them shall have full and free power and liberty to continue and use their said trade of fishing upon the said coast in any the seas thereunto adjoyning, or any armes of the seas or saltwater rivers where they have by way to fishe, and to build and set up upon the lands by these present granted such wharves, stages, and workhouses as shall be necessary for the salting, drying, keeping, and packing vp of their fish, to be taken or gotten upon that coast: And to cut downe and take such trees and other materials there growing, or being, or shall be needfull for that purpose, and for all other necessaries easement, helps, and advantage concerning their said trade of fishing there, in such manner and forme as they have by way heretofore at any tyme accustomed to doe, without making any wilfull waste or spoyle, Any thing in their present contented to the contrarie notwithstanding. And we doe further, for vs, our heires and successors, ordene and graunted to the said Governor and Company, and their successors, by these present, That these our letters patent shall be firme, good, effectuall, and available in all things, and to all intent and construction of lawe, according to our true meaning herein before declared, and shall be construed, reputed, and adjudged in all cases most favourablie on the behalf and for the benefit and behoofe of the said Governor and Company and their successors. Although express mention of the true yearly value or certainty of the premisses, or of any of them, or of any other guifts or grauntes by vs or any of our progenitors or predecessors to the foresaid Governor or Company before this time made, in these present is not made, Or any statute, acte, ordaince, provision, proclamation, or restrainte to the contrarie thereof heretofore had, made, published, ordeyned, or provided, or any other matter, cause, or thing whatsoever to the contrarie thereof in any wise notwithstanding. In witness whereof, we have caused these our letters to be made patent. Witness ourselves at Westminster, the fourth day of March, in the fourth yeare of our raigne. Per Breve de Privato Sigillo.

WOLSELEY.

PREDICT Matthaeus Cradocke Juratus est de Fide et Obedientia Regi et Successoribus suis, et de Debitu Exequionis Officiij Gubernatoris iuxta Tenorem Pseentium, 18° Martij, 1628. Coram me, Carolo Cesare, Militie, in Cancellariia Mfo. [In his hand.] CHAR. C.ESAR.
[Affixed to the above letters patent, by party-colored strings of braided silk, is the broad seal of Charles I., and inscribed on the back of one of the four sheets of parchment on which the instrument is beautifully engrossed (the initial letter containing a well-executed representation of the king) is the following:—]

A perpetuity granted to Sir Henry Rosewell & others, of parte of Newe England in America.

[In his hand.] WOLSELEY.
THE COMPANY'S RECORDS.

1628-1630.

[The first page, supposed to be in the handwriting of John Winthrop, and before his appointment to the office of Secretary of the Company of the Massachusetts Bay in New England, evidently relates to the early outfitting of vessels destined for New England, and bears no date of the year in which it was written. The ten succeeding pages of the manuscript are apparently in the same handwriting, with the exception, perhaps, of part of the record of the 17th of March, the whole of those of the 19th and 23rd of March, 1628/9, and of the 11th of May, 1629, and also portions of the record of the 15th of May following, which are in an unrecognized hand. The second paragraph of that of the 30th of April, 1629, is a subsequent entry, in the well-known chirography of Mr. William Burgis, the second Secretary.]

[1] * x x x x cast in the ballast of the shippe, & 2 lode of chalke, & 5 chaulce on of sea coales.

Naiele; Iron, 1 tun; Steele, 2 flagotts; Raphe White, at corner of Philpot Lane, for Salt, Johnson.

Steele, d lead; Raph White, at corner.

xyles; Lead, 1 foulder; of Philpot Lane, for

Salt; Read lead, 1 barrill; appavit.

Apparet for 100 men:

400 peare of shewes;
300 peare of stockings, wof 200 peare Irish, about 11d 134 a pr, Mr Dep't,
100 peare of knit stockings, about 2 s 4 d a pr, Mr Trer. ;
10 dusen peare of Norwich garters, about 5 d a dusen pr ;
400 shirts;
100 sutes doublet and hose, of leather, lyned wth old skyn leather, y* hose & dublet wth hookes & eyes;
100 sutes of Norden dusses, or Hampsheere kerscsis, lyned, the hose wth skins, the dublets wth lynen;
* of Gilford or Gedlyman kersyes, 2 s 10 d to 3 s a yard, 4 s to 5 s a sute;
400 bands, 300 playne falling bands, at the George in Southwarke;
100 x band x ;
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RECORDS OF THE GOVERNOR AND COMPANY OF

100 wastcoates of greene cotton, bound about wth red tape;
100 lether girdles;
100 Munmouth capps, about 2" a peece;
100 black hatts, lyned in the browe wth lether;
500 redd knitt capps, milled, about 5" a peece;
200 dussen hookes and eyes, & small hookes & eyes for mandillions;
16 dussen of gloues, wth 12 dussen of callfs lether, & 2 dussen t&d
sheepes lether, & 2 dussen kyd;
ells sliece lynen ffor handkerchers;
½ a docker of lether, of the best bend lether;
50 mattts to lye vnder 50 beds aboard shippe;
50 ruggs;
50 peare of blanketts of Welsh cotton;
100 peare of sheetes;
50 bedtykes & bolsters, wth wool, to put them in Skotch ticking;
lynen ffor towells & tableclothes & napkins;
sea chests;
3 C. poppering hopps, & 1 C. pticuler.

16 March. Agreed the apparell to bee, 100 mandillions
lyned wth 1½ cotton, 12½ a yd, breeches & wastcote; &
100 lether sutes, dublettts & breeches of oyled lether.

Mr Vassall. 100 pt. breeches of lether, to serve to weare wth boeth
there other sutes.

X at [Sher]brooke by tomorro
in ye afternoon.

To provide to send for Newe England:

Ministers;
Pattent vnder scale;
A scale;
Wheate, rye, barley, oats, a hshed of ech in the care;
bene, pen-ec;
Stones of all sorts of fruities, as peaches, plums, fil-
berts, cherries;
Peare, aple, quince kernells, pomegranats;
Woad seed;
Saffron heads;
Liquorice seed, rootes sent & madder rootes;
25

THE MASSACHUSETTS BAY IN NEW ENGLAND.

Potatoes;
Hoprootes;
Hempseede;
\[\text{February} 8-9.\]
Flaxe seede, against wynter;
Connys;
Currant plants;
Tame turkeys;
Shewes;
Lynen cloth;
Woollen cloth;
Pewter botles, of pyttes & qrtts;
Brass ladells & spoones;
Copp kettells, of y\(\text{French}\) making, without barrs of iron about them;
Oyled skynnes of lether;
Madder seede.

23 February, 1628.

THIS day dd a warrant to Mr. George Harwood, Thir., to pay Mr. Barnard Michell one hundred pounds, in pte of the freight of the Henrid Gawden Mr., from Wainmouth to Nahumkeke, the goods shipt \(\times\) of lading dated 20 June last, being p bill of lading 46\(\frac{1}{2}\) tunns of \(\times\), besyds \(y\) chardge of Capten John Endecott, his wife and \(\times\) psons \(\times\) his company, theire passage & dyett.

26th. Wm Sherman hath liberty for 14 daies to sech his keynes in North-amp, neare \(\times\) ferry.

26 February, 1628.

Necessaries conseqeed meete for o\(\text{r}\) intended voyadge for Newe England to bee prepared forthwith.

FOR our 5 pecces of ordinance, longe sence bowght and payd for, John Mr. Humphry. Humphry is intreated & doeth priss forthwith to cause \(\times\) to bee delivered to Samuell Sharpe, who is to take care \(\times\) having fytte cariades made for them.
26 February.

Armes for 100 men:

- 3 drums, to each 2 per of holds;
- 2 ensigns;
- 2 partizans, for capten & lieutenant;
- 3 halberts, for 3 sarrant;
- 80 bastard musketts, with snaplanes, 4 foote in the barrill, without rests;
- 66 longe flowlinge peeces with muskett boare, 6 foote longe, ½;
- 4 longe flowlinge peeces, with bastard muskett boare, 5½ foote longe;
- 10 sfull musketts, 4 foote barrill, with matchcocks and rests;
- 90 bandeleeres, for the musketts, each with a bullet bag;
- 10 home flaskes, for the longe fowlinge peeces, to hould a ½ a peece & 100 swoodes x and belts;
- 60 cosletts, & 60 pikes; 20 halfe pikes;
- 12 blls powder, 8 barrills for the forte,

shott, 1½ to a bandeleere;

- 8 peeces of land ordnance for the forte, w'of 5 already puide;

nameley, 2 demic culuerings, 30 C, weight a pece,

- 3 sacksers, each weinge 25 C. w';

- to puide 1 whole culueringe, as long as may bee,

- 2 small peeces, iron drakes;

For great shott, a flitt preporecon to the ordnance;

A sayne, beeing a nett to fish w'p.

For the Talbut, if 100 passingers, & 35 maryners, 3 months, y' maryners accounted doble:

- 45 tun beere, w'of 6 tun 4½ beere; Mallega and Canari caske 16° a tun;
- 39 tun 6½

- 6 tuns of water;
- 12 m of bread, after ½ C. to a man;
- 22 heds of bieff;
- 40 bushells peas, a peck a man y' voyadg;
- 20 bushells oatmeal;
- 14 C. haberdyne, 62 cople ech C., eech cople makes ½, ½ a ½ of a man p day;
- 8 dusen pounds of candels;
- 2 terces of beere vyneger;
1½ bushells mustard seede; 20 gallons oyle, Gallipoly or Mayorke, a qrt a man; 2 tserkins of soape; 2 runlet Spanish wyne, 10 galls a p; 4 thousand of billets; 10 tserkins of butter; 10 C. of cheese; 20 gallons aquavite.

*26 February, 1628.*

AGREED wth Jo Hewson to make 8 pere of welt neates leather shenes, [closed] on the out sydes wth a seame, to bee substantiall, good ouer leath-er, of the best, and 2 soles, the inner scale of good neates leather, & the owter sole of tallowed backs, to bee 2 p" of 10 inches, 2 p" 11 inches, 2 p" of 12 inches, & 2 p" of 13 inches size.

The preparados wee intend is, 1 of 10 inches,

\[
\begin{align*}
3 & \text{ of 11 inches,} \\
3 & \text{ of 12 inches,} \\
1 & \text{ of 13 inches,}
\end{align*}
\]

\[\text{2 7}^{d}.\]

2 of 8 inches, 2 of 9 inches, \[\text{2 4}^{d}\], and hee to refer it to y Comp whethr to allow 14 p pair more.

2 Marche, 1628.

P*sent, M\* Gou:  M\* Adams,
M\* Dep\*y,  M\* Nowel,
M\* Wright,  M\* Whetcombe,
M\* Vassall,  M\* Perry,
M\* Harwood,  M\* Huson,
M\* Coulson,

THIS day James Edmonds, a saylor, fisher, and a coup\*r, was pre-
pounded to serue the Comp\*; as also Sydrach Miller, a coup and a cleuer; who demanding 45\* for him & his man the first yeere, 50\* a yeere the second and third yeere, & Edmonds demands being 10\* the first yeere, 15\* the second, & 20\* the third yeere, boeth held to doe for the Comp\* to be at charges wthall.
Also, for Mr. Malbon, it was appounded, he having skill in iron works, & willing to put in 25$ of stocke, it should bee accepted as 50$; & his charges to bee bore out & home for Newe England; & upon his returne, & report what may bee done about iron works, consideracion to be had of pecessing therein accordingly, and flurder recompence, if there be cause to intertayne him.

Touching making of salt, it was conseuenced slytt that commodetty should bee reserved for the generall stocks benefit; yet with this pruiso, that any planter or brother of the Comp. should have as much as he might aney way have occasion to vsse of, at as cheape rate as themselves could make it; pruida, if the Comp. bee not sufficiently pruida for themselves, then peticuler men may have liberty to make for there owne expence & vsse aney way, but not to transporte nor sell.

Touching or Oldam, the Governor was ordered to confer with him upon any indifferent course that might not bee prejudiciall to the Comp.

Also, it being appounded by Mr. Conye, in the behalfe of the Boston men, (whereof dyuers had pruised, though not in our booke vnderwritten, to adventure 400$ for the joint stock,) that now there desire was that 10 psions of them might vnderwrite 25$ a man in the joint stock, they would pruisinge with these shippes to adventure in there peticuliar above 250$ more, and to pruida all men to send over for manadging the busines; with though it bee prejudiciall to the generall stock, by the abatement of so much money thereout, yet appearing ready to conduce more to the good of the planta-cion, with is most desired, it was condiscended vnto.

3 March, 1628.

Mr. Goffe,                     Mr. Nowell,
Mr. Depv,                      Mr. Sharpe,
Mr. Wright,

IT was at present debated howe some good course might bee setted for the decision of the lands, and that all men intendeinge to goe in psion or to send our, might vnderwrite & scale some instrument to bee made, whereby every man to bee tyed to such orders as shal bee agreed vppon here; and that a coppye of this agreement bee sent to Dorchester, for all men to vnder-write and scale, that intend to take there passage in the Lyons Whelpe, or ells order to bee taken that the shippe pceede without [them.]
Mr. Samuell Sharpe, with whom there had been an agreement made in behalf of the Comp. to receive him ten pounds, for three yeares, to have the oversight of the ordnance to be planted in the fort to be built upon the plantaçon, & what else may concern artillery business to receive his advice in. But for all other impliciments was left to be intertayned by any particular brethren of the Comp., who for other occasions had intertayned already, and held not yet to bee at further charge in that kynd; x x x the sayd Sharpe is also intertayned to oversey the x x and impliciments of certain particular men of the Comp. But for the general presented a bill for three drums and other particularers, amountinge to fyue pounds, xix x; wth the Treer hath order to paye.

The 5 Marche, 1628.

Present, The Govt., Mr. Wright,
Mr. Dep't., Mr. Novell,
Mr. Thyer., Mr. White,
Sr Rich. Saltonstal, Mr. Whetcombe,
Capt. Ven., Mr. Whetcombe.

A NEWE proposicion being made in the behalf of Mr. Oldum to bee intertayned x this Comp, it was deferred to further consideration.

Also, Mr. Washborne being proposed for Secretary to the Comp, it was conseained yet to intertayne him, but deferred till another x .

A proposicion being made by Sr Wm. Beamten to the Govt., of a p x granted him of lands in the Massachusets Bay by Mr. Jun. G[orges], & that if this Comp. would make him a p'mise, so as he con x to vnderwrite wth this Comp., it might not bee prejudic'd to his patience; it was resolved this answer should [be] given him, nameley: That if he pleased to vnderwrite wth vs w'tout any condition whatsoever, but to come in [as] all other adventurers doe, he should bee welcome vppon the same conditions that we haue.

A proposicion being made to intertayne a surgeon for x plantaçon, Surgeon.

Mr. x Pratt was proposed as an abell man vppon theis conditions, nameley: That 40 x should bee allowed him, viz. for his chist, 25 x the rest [for] his owne sallery for the first yeare; prised, if he con x 3 yeares, the Comp. to bee at charge of transporting his wife & a yo x , x haue 20 x a yeare for the other 2 yeares, & to build him a house [at] the Comp charg'd, & to allot him 100 a at of ground; but if he stay but one yeare, then the Comp
to be at charge of his bringing back for England, & he to leave his s'tant
and the chist for the Comp service.

Agreed wth Robert Morley, s'tant to Mr Andrewe Mathewes, late barber
surgeon, to s'ue the Comp in Newe England for three yeeres; the first yeere
to have 20 nobles, the second yeere × × , × × yeere 20 markes, to
serve as a barber & a surgeon, × × occasions belonging to his calling,
to aney of this × that are planters, or there servants; and for his [chist,]
and all in, whereof he hath geen an inventory, × × × sight of it, it
bee approoved, fflye pounds is × × × and payd to him for it, & the same
to bee forthcoming payd].

[*5a.*] The buissines concerning the demission of the lands, ppounded the 3d of
this monthe, was agayne taken into consideraçon, & it was resolved that
Capten Waller, Capt Ven, Mr Eaton & Mr Addams, Mr Whetcombe, Mr
Wright, Mr Vassall, Mr Threór, wth the Goifno and Dep', shall considere
seriously of the buissines, calling to there assistance Mr Graues, Mr Sharpe,
or aney other, & to sett downe in writinge what course they conseque fytte to
bee hold herni, whereby an equalitie may bee hold, to avoyd all contention
twixt the adventurers; & Tuesday morning apoynted for these Comittees to
meete about this buissines.

Mr Graues.

This Court also, Mr Tho'ms Graues was ppounded to goe over wth
the shipps nowe bound for Newe England, to have his charge borne out &
home; & beeing a man experienced in iron workes, in salt workes, in
measuring & surveyinge of lands, & in fortifications, in lead, copp, & allam
myynes, ete, hauinge a charge of wiffe, 5 children, a man & mayd s'tant;
after some conference wth him, he tendering his implant to goe and re-
turne wth one of o' shyps, to the comp discretion for his sallery in that
tyme, it was thought fytte that he should considere twixt this & tomorrow
what to demand in case he did returne ptantly wth the shipp he should
take his passage in; & what his demands would bee if the Comp should
continue him there, & bee at charges of the transportaçon of his wiffe and
flameley therethere in there next shippe, if he take lyking to continue
in Newe England.

Mr Malbon.

Mr Ja'm Malbon beeing also desyred to bee here, after conference had
wth him touching the pposiçon made in his behalfe the 2 of this monthe,
he was wished to considere what further pposiçon he would make, that the
Comp might take it into consideraçon.
The 6 Marche, 1628.

AGREED with Mr Thomas Steuenes, armoer in Buttolph Lane, for 20 armes, viz., coslett, brest, back, culet, gorgett, tases, & helde piece to ech, varnished all black, with letters & buckles, at 17s echaucharmour, excepting 4, with are to be with close head pieces, & theis 4 armours at 24s a pece, to bee dd all by the 20th of this monthe; w'of 1 left nowe for a sample.

Agreed with Jn° Wise, shoemaker in Marke Lane, for

\[
\begin{align*}
&1 \text{ dussen pere sheuces of tens,} \\
&3 \text{ dussen } " \text{ of 11,} \\
&3 \text{ dussen } " \text{ of 12,} \\
&1 \text{ dussen pere } " \text{ of 13,} \\
&1 \text{ dussen pere } " \text{ of 8,} \\
&1 \text{ dussen pere } " \text{ of 9,} \\
&\text{at 2s 7d a pere;}
\end{align*}
\]

10 dussen pere to bee dd by the 20th of this monthe.

The 9 Marche, 1628.

THIS day John Washborne is intertayned for Secretary for one whole yeere, to enter the Courts, to keepe the Companys accounts, to make warrants for all moneys to bee brought in or payd out, & to gecue notitice at every meeting of such as are backward in payment of there subscriptions, as also for all puission to bee made redy, to call vpon such as haue ye charge thereof, w'by the shippes nowe bound for Newe England may bee dispatched by the 25 of this monthe at flurdest; his sallery for this yeere is te x x, he in the premisses, & the office of a Secretary, to pf[orme] faithfull, dilligent, & tr[ue]eriuours whervnto he doeth fulle x & agree.

[An autograph in the original.] JN° WASHBORNE.

AGREED with John Gace, of London, turner, for 40 bandeleers, \( \times \times 49 \) bandeleers. \\
\( \times \) a warrant for 12, March 30th.

the boxes to bee for bastard muskett sise, excepting 10 for full musketts, and these to be marked M., the other for bas' musketts B.

More, agreed with him for ten dozen of shouels and spades, at eyghten sh° the dozen, of three severall sises, wherof the smallest propor'ion to be and spades of ye' smallest sises; and three spads and three shouels left heer for sa[miples].
This day these things were ordered to be paid by these men; 120 men's puissions.

9 March.

Mr. Thomas Hewson,

120 flitches bacon,

120 gallons sweete oyle;

150 qtrts of meale,

30 qtrts of pease, at 26
cENTS,

Mr. Deputy,

15 qtrts of greats, at 4
cENTS, full dryed,

20 flikins of butter, 17
cENTS,

60 qtrts of malt, 17
cENTS 6
cENTS,

30 CENTS of cheese.

10 March.

This 10th March, 1628, I, Thomas Graves, of Gravesend, in the County of Kent, gent, and by my profession skillfull & experienced in the discovery and finding out of iron mynes, as also of lead, copp, minerall salt & [allam], in fortificacion of all sorts, according to the nature of the place, in surveying of buildings & of lands, & in measuring of land, in describing a country by mappe, in leading of water × to pp vsses for milles or other vsses, in fynding out [all] sorts of lymestones & materials for buildings, in manufacturing, &c., have this present day agreed to serve the Newe England Comp, and in there supplyment to take my passage for Newe England in such shippe as the shall appoynt mee; and during my stay there, according to the condicion heereafter expressed, to doe my true and uttermost indeavour, in all or anye the particular abouemenconed, for the most good and benefit of the said Company; and I do heereby faithfully promise to do my uttermost indeavour for the discovery of ought that may be beneficiall to the Company, and not to conceale ought from them whence I shalbe inoyyned to reucale the same vnto, that may tend or condue to the good and profit of the said Company: Neither that I shall or × disclose ought that they shall inoyne me to keepe secrett, to any man whomsoever; but in all things to bend my uttermost skyll and ability to do the Company the best, true, & faithfull seruice I may or cane pfforme. In consideracon whereof, the said Company are to beare all my chargs by sea into Newe England, together wth my charges duringe my staie in there implyments in Newe England, & my charges at sea in my returne home, apparrrell only excepted, wth is to bee allwaies at my owne charge; and it is [agreed] moreover, that from the tyme of my first landing in Newe England, to the tyme of the returne from thence for London of such shippe as shalbee sent from London next after Michalmas
next, and in which I shall take my passage for London, that there shall be
allowed [unto] me five pounds for each month that I shall continue in Newe
[England] as aforesaid, for my salary or wages, but nothing to be allowed
[for] my charges during the time of my being at sea, outward and with this further puiso, that in case the said Company, [after I] shall have con-
tynued 6 or 8 months in the country, shall desire my continuance in
three yeeres from the time of my first, I will and [doe hereby] there intent to retaine me in there service to the end of
three yeeres, doe heereby promise to bee at the charge of the transportatio
into Newe England of my wife, five children, a boy, & a mayd servant,
& withall to build me a convenient house for my selfe: and my said flame-
ley, at there charge, and thereto to assyme me one hundred acres of land,
and to have one thereof planted at the Companies charge against the coming
of my flameley, whereby they may subsiste till I shall be possessed of my
flameley to performe the same, or otherwise to allow me some competency of
necessary victualls for the subsistance of me and my flameley till the next
season of planting & reaping after there arrynall: And it is further agreed,
that ye I continue in the Companies implyments for three yeeres, the pay-
ment of five pounds per month for my salary is to bee utterly voynge, and my
yeereley allowance in money, from the time of my first arrival in Newe
England to the end of three yeeres, to bee after the rate of fifty pounds by
the yeere, provided always that my said flameley, goinge outer as aforesaid,
there shall bee such a proportion of land allowed me for them heereafter as if
they had nowe taken there passage with me in the shippes nowe bound for
Newe England; and for further recompence for my trecue & faithfull
indevours in the said Companies implyments, with I doe promise with Gods
assistance to performe trulye and sincerelye to the best of my ability and under-
standing, I doe and shall referre my selfe wholey to the Companies dis-
cression, as my trecue indeuour and the successse thereof, through Gods
mercy, shall incourage them to doe. In wyttness of all the premises I have
heerevanto sett my hand and seal this present xth day of March, Ann° 1628,
in London.

THO: GRAUES. [Seal.]

[The above agreement of Mr. Thomas Graves was undoubtedly intended to be an original instru-
ment, as well as a record of the transaction; as all the signatures to it are autographs, and that of Mr.
Graves is accompanied with an impression of a seal in wax.]
The 10th Marche, 1628.

Present, The Goû, Mr Eaton,
Mr Dep'v, Mr Adams,
Capt Ven, Mr Whetcomb,
Mr Th'rè, Mr Hutchins.
Mr Vassall,

To Mr Sharpe. A PROPOSICÓN was made this day by Samuell Sharpe, who was formerly intertayned to doe his iudoeur in the Companies imlyments concerning artillery bissines, as appereth the 3d of this monthe, that all or the better pt of his sallery might be pⁿ him nowe, to puide him apparell wⁿall; and if he should happen to dye before he had des'ued it, lais sⁿ apparell should satisfye it; vppon debate whereof, it was thought fit that twenty pounds should bee pⁿ him; and this to bee the Trër warrant for payment thereof, vppon his sallery of 10ⁿ a yeere, ffor three yeeres; I say twenty pounds to be pⁿ him presently.

This day being apoynted to take into consideración touching the decision of the lands in Newe England, where our first plantaçon shalbee, it was, after much debate, thought fyytt to referre this buissines to the Gouernor, and a comittee to bee chosen to that purpose to assist him; and whatsoever thei shall doe hereby, that to stand ffor good.

This day order was gecuen to the Thër for payment of twenty pounds more to Mr Jnⁿ Humphry towrds chardges of our patten; and this to bee his warrant ffor the payment thereof.

Capten Ven, Mr Eaton, Mr Samuell Vassall, & Mr Nowel, and Mr Whetcombe, [or any] three [of] them, are intreated once more to conffr wⁿ Mr Jnⁿ Ouldam × × × comodaçon may bee made twixt the Comp & him, yᵗ × × × comodated.

John Browne, gent., and Mr Samuell Browne, of Roxwell, in Essex, × × take there passage in the Comp shippes ffor Newe England, at × chardge, and intending to plant there, it is agreed by these × , that for there passage and dyctt they shall pay fyve pounds [each]; and that for there incouragement land shalbee allotted to them [there], as if they had subscribed.
fyty pounds in the generall stock, [with such] pryucledge as others that are in
the pattent doe.

[In their own hands.] JOHN BROWNE,
SAMUELL BROWNE.

RICHARD CLAYTON, aged 34 yeeres, or thereabouts, carpenter, who
beeing desirous to transport himselfe, his wife, one daughter [of] x yeeres ould, his sister of 14 yeeres ould, his brother Barnaby Claydon, aged 23 yeeres, and his brother in lawe Tho•••• Hanscombe, ag x x x , for Newe England, in the Comp shippes, it is smised [this] daye, that he beeing able to
furnished 40 towers the chardege of him & his, what shall bee wantinge the Comp will [supply] vpon this condiçon, that vpon their arryuall in Newe England, what he shall bee indebted to the Comp shall bee [paid] by the labor of himselfe and his 2 servants, or brothers aforesaid, allowing them all three 3e the day for so long tyne [until] they haue paid this debt, & in that tyne fynding [these] 3 persons dyett at the Comp chardege, & whilst x x earning out this debt to instruct any of the Comp in the trade of a ploue wright;
& there is land to bee [allotted] to him and his, as is vsuall, by the Comp orders, to th x that transporte themselves; written this 12 March, 1628.

Cannotte goe this vioedge.  [In his own hand.] RICHARD CLAYDON.

The 16 March, 1628.

ESPOKEN by Mr Durbridge, at 2' 7d a p', 6 dussen pere of shewes,
to bee dd this weeke, viz\', 1 dussen pere of tens,
  2 dussen p' of 11,
  2 of 12,
  1 dussen p' of 13 ; 4 p' dd.

The 16th of March, 1628.

ESPOKEN of Mr Maio, at 10\(\frac{2}{4}\) p y'd, ffor beds & boulst's, 20 bed tikes, 20 beds &
Scotch tikeing, 2\(\frac{1}{2}\) broad, 2\(\frac{1}{2}\) long, & 1\(\frac{1}{2}\) y'ds broad; 11 y'ds each bed
and boulster.

Bespoke the day abouesaid, 8 dussen pair neats leath' shewes, of 96 p's sheues.

Robt Harret,  1 dussen 10,  At 2' 7\(\frac{3}{4}\) p pair, to bee good
  3 dussen 11, liquored neats leath', acco
  3 dussen 12, to the patt'ne.
  1 dussen 13,
1628-9.

Estimat of 100 men, chardge of them & their puissions, wth others noted:

17 March.

100 men, there chardge, 15^t a man, ............... 1500
Freight of the shippe Talbut, 5 mouths, 80^t p m, .... 400)
Victualls and wages 32 men, 70^t a mouth, .......... 350)
The Lyons Whelp sett to sea, ......................... 500
20 cowes & bulls, 4^t a pece, ......................... 80
10 mares & horses, 6^t a pece, ....................... 60
Charges of theis, ................................... 470

3360

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[17 March, 1628.]

AGREED wth [Joseph] Churchell ffor 100 swards wth x blades, at 4^t 6^" a pece, to have all chapes, and 10 short swords, at 2^a pece; and Polonia hils, at 3^t 4^", as maney as wee like, to dd wth in 8 dayes.

Bowght of Felix Boreman, dwelling in Fleete Lane:

14 swards, at 4^t 6^" a pece, 7 ditto, at 3^t a pece,

4 ditto, at 2^a a pece,

25 swards.

Agreed wth Mr. Raph White, in Philpot Lane, for 12 gallons aquavite, 2^t 6^t a gai.

12 sydes of bacon dd by Jn. Gladwing, at M^t Goffs, of 74 stone 2t, ech st 8t, at 2^t 5^" a stone.

17 Marche, 1628.

A WARRANT was made ffor payment of 120^t to Mr. Nathaniell Wright, for so much p^t by him to Mr. Jarvis Kerke, Mr. Wm. Barkley, & Mr. Robert Charlton, ffor the shippe.

Also, to pay ffor iron & steele.

Also, to pay ffor burrs to make milstones, 110, 2^t a p, bowght of Edward Casson, of L7, wchchantayler, ................. 11 0 0
14 C. of plaster of Parris, 18^t p C. .................. 1 1 0

12 1 0

& porridge, weig y^t plaster & casting out of the burrs, 12^t & 23^t, ........... 3 0

12 4 0
The 19th of March, 1628.

A WARRANT was made for payment of twelve pounds and twelve shillings unto Mr. Gawen Helme and Thomas Brick hed for two coppers for the Lyons Whelpe. I saye for, 12s & 12s 00d

The 19th of March, 1628.

A WARRANT was made for payment of eyghtene pounds unto Mr. Browne, and is for one bayle of French cloth, for the Lyons Whelpe. I saye, 18s

The 19th of March, 1628.

A WARRANT was made for payment of twenty-five pounds, eyghtene shillings, unto Mr. John Whitt, of Reddinge, for thirtye quarters of mannte, to goe in ye shippes. I say 25s 15s 00d, 26s 05d

[The £26 5s., originally written 25s 15d, is an alteration of the record.]


P'sent, The Gofnor, Mr. Humffry,
Deputy, Mr. Wm Vassall,
St. Rich: Saltonstall, Mr. Whetcomb,
Mr. Davinport, Mr. Nowell,
Cap't Venn,

At this meeting intimation was given by Mr. Nowell, by letters from Mr. Izake Johnson, that one Mr. Higgeson, of Lester, an able minister, offers to goe to o't plantation; who being approved for a reverend, grave minister, fitt for o't present ocations, it was thought by the present to entreat Mr. John Humfray to ride presently to Lester, and, if Mr. Higgeson may conveniently be had to goe this present viage, that he should deale with him; first, if his remoove from thence may be without scandall to that people, and approved by the consent of some of the best affected amonge them, with the approbation of Mr. Holdersham, of Ashby, dallisouch; secondly, that in regard of the shortnes of the time, the Companye conceive it woulde be best, if hee so thought good, to leave his wiffe & family till towards Bartholomew,
1628-9. for ther better accommodation; yet if this should be held inconvenient, [it] may be referred to himselfe to take [his wife and two] children with him; thirdly, that for his entertainement ye Company x x x x x x.

[Here appears an hiatus in the manuscript. The record of the 23rd of March, 1628-9, is incomplete, and the first portion of that of the 30th of April, 1629, is wanting. The second paragraph of the following record is a subsequent entry by Mr. William Burgis, the second Secretary of the Company.]

*30 April, 1629.

It is further ordered by these present, that the Govno', Dyepw, & Counsell aforesayd, or the maior p of them, shall make choice of a Secretary, and such other officers as shall in those discressions seeme requesyte & neydidfull, for x peaseable & quyett gouernment of the plantaçon; and x frame such oethes, and to administer the same to every of them, for the executeon of his phase and office for the yeere insuing next after they shall haue taken their oethes, as they in those discressions, or the greter number x them, shall thinke good.

And it is ordered, that the sst Govno', Deputie, Counsell, & other officers aforesayd, sallbe established and continue in their sst seall places for one whole yeare, or vntill this Court shall thinke fitt to chuse others in the place or places of them, or any of them; & in case of death, &c.

It is further ordered, that the sst Govno', Mr. Endecott, or his x and the sst Counsell, beeing chosen as aforesayd, & having taken x oethes respectyvly to there places, or the greater number, whereof the Govno' or Depw to bee always one, at any there meetings, (wth the sayd Govno', at his discression, or in his absence the Depw, is hereby authorized to apoynt, as oft as there shall bee occasion,) shall haue full power and authority, x x are hereby authorized by power deryued from his x letters patents, to make, ordynye, & establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, direct[ions] and instruc[tions] and instrucktyons, not contrary to the laws of the realme of England, for the present gouernment of our plantaçon, & the inhabitants residing within ye limmits of ye plantaçon; a copy of all wth orders is from tyme to tyme to bee sent the Compt in London.

It is ordered by these present, that a copy of the acts & orders made this present day for settling the gouernment in the plantaçon of the Massachusetts Bay aforesayd, shaall bee royally ingrossed, & sent vnder the Companies seal, subscribed by the Govno' & Depw, by the speediest conveyance for Newe England that x bee had. [See page 301.]

All this confirmed by erection of hands.
Mr. Walgrau, Mr. Pelham, & Mr. Humphry, & Mr. Nowel, are inter-tred [to] frame the forme of the oath for the Gouerno's, Mr. Endecott, also for his Dep't, & for the Counsell, wth * * * sent of & bee adminis-tered them in Newe England.

Thursday, the 7 May, 1629.

Present, The Gov't, Mr. Cowson,
Mr. Dep't, Mr. Nowell,
Mr. Aldersey, Mr. Humphry,
Mr. Addams, Mr. Tho: Pulyston,
Mr. Hutchins,

The last Court was read and confirmed by these present.
A forme of an oath for the Gouerno's beyond the seas, [&] of an oath for the Counsell there, was drawn & dd to Mr. Humphry to sheue to Counsell.

Lrs are to bee written about lands to bee allotted to ech adventuer; also about Mr. Fra: Webb's buseynes for a mill, etc.
To have those punnished beyond seas that sell guns.
To have some mens lands layd together.

*The 11th of Maye, 1629.*

Present, Mr. Deputy, Mr. Humfryes,
Mr. Tresurer, Mr. Wm Vassell,
Sir Rich : Saltinstall, Mr. Peeters,
Mr. Addams, Mr. Pinchen,
Mr. Nowell, Mr. [Fox]crafe.
Mr. Hutchens,

This daye Mr. Ouldum propounded vnto Mr. White, that he would have his patten examined; and its agreed by the Courte not to have any treatye wth him about it, by resone its thought he doth it not out of loue, but out of some synister respect.

A warrant dd vnto Mr. Scale for x dozen & two hats, at ij p dozen, for the some of 20$ iiiij$
The 13th of May, 1629.

13 May.

Present, The Governor, Mr. Pinchen,
this day, Mr. Dep^, Mr. Hutchens,
Mr. Treasurer, Mr. Hewson,
Mr. Glower, Mr. Backhouse,
Sr. Rich: Saltingstall, Mr. Bullard,
Mr. Addams, Mr. Crowther,
Mr. Offield, Mr. Whitchote,
Mr. Whetcombe, Mr. White,
Mr. Foxcroft, Mr. Peeters,
Mr. Wm. Vassall, Mr. Crane,
Mr. Perry, Mr. Humphry,
Mr. Nowell, Mr. [Sam: Vassall].

D

A warrant unto Richard Bowry for twelve pounds, xijl, as \( \frac{3}{4} \) pts of 18\( ^{\circ} \), the other \( \frac{3}{4} \) being to be p\( ^{\circ} \) p the Governor, & is for his apprentice, Robert Scale, his tyne.

Mr. Mathew Crudocke is this daye chosen by the consent of the generallity of ye Company to be Governor to the New England Companye for the yeare followinge; Mr. Thomas Goffe, Deputy; also, Mr. George Harwood, Treasurer to the said Company.

The Assistants beeing this day to be chosen, 2 of the former Assistants, mentioned in the patent, viz\( ^{\circ} \), Mr. John Endecott & Mr. John Browne beinge out of the land, the other 16 were confirmed, viz\( ^{\circ} \), Sr. Rich: Saltonstall, Mr. Izaack Jonson, Mr. Samuell Aldersey, Mr. John Ven, Mr. Mr. Humphry, Mr. Symon Whetcombe, Increase Nowel, Rich: Perry, Nathaniel Wright, Sam: Vassall, Theophilus Eaton, Thomas Addams, Tho: Hutchius, George Foxcroft, Wm. Vassall, & Wm. Pinchen; and to make vp the nombre of 18, Mr. John Pocock & Mr. Chr: Cowlson were chosen Assistants; and of these all, exceptinge Mr. Iz: Jonson, Sam: Aldersey, Mr. Ven, Nathaniel Wright, Sam: Vassall, Theophilus Eaton, & Chr: Cowlson, tooke there oethes appytaining.

Wm. Burges, Humphrey Lewes, Jr: Washborne, & Lawrence Roe, beeing all putt in election for the plase of Secretary, by a free election, Mr. Wm. Burges was chosen Secretary for the yeere ensuinge.

Humphry Scale chosen & sworn Beadle.

It is this day ordered, that whensoeuer any Court of Assistants shall bee summoned, whoso of the Assistants comes not, twixt 25 M\( ^{th} \) & 29 of September, before eight of ye\( ^{th} \) clock in ye\( ^{th} \) morning, & from 29 7\( ^{er} \) to 25 M\( ^{th} \), before 9 of ye\( ^{th} \) clock in the morning, shall forfeit twelve pence for every such
THE MASSACHUSETTS BAY IN NEW ENGLAND.

offence; & if he come not within towne howers after either of the st howres respectuely, then towne shillings for every deffalt; ech man to forfett & pay, & for want of payment within days after demand made by the officer [of] the Comp, the syne doble, to bee sett vpon his acompte; allways x vpon x of the Gouino x no full ex x approbaçon x

[In this place, in the midst of the last record of Secretary Washborne, several pages of the original volume, containing certain records of a miscellaneous nature, such as oaths, orders, &c., written by different persons, chiefly by Secretaries Burgis, Bradstreet and Nowell, have been erroneously introduced, probably when the manuscript was rebound. In order that the records may be continuous, these are transferred to the latter part of the printed volume.]

*It is also agreed, that for any y shall have pryauté conference, after ye Court is summoned, by the Gouino, or his Dep't, knocking of the haüer thrice on the table to sitt downe & attend ye Court, that six pence by every psone for every such offence shall be payd.

It is agreed, that three pounds shalbe paid to Washbourne for his paynes as Secretary to the Companie for the tyme past.

[Here the Records cease to be in the handwriting of Secretary John Washborne; and the subsequent pages of the manuscript, as far as the 39th page, were written by Secretary William Burgis.]

The Names of the Gou'no, Deputie, Treasurer, and Assistants, for the Yeaare 1629, & other Officers.

M' Matthew Cradocke, Gou'no;
M' Tho: Goffe, Deputy;
M' George Harwood, Treasurer;

Assistants.

Mr Richard Saltonstall, Mr Samuell Vassall,
Mr Isaak Johnson, Mr Theophilus Eaton,
Mr Sam: Aldersoy, Mr Thomas Adams,
Mr John Venn, Mr Thomas Hutchins,
Mr John Humfrey, Mr Georg Foxcroft,
Mr Symon Whetcombe, Mr Willm Vassall,
Mr Increas Nowell, Mr Willm Pinchion,
Mr Richard Perry, Mr John Pocock,
Mr Nathaniell Wright, Mr Christopher Cowlson;

William Burgis, Secretarie;
Humphrey Scale, Beadle.

1629.

13 May.
1629

18 May.
P''sent, Mr. Govino,
Mr. Deputie,
Sr. R; Solton-stall,
Mr. Geo. Harwood, Trer.,
Mr. Jn. Humphrey,
Mr. Tho. Adams,
Mr. Sym. Whetcombe,
Mr. Ri. Perry,
Mr. Jo. Pocock,
Mr. Geo. Foxcroft.

WILLIAM BURGIS, chosen by the last General Court to bee Secretarie for the yeare ensuinge, was now admitted & sworne accordingly; upon the salarie of xx Marks from the day hee was chosen, for the st yeare.

The Acts made at a Court the 30th of Apr last, for chusing & establishing a Govino, Deputie, Council, & other officers in New England, was now read; and this Court thought fitt to add thereunto, that they shalbe established in their st several places for one whole yeare, or till such tyume as the Company here shall thinke fitt to chuse others in the places of them, or any of them; and that in case any of them shall deéth this lyfe before th'expiraçon of the tyume they were soe chosen for, that the Govino, or Deputie, and Council, at an ample Court assembled, shal have power to nominate & chuse fitt person or persons to succeed him or them soe deceased in the said place or places for the residue of the tyume unexpired.

Mr. Humphreys & Mr. Addams are desired to meeete and consider what provisions are fitt to bee now sent over to Capt. Jo. Indicott & his flamylie, and to provde the same accordingly.

The names of all the adventurers to bee now sent over, with the several somes by them vnderwritten; and it ít be ordered that the Govino and Council there shall have power to allott unto every particular adventurer that shall desire the same by himselfe or his assignees, 200 acres of land upon the same of 50th adventure in the general stock in this first devident, & proportionally for more or less according to their several adventurers.

*And Mr. Govino, Deputie, Mr. Whyte, & Mr. Addams, & Mr. Whetcombe are to meeate at Mr. Gofino house to morrow morning at six of the clock, to advise & conclude of this business.*

19 May.

[Present.] Mr. Gofino,
Mr. Whetcombe,
Mr. Whyte,
Mr. Adams.

CONCERNING the alott't of land to those persons as are adventurers in the common stock, it is thought fitt that ýres be writ to the Govino to sett
out & allot vnto them after the pporçon of 200 a^e of land ffor 50^ adventer, & after y^ rate for more or less, to the intent to build their houses & to improve there labors theron; and if w^ in 10 daies after their arrivall, & demand made by any ptculer adventerrer in y^ coöm stock, or his servant ffor him, the same be not see allotted, then each man, being an adventurer, is hereby permitted ffree liberty to build in any place where himselfe shall thinke most convenient, w^ reseruacion not to build or manure that already built on or manured; provided, y^ if the pplot of ground whereon the towne is intended to bee built bee sett out, y^ it bee publicuely knowne to bee intended for that purpose, that then noe man shall presume to build his howse anue where else, (unless it bee in the Massachusetts Bay, and there according to such directions as shallbee thought meete for that place ;) but in case his allotment be not sett out w^ in the towne where he shall build, & lanning [in] his owne name, or in the behalfe of his master, made request to the Govnor to have the same assigned to him, if it bee not done w^ in 10 daies after his arrynall, it shallbee ffree ffor ane in such case, beeing an adventurer in the coöm stock, to build his howse w^ in the forces^ pplot of ground sett out for the towne to bee built on, & to impale to his owne vse preporconable to halffe an acre of ground for 50^ adventer in y^ coöm stock, unless a grater or lesser preporçon be formerley dterminaed of by the Govnor & Counsell; 

in w^ case, that pporçon is to bee made vse of & appropriated to ech man w^ in y^ liberties of y^ pplot sett out ffor the towne to bee built ; and it is ordered, that conneyance bee made in y^ Companies name, w^ the coöm scale of the Compa to it, to ane y^ shall desire it, for ech mans pleasable iniyoing of y^ land he holds, at the charge of the Company.

"It is further thought fit, & ordered, That all such psns as goe over at their owne charge, and are adventurers in the coöm stock, shall have lands allotted to them for themselves and their families forthwth, 50 acres of land for each psn; but being noe adventurers in the coöm stock, shall have 50 acres of land for the M^ of the familie, & such a pporçon of land more, if there bee cause, as, according to their charge & qualifie, the Govnor & Councell of New England shall thinke necessary for them, whereby their charge may bee fully & amply supported; unless it bee to any w^ whom the Company in London shall make any other ptculer agreem^; to w^ relaçon is to bee had, in such case./

And for such as transport servants, land shallbe allotted for each servant, 50 acres to the m^; w^ land the m^ is to dispose of at his discretion, in regard the servants transportaçon, wages, & is at the m^ charge.
A Court of Assistants, on Thursday, the 21st of May, 1629.

21 May.

Present, Mr. Goffin, Mr. Bilson, Mr. Th: Huson, Mr. Inc: Nouell, Mr. Humphrey, Mr. Whiccoyete, Capt.: Waller, Mr. Foxcroft, Mr. Hutchins.

Mr. EATEN tooke the oath of Assistant. And hee is desired to accompany Mr. Humphrey to Mr. Whyte, the Counsellor, to bee satisfied concerning the administering thes to the Goffin & Counsell in New England. Mr. Whetcombe is also desired to bee with them.

The Court of the 18th of May was now read, as also the order conceived by Mr. Goffin, and others, concerning the allotment of lands, & a part of the letter formerly written in this particular was confirmed; wherunto this Court thought fitt to add, if within 10 days after arrival of these shippes, & demand made by any person, adventurer in the coaff stock, or his or her servant, of their allotment of land, the same not being done, that in a convenient place not forsy built nor manured, then each person be permitt to seate himselfe, and build his house, & inclose the same to his or their use, not exceeding the one halfe of that proportion by the former order of this Court is allowed; and when the devisement is made, to bee free to make his choice within the said allotment, if hee dislike that hee had forsy chosen.

[23.]

It is thought fitt that the Secretary draw out at large the orders concerning the establishment of the Goffin & Counsell in New England, as also the order made concerning the allotments of lands; and Mr. Goffin, Mr. Deputie, Mr. Trer, Mr. Addams, Mr. Eaton, Mr. Hutchins, Mr. Nouell, Mr. Whetcombe, Mr. Wm. Vassal, or any 4 of them, wheresof the Goffin or Deputie to bee always one, are desired & appointed to meete and resolve of these orders, & to affix the Companies scale therunto, as also for preparing fies to bee now written, & to resolve & determine of all other business requisite for dispatch of these shippes. [See page 293.]
THE MASSACHUSETTS BAY IN NEW ENGLAND.

A Meeting at the Govno's House, on Friday, the 22nd of May, 1629.

Orders for establishing of officers in New England, as also the orders for the devyding & allotm. of land there to the adventurers & others, were now read, advised on, corrected, and concluded on, & together with the several bequeaths from the Company here to the Govno & Council there. All were appointed to be fully engrossed, and the said orders to be sealed with the common seal of the Company, and sent over upon the ships now ready to depart for New England.

Orders for establishing of officers in New England.

A General Court, the 11th of June, 1629.

*24.*

Present, Mr. Goüno', Mr. Adams, Mr. Humphrey.

Mr. Deputie,

Mr. Harwood, Mr. Pulliston,

Mr. Adams,

Mr. Jo: Venn,

Mr. Backhouse,

Mr. Wm. Vassall,

Mr. Webb,

Mr. Humphrey,

Mr. Crane,

Mr. Foxcroft.

This Court was appointed to take consideration of raising of monies for paym. of divers debts & bills; and thereupon an estimate was made of what was owing, p sealls bills, & wth are of necessitie to bee presently paid.

That another day bee appointed, & the whole Company to bee summoned by tickets, wth is thought fitt to bee on Wensday next.

Mr. Godden, m. of the shippe, made demand of freight pretended to bee due unto him for his last voyage; but bee not expressing a certaine som, this assembly thinkes fitt to deferr him till the next Court; and in the meane tyme bee is desired to bring in a note of what is due, as also to give securitie to the Company to free them from any further demands, & thereupon a final conclusion thereof to bee made.
1629.  

*A Gen'all Court, at the Deputyes House, on Wensday, the 17th of June, 1629.

17 June.  

[25.

Present, Mr. Gofino, Mr. Cooke,  
Mr. Deputie, Mr. Clarke,  
S'r R: Saltonstall, Mr. Ballard,  
Mr. Geo: Foxcroft, Mr. Pulison,  
Mr. Ri: Perry, Mr. Walgrane,  
Mr. Adams, Mr. Backhouse,  
Mr. Whitcombe, Mr. Danis,  
Mr. Pococke, Mr. Edw: Whyte,  
Mr. Johnson, Capt. Walker,  
Mr. Noell, Capt. Venn,  
Mr. Harwood, Mr. Davis,  
Mr. Whyte, Mr. Tho: Andrewes,  
Mr. Pelham, Mr. Aldscy.

Mr. Johnson was sworne an Assistant of this Company, being chosen thervno to a Court, the 13th of May, 1629. 

Mr. Gofino moved that a course might bee setled for bringing in of monyes; and Mr. Tiër returned a note concerning the Lecestershire men. It was propounded, —

To encrease their fornal subscriptions;  
To invyte others to vnderwryte;  
To borrow mony for a tyme, to supply th'occasions;  
To take vpp mony at interest. /

That those heere present doe furnish 200 or 100 a pcece, to hace allowance for it/

Names of those in Court that vnderwrit to lend: —

S'r R: Saltonstall, . . . 100^4  Sym: Whetcomb, . . . 25  
Mr. Gofino, . . . . 150  Tho: Hutchins, . . . 25  
Mr. Deputie, . . . . 050  Edw: Cooke, . . . 50  
Perrie, . . . . 025  Dan: Ballard, . . . 25  
Addams, . . . . 050  Edw: Whyte, . . . 20  
Increase Noell, . . . 25  Joseph Caron, . . . 25  
George Harwood, . . . 50  Aldersey, . . . . 50  
Rich: Whyte, . . . 25  Tho: Andrewes, . . . 25  
Mr. Clark, . . . . 25

The Court taking into consideration the necessitie of a present supply of the some of fifteen hundred pounds, for discharging of debts & bills, and
that the monies underwritten by the adventurers, & not yett brought in, nor not likely to bee brought in, in convenient time for satisfaction of those debts and bills w'h are of necessitie to bee presently paid; vpon seal'd pposisitions made, it [is] desired & concluded on, that those of the Company heere present would each of them voluntarilie lend such a some of mony as hee shall thinke fitt, for advancing the same wanting, and to have the common scale of the Company for the repaym't thereof, according to the tyne for w'h hee or they doe lend the same; and also that the Secretarie bee appointed, to goe to such others of the Companie not present as Mr. Gooring shall name, to intimate the same unto them, & to desire them to underwryte what soenes they will lend for this occasion, according as many of the Companie present hame done.

And it is ordered, that the common scale of the Company bee given to them, & all others that will lend, for repaym't thereof at such tyne as they shall desire the same.

*Audito's appointed for auditing the accompts, viz. Mr. Symon Whetcombe, Mr. Nathaniell Wright, Mr. Noell, Mr. Perry, Mr. Crane, Mr. Clarke, Mr. Eaton, and Mr. Andrewes; these 8, or any 4 or more of them, to meete at a convenient tyne & place to audite the accompts.*

A comittee for reducing all forfet orders into a method, viz. the Governor, Mr. Whyte, Mr. Dauenport, Mr. Johnson, Capt. Waller, Capt. Venn, Mr. Aldersey, Mr. Adams, Mr. Wright, & Mr. Darby, they or any 4 of them, and to present the same to the next General Court, to bee ratify'd & confirmed, in part or in whole, as shall be thought fitt; w'h are then by the Secretary to bee entered into a faire booke to bee kept for that purpose, according to the usage & custome of other Companyes.

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*A General Court, holden for the Company of the Massachusetts Bay, in New England, at Mr. Deputies House, on Tuesday, the 28 of July, 1629.*

Present, Mr. Matt: Cradock, Gor', Mr. Increase Noell, Mr. Thomas Goff, Dep't, Mr. Symon Whetcombe, Mr. George Harwood, Trer, Mr. John Poeocke, Mr. Thomas Adams, Mr. Celson, Mr. Nathaniell Wright, Mr. Hutchins, Mr. Theophilus Eaton, Mr. William Pinchon, Mr. Richard Perry, Mr. Sam: Vassall, Assistants.
1629.
28 July.

Mr Jos: Bradshawe,  
Mr Burnell,  
Mr Rivet,  
Mr Dan: Ballard,  
Mr Spurstowe,

Mr Tho: Hewson,  
Mr Woodgate,  
Mr Web,  
Mr Crane, Gefialtie/

Accoounts to be audited.  
The business treated on at the last meeting was now read; and thereupon the accounts of Mr Goñno's, Mr Deputie, and Mr Trër, being now presented to this Court, the Auditoorc, forcibly appointed for auditing the Comp accounts, were now desired to meete & puse & audite these accounts; with they have agreed to doe to morrow in theafternoon.

Macon to buy the shipp Eagle.

It was moved by Mr Goñno, that a shipp of 400 tonn & of good force being now to bee sold, should bee bought for the Companyes vse, vpon their gefiall stock; or that some paticuler members of the Company would undertake to buy the said shipp, in regard the Company are not now in cash; & that the Company will not only employ that shipp, but take other shippes of them of less defence, for transport of their cattle & all other commodities, from tyme to tyne, soe long as they shalbe willing to furnish such *shippinge; whereupon Mr Goñno declared that hee was willing to take 2 1/2 pt of the 8d shipp, or vnder,

and did wyte . . . 1/2 pt. Mr Revell, . . . . 1/2 1/3 pt.
Mr Deputie, . . . . 1/6 Mr Aldersey, . . . . 1/6
Mr Adams, . . . . 1/6 Mr Milburne, . . . . 1/6
Mr Wright, . . . . 1/6 Mr Hesone, . . . . 1/6
Mr Eaton, . . . . 1/6 The Company, . . . . 1/6
Mr Whetcombe, . . . . 1/6 (5c/)

See from Capt: Enedecott read.

A tre of the 27th of May from Mr Jo: Endecott was now read, wherin, amongst other things, hee complains of the pphane & dissolute living of divers of o're nation, forse traders to those pts, and of their irregular trading with the Indians, contrary to his late Mr Goñno's proclamation, desiring that the Company would take the same into their serious consideration, & to vse some speedy means herefor reformacion therof. Wherupon the proclamation made in Anno 1622 was read; & it is thought fitt that suite bee made to his Ma'y or the lords for renewing therof, with addition of such benefitall clauses as shalbe needfull for reforming so great & vnsufferable abuses; and Mr Goñno, Mr Aldersey, Mr Wright, and Mr Eaton are desired to require to the Lg: Keep & Mr Sec: Coke to acquaint their honoor therewith, and afterwards a petition to bee presented to the Counsell Board accordingly.

Proposicions of John Betts.

A note of divers proposicions offerd to the consideration of this Company by one John Betts was read, stending that hee is able to discovert divers things
for the good & advance of the plantaçon, & the benefit of this Company; whereupon some of those here were desired to enquire further of him, not only of his abilitie, but of his deportment in his lyfe & conversacion, and then the Company to treat with him as they shall thinke fitt.

*Also, Mr. Webb moued concerning a French man, being a phisitian, and otherwise well qualifie[d], who is desirous to goe over to live upon the Company's plantaçon, & gave good commendations both of his sufficiency & of his godly lyfe & conversacion; and of one Mr. Gardner, an able & expert man in divers facultyes; who are to bee further enquired of & treated with, against the next meeting of the Company.

It is also thought fitt & ordered, that these bee written to those in the country to pay in what they are behinde vpon their subscriptions; & that some tradesmen here in London that have occasion to trauell into any of those parts, bee desired to receive the mony on the Company's behalf.

And lastly, Mr. Gofin read certaine propositions conceiv'd by himselfe, viz., that for the advance of the plantaçon, the inducing & encouraging persons of worth & qualitie to transplant themselves and famlyes thither, & for other weightie reasons therein contained, to transferr the govenour of the plantaçon to those that shall inhabit there, and not to continue the same in subordinate to the Company heer, as now it is. This business occasioned some debate; but by reason of the many great & considerable consequences therepon depending, it was not now resolved vpon; but those here are desired privately & seriously to consider hereof, & to set downe their particular reasons in writing p & contra, & to produce the same at the next General Court; where they being reduced to heads, and maturely considered of, the Company may then p[roceed] to a fynall resolution thereon; and in the mean time they are desired to carry this business secretly, that the same bee not divulged.

*A Gen'all Court, Holden at Mr. Deputyes House, the 28 of August, 1629. [*30.*]

Psent, Mr. Goff, Deputie,
Mr. Harwood, Treer,
Sir Richard Saltonstall,
Mr. Johnson,
Mr. Davenport,
Mr. Humfrey.

Mr. Adams,
Cap't Venn,
Mr. Pocock,
Mr. Perry,
Mr. Coleston,
Mr. Pichion.
Mr Deputie acquainted this Court, that the especiall cause of their meeting was to give answer to divers gent, intending to goe into New England, whether or noe the chiefe gojnm of the plantation, togethers with the patent, should bee settled in New England, or heere.

Whereupon it was ordered, that this afternoon Mr Wright, Mr Eaton, Mr Adams, Mr Spurstowe, and such others as they should thinke fitt to call vnto them, whether they were of the Company or not, to consider of argument against the setting of the chiefe gojnm in New England.

And, on the other syde, St Richard Saltonstall, Mr Johnson, Capt Venn, and such others as they should call vnto them, to prepare argument for the setting of the she gojnm in New England; and that to morrow morning, being the 29th of Aug: at 7 of the clock, both sydes should meete & confer and weigh each others argument, and afterwards, at 9 of the clock, (wth is the tyme appointed of meeting for a Gen''all Court,) to make report thereof to the whole Company, who then will determine this business.
THE MASSACHUSETTS BAY IN NEW ENGLAND.

16 29.
29 August.
Setting the goffins in S. E.

This day the committees wth were appointed to meece yesterday in the afternoon to consider of arguments pro & contra touching the settling of the goffins of the Companyes planataón in New England, being according to the order of the last Court mett togethér, debated their arguments and reasons on both sydes; where were sent many of the Assistants and gelfalitie; and after a long debate, Mr Deputie put it to the question, as followeth:

As many of yo former desire to have the pattent and the goffins of the planataón to bee transferred to New England, soe as it may bee done legally, hold vp yo' hands: Soe many as will not, hold vpp yo' hands/

Where, by erection of hands, it appeared by the gelfalitie consent of the Company, that the goffins & pattent should bee setled in New England, & ordered, &c. accordingly an order to bee drawne vpp/

* A Genâll Court holden at Mr Depulyes House, the 19th of Sept., 1629.

P*sent, Mr Matt: Cradock, Go,
Mr Tho : Goff, Dcp^e,
Mr Geo : Harwood, Trër,
Mr Spurstowe,
Mr Pocock,
Mr Wrighte,
Mr Colson,
Mr Pinchon,
Mr Hutchins,
Mr Perry,
Mr Whetcombe,
& others/

At this Court tres were read from Capt Endicott and others from New E.; and whereas a difference hath false out betwixt the Gofnors there & Mr John & Samuell Browne, it was agreed by the Court, that for the determination of those differences, Mr John & Samuell Browne might choose any 3 or 4 of the Company on their behalf, to hear the said differences, the Company choosing as many: Wherupon the said Mr John and Samuell Browne made choice of Mr Sam: Vassell, and Mr Wm Vassell, Mr Symon Whetcombe, & Mr Wllm Pinchon; and for the Company there were chosen Mr John Whyte, Mr John Davencourt, Mr Isaac Johnson, & Mr John Wynthropp; who, with the Gofnor or Deputie, are to determine and end the business the first Tewsday in the next termne; and if any of the aforesaid pytys be absent, others to bee chosen by other pytys in their steades/

For the vnlandings of the shippes now come, viz, the Lyons Whelpe and Vnlanding the the Talbott, it was desired that the Gofnor & Deputie would take such order therin as they should thinke fitt/
And lastly, for the 5 boyes returned from New England upon the Talbutt, it is to bee advised on what course to bee taken for their punishm't, either by purring Mr Recorder his warrant, by complaning to the Judge of the Admiraltie or otherwise.

A Gen'all Court holden at Mr Deputyes House, on Tewesday, the 29th of Sept., 1629.

Present, Mr Matthew Cradock, Go', Mr Andrewes, Mr Thomas Goff, Dep', Mr Roc,
Cap't Waller, Mr Revell,
Cap't Venn, Mr Huson,
Mr Nath: Wright, Mr Webb,
Mr Tho : Adams, Mr Woodgate,
Mr Geo : Foxcroft, Mr Pulston,
Mr Richard Perry, Mr Bateman,
Mr Nowell, Mr Wynche,
Mr Sym : Whetcombe,

Transferring of the govern. At this Court were read the orders made the 28th & 29th of August last, concerning the transferring of the pattent & goûn'mt of the plantac'on into New England: but that business, being of great & weighty consequences, is thought fitt to bee deferred for determina[con] vntill St R. Saltonstall, Mr Johnson, & other gen'l bee come vpp to London, & may bee heere pres't; and in the meane tyme it was ppounded that a comittee should bee appointed to prepare the business;

To take advice of learned councell whether the same may be legally done or noe;

By what way or means the same may be done, to corispond w'&h, and not to prejudice the goûn'mt heere;

To consider of the tyme when it willbe fitt to doe it;

To resolve on whom to conferr the goûn'mt; and divers other circumstances materiel to bee resolved on, ç'/

The next thinge taken into consideraçon was the tres from Mr Jo: & Samuell Browne to divers of their private freinds heere in England, whether the same should bee delified or detained, & whether they should bee opened & read, or not; and for that it was to bee doubted by phable circumstances, that they had defamed the country of New England, & the Goûn'mt & goûn'mt there, it was thought fitt that some of the said tres should bee
opened & publiquely read, wth was done accordingly; and the rest to remaine at M' Deputys house, & the pytys to whom they are directed to have notice, and M' Goñno*, M' Deputie, M' Trer, & M' Wright, or any two of them, are intreated to bee at the oþing & reading thereof, to the end the Company may have notice, if ought bee inserted therein wth may bee judicall to their goðnys, or plantaçon in New England./

And it is also thought fitt that none of the fyes from M' San: Browne shalbe delified, but kept to bee made use of against him as occasion shalbe offered.

The business of clearing the 2 shippes lately come home, paying and discharging the men, and housing the goods, is recomended to the care of M' Deputie, who hath undertaken the same./

It is also thought fitt & ordered, that the Secretary shall wryte out a copy of the coppy of the form mov: to the Erle of Warwick & others, wth was by them resigned to this Company, to bee presented to his Lr: as hee having desired the same./

Mr Goñno* moved to knowe the resolucion of the Compy concerning buying the shipp Eagle; and it was concluded on, as forthy, that the said shipp should bee bought by those hereafter named, viz;,

| The Goñno* | 1/3 |
| The Deputie | 1/5 |
| Mr Adams | 1/9 |
| Mr Wright | 1/9 |
| Mr Eaton | 1/9 |
| Mr Whetcombe | 1/9 |

And Mr Goñno* is desired to goe on & conclude the bargaine vpon such termes as hee can: And it was further thought fitt & resolved on, that this shipp, being of good force, and bought for the safety & hono: & benefit of the plantaçon, shall always bee preferred in that voyage before any other shipp, and to have some consideracon in her freight amonst other shippes accordingly./

*It is also thought fitt, for the present raising of mony, that sale bee made of the beave* skins; and, to that purpose, a rate was now sett vpon them of 20* p: ; and Mr Nath: Wright, being heere present, is to have tyme till to morrow to accept of them at that rate, or to returne his answer; and in the mean tyme the skins not to bee sold under that rate, the sale of them being referred to Mr Goñno* and M' Deputie./

Also some speech was had concerning the delity of the peç* to the Lords of the Councell; but this is deferred till their Laps coming to London./
1629.

Mr. Trit & Mr. Adams are desired to make an abstract of those who arebehind with their subscriptions, to the end some course may be taken to call in for those monies/

For the 12 cows, & 3 calves, & 2 mares, & 2 foals, it is thought fitt that they bee forthcoming sold, rather then kept at charges all this winter; wth is recommended to the care of Mr. Bateman & Mr. Huson./

Also, concerning the 5 boyes returned in the Talbott, Mr. Whetcome & Mr. Noell are desired to acquaint S't Hen: Martyn wth their misdemeanour, & to advise what punishm't may bee inflicted vpon them, and how the Comp may bee legally discharged of them./

Vpon the desire of Mr. John & Samuell Browne, it is thought fitt & ordered, that they should have a copy of the accusaçon sent from New England ag' them, to the end that they may bee the better prepared to make answere therunto;/

Mr. Wright is desired to take care of the sale of the clapboard & other wood/

Also, ulses from Robt Moulton, the shipwright, & from the cowpers & cleavers of wood, consisting of divers ptculars, were now read; wth are to bee abrevyated, and fitting answers to bee made vnto them by the returne of the next shippes to New England./

[36.]

*1 Gen'fall Court at the Deputys House, on Thursday, the 15 of Oct., 1629.

P'sent, Mr. Matt: Cradock, Gōnór, Mr. Increase Noell,
Mr. Geo: Harwood, Trër, Mr. Ballard,
Sr. Richard Saltonstall, Mr. Revell,
Mr. John Danesport, Mr. Dudley,
Mr. Isack Johnson, Mr. Winthrop,
Mr. Samuell Aldersey, Mr. Webb,
Mr. John Humfray, Mr. Huson,
Mr. Nath: Wright, Mr. Young,
Mr. John Venn, Mr. Whicheynte,
Mr. Tho: Adams, Mr. Crane,
Mr. Wi'llm Vassall, Mr. Owen Roe,
Mr. Symon Whetcombe, Mr. Forde, wth divers others of the
Mr. William Pynchion,
Mr. Geo: Foxcroft, gentility./
THE M A S S A C H U S E T T S B A Y I N N E W E N G L A N D.

1629.

16 October.

Transferring of the gourna.

That the Court in conclusion, for accommodation of both pt's, fell upon a moderate' as, as followeth, viz: *That the Company's joint stock shall have the trade of beaver and all other furs in those pt's slyly, for the term of 7 years from this day, for and in consideration of the charge that the joint stock hath undergone already, and is yet annually to bear, for th' advancement of the plantaçon./

That for the charge of fortification, the Companies joint stock to bear the one halfe, and the planters to defray the other, viz', for ordnance, munition, powder, &c. But for laborers in building of forts, &c., all men to be employed in an equal proportion, according to the number of men upon the plantaçon, and see to continue until such fitt & necessarie works be finished./

That the charge of the ministers now there, or that shall hereafter goe to reside there, as also the charge of building convenient churches, and all other publicque works upon the plantaçon, bee in like manner indifferentely borne, the one halfe by the Companies joint stock for the said term of 7 years, and the other halfe by the planters./

That the ordnance already prvded for fortification bee rated as they cost, ordnance, &c., to be rated.

As also all powder & munition whatsoever concerning armes, soe as the same bee deliued there for publicque use; and this to bee accompted as pt of the joint stock of the Company./

All wh h being sculled tymes read, was by Mr. Goodrof put to the question, and by general consent, by erection of hands, was agreed & concluded on, and ordered accordingly./

And forasmuch as by former order the patent & gourna[3] to bee transferred to New England, a comittee is appointed, pt of the adventurers here, & pt of those that intend to goo over, viz':

*37.1
who are desired to meete tomorrow morning, to conferr of & drawe fitt & convenient clauses to bee inserted in articles of agreement, wth may bee commodious for either of, and to prepare the same for a Court of Assistants, appointed that afternoon to determine thereof.

[*38.] A Court of Assistants at the Deputies House, on Fryday, the 16 of Octo., 1629.

Present, Mr Matth: Cradock, Geo, Mr Geo: Harwood, Trer,
St R: Saltonstall, Mr Winthrop,
Mr Is: Johnson, Mr Huson,
Mr Dudley, Mr Whetcombe,
Mr Jo: Humphry, Mr Perry,
Mr Wm Vassall, Mr Powcock,
Mr Revell, Mr Spurstowe,
Mr Geo: Foxcroft, Mr Pinchon,
Mr Adams, Capt Venn,
Mr Sam: Vassall.

T HIS Court was appointed to treat & resolve, that upon the transferring of the government to N. England, what government shall be held at London, whereby the future charge of the joint stock may be cherished & preserved, and the body politic of the Company remaine and increase. 

What persons shall have the charge of the managing of the joint stock, both at London & in N. England; wherein it is conceived fitt that Capt Endecott continue the government there, unless just cause to the contrary.

These and other things were largely discussed; and it was thought fitt & natural that the government of persons be held the government of trade & merchandizes to be here;

That the joint stock being mutual, both here & there, that some fitt persons be appointed for managing thereof in both places;
THE MASSACHUSETTS BAY IN NEW ENGLAND.

But for that there is a great debt owing by the ioynt stock, it was moved that some course might bee taken for clearing thereof, before the goyin\textsuperscript{t} bee transferred; and to this purpose it was first thought fitt that the accompls should bee audited, to see what the debt is; but the business not admitting any such delay, it was desired that Mr. Goyin\textsuperscript{t} & Mr. Tre\textsuperscript{r} would meete to morrow, \\& make an estimate of the debts, \\& prepare the same against a meeting to bee on Monday next, to determine this question./

The Shipp Eagle is to bee fraughted from Bristoll/ 

Lastly, t\res were read \\& signed to Mr. Endecott, Mr. Skelton, \\& Mr. Higgison, as appears by the entryes of them in the booke of coppyes of t\res./

* A Meeting at Mr. Deputies House, on Monday, the 19\textsuperscript{th} of Octo., 1629. [\textsuperscript{39}.] 

\textbf{Present,} Mr. Matth: Cradock, Go', Mr. Foxcroft, \\
Mr. Geo: Harwood, Trèr, Mr. R. Saltonstall, \\
Mr. Na: Wright, Mr. Isack Johnson, \\
Capt. Venn, Mr. Dauenport, \\
Mr. Pinchon, Mr. Whyte, the Preacher, \\
Mr. W\textsuperscript{m} Vassall, Mr. Whyte, the Councello', \\
Mr. Huson, Mr. Wynthropp, \\
Mr. Noell, Mr. Dudley/ \\
Mr. Adams, \\

The OCCASION of this meeting being to resolute of the alteracon of the goyin\textsuperscript{t} and therin to consider how the debts upon the ioynt stock shall be first discharged, and how the same shalbe hereafter managed; and herein what was forcibly treated on, was againe related, and for that divers questions will arise to bee determined in this business, we\textsuperscript{th} will take vpp much tyme, and cannot bee soe convenently done at a Court, it was thought fitt that certaine comittees bee appointed on ether fit to meece \\& make pposiçãoes each to other, \\& sett the same downe in wryting; and if they can, to agree \\& conclude of a fitt end to bee made for the good of the plantacon; and if any difference happen we\textsuperscript{th} they cannot agree on, that then the same bee referred to the vmpage \\& determination of some of the preachers to bee chosen to that purpose; who are desired to sett downe in wryting what they shall thinke in conscience is fitt to bee done, indifferently for the good of the worke \\& the encouragm\textsuperscript{t} both of planters \\& adventurers: And to this purpose, articles betwene the planters and adventurers for performance of what Articles drawn. 

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shalbe determined, was now drawne by Mr. Whyte, the counsellor, read &
approved, and are to bee presented to morrow at a Generall Court, to bee raty-
fyed, & then sealed; and at that Court the Goûnoe & Assistants to bee
chosen for the Goûnmt in N. England.

[*10.*]

20 October. *A Generall Court holden at Mr. Goff the Deputyes House, on

Tuesday, the 20th of Octo., 1629.*

**Present,** Mr. Matthew Cradock, Goœ, Mr. Davenport, Clarks;  
Mr. Whyte, Clerks;  
Mr. Wenthrop,  
Mr. Dudley,  
Mr. Puliston,  
Mr. Ballard,  
Mr. Job Bradshaw,  
Mr. Cooke,  
Mr. Revel,  
Mr. W. Pinchon, Capil Waller,  
Mr. Geo. Foxcroft, Mr. Ballard,  
Mr. Increase Noel, Mr. Woodgate,  
Mr. Stephens,  
Mr. Fr. Flyer,  
Mr. Spurstowe,  
Mr. Huson,  
Mr. Roe,  
Mr. Webb; with some others  
of the generallity.

Shipp Eagle. Mr. Goûnoe caused to bee read the order forcibly made concerning the
buying of the shipp Eagle, and desired to knowe the pleasure of the Court for confirmacion thereof; whereupon some debate being had, the order was well approved of; but for that it is wished that the generall that are to goe over should have the $\frac{1}{4}$ part of the 3d shipp was forcibly allotted to the Company, (the Company being out of cash, & for other reasons,) they not having notice thereof till now, desired tyme till the after noone to consider thereof, & to give their answere; was condescended unto, and the same is then to bee determined accordingly.

After was Mr. Goûnoe acquainted those present, that the especciall occasion of suomininge this Court was for the eleccion of a new Goûnoe, Deputy, and Assistants, the goûnmt being to bee transfered into New

[*41.*] England, according to the former order and resolucion of the Company. *But
before the Court proceeded to the said election, certaine articles of agreement, conceived at a meeting yesterday betweene the adventurers heere at home & the planters that are to goe over, aswell for the managing & settleing of the input stock as for reconcilinge of any differences that may happen vpon this change of gou'nmnt, was now read & recommended to the Court for their approbacon, and for the nomination & appointme of a competent number of committees to meete & treat & nominate of these businesses. The articles themselves were approved of, and 5 committees on ether p' were thereupon chosen, viz, S't Richard Saltonstall, M't Winthrop, M't Dudley, M't Johnson, and M't Humfrey for the planters; and for the adventurers was chosen, M't Gofloco, M't Aldersey, M't Wright, M't Hutchins, and Cap't Venn. And in case the said committee, or the greater number of them, should differ in any one or more p'ticulars, & not agree theron, there was chosen for vmpiers, M't Whyte, the counsellor, M't Whyte, of Dorchester, and M't Dawnecport, to whom the desicion & determinacon of all such differences is referred, according to the tenure of the said articles of agreement. And it being further taken into consideration, that, in regard of the shortness of the tyme limited to the committees, many things of weight & consequence in this soe great a business may ether not bee at all thought on, or otherwise left unresolved by them & the s't vmpiers, it is therefore thought fitt by this Court that the said committee & vmpiers shall continue till the end of this tarm of the same to bee as valide & effectuall as if it had bin done before the expiration of the tyme limited by the articles. And it was further thought fitt that all such others of the Company as will may, from tyme to tyme, have access to the said committee, to pppound such things as they conceive beneficall for the business, or to present their opinions in wryting, but not to debate wth them for interrupting their proceedings.

All wth, being put to the question, was approved of, and, by creccion of hands, ordered accordingly.

*And now the Court, proceeding to the creccion of a new Gofloco, Deputy, & Assistants, wth, vpon serious deliberacon, hath bin and is conceived to bee for the especiell good & advanced of their affaires, and having received extraordinrinary great combhnecon of M't John Wythnrope, both for his integritie & sufficiencie, as being one every well fitted & accomplished for the place of Gofloco, did put in nomination for that place the said M't John Wythnrope, S't R: Saltonstall, M't Is: Johnson, and M't John Humfrey; and the said M't Wythnrope was, wth a geall vote & full consent of this Court, by creccion of hands, chosen to bee Gofloco for the ensuing yeare, to begin on this present day;
who was pleased to accept thereof, and thence took the oath to that place appertain. In like manner, and with like free and full consent, Mr. John Humfrey was chosen Deputy Gofigo,

and Sr. R: Saltonstall, Mr. Thomas Sharpe,
Mr. Is. Johnson, Mr. John Revell,
Mr. Tho. Dudley, Mr. Matt. Cradock,
Mr. Jo. Endecott, Mr. Thomas Goff,
Mr. Noell, Mr. Aldersey,
Mr. Wm. Vassall, Mr. John Venn,
Mr. Wm. Finchon, Mr. Nath. Wright,
Mr. Sam. Sharpe, Mr. Theoph. Eaton,
Mr. Edw. Rossite, Mr. Tho. Addams,

were chosen to be Assistants; with said Deputy, and the greatest part of the said Assistants, being sent, took the oaths to their said places appertaining respectively.

[*43.] A Court of Assistants, at Mr. Goff's House, on Friday, the 20th of November, 1629.

Present, Mr. John Wynthorpe, Gofigo,
Mr. John Humfrey, Deputy Gofigo,
Sr. Richard Saltonstall, Mr. Colson,
Mr. Thomas Dudley, Mr. Matt. Cradock,
Mr. Thomas Adams, Mr. George Harwood,
Mr. Nathaniel Wright, Mr. John Revell,
Mr. Hutchins, Mr. Increase Noell.

For bringing in of monies to pay freight and mariners wages.

The especial occasion of this meeting was to advise of a course for bringing in of monies, for payment of mariners wages, freight of ships, and other debts; and thenceon Mr. Cradock acquainted those present what some he had disbursed for account of the Company, and what more was owing for mariners wages upon the ships Talbot, Mayflower, and Fower Sisters, and for the freight of those ships, amounting to 1200l. and upwards; with the Court thinketh not, & order, to be first paid before any other debts. And Mr. Gofigo desiring to have power from the Court to grant warrants for payment of monies, as was formerly accustomed, the same was condoned unto; and a warrant was now made & signed by the Gofigo and Deputy, directed to Mr. Harwood, the Treasurer, for payment of 800l. to Mr. Cradock, so soon as mony shall come to his hands.

Some debate was had concerning Mr. John and Sam: Browne complaining that their goods, praised in New England, are undervalued, and divers
things omitted to bee praised; wher[ein] they desire to haue releife & justice done. It is therupon thought fitt, that if they can puelve pffe therof, then they are to bee recuied heere; otherwise, the same is to bee suspended, and all the obieccions they can make to bee taken notice of & recomended to Mr. Gofino's, to bee considered of and determined after his arrivall in New England, when hee may haue the praisers answers to those obieccions; and, in the meane tyme, Mr. Cradock to pay the mony charged vpon him for the same./

*M' Beecher, M' of the shipp Talbot, desired to haue in a bond, wth hee entered into, to M' Pratt, for wages or allowance to a chirurgeon for the Lyons Whelpe, who was to haue 2s. 6d. for every psoun in the shipp, according to an agreeem made wth them, the number of the psouns being about 125, of wth M' Beecher had fornlly deliuid a piculer note to M' Goff. The Court conceiving the said allowance to bee exorbitant, & more then is usuall in like cases, doe desire that the chirurgeon bee appointed to bee heere the next Gesfiall Court, and then such conclusion is to bee made wth him as shalbe fitt./

Lastly, M' Smith, the accomptant, attended them wth their accompts; and, after passal therof, it appearing that divers were behunde wth their whole subscripcon, or pt therof, it was thought fitt, that, for the fent supply of monys, ticketts should bee sent vnto them to desire them to send in the somes by them vnderwritten; to wth purpose a list of their names & somes was now drawne out; and ticketts are forthwth to bee made accordingly./

* A Gent'all Court, on Wensday, the 25 of Novem., 1629. [*45.]

P'sent, Mr. Jo: Winthrope, Gof, Mr. Jo: Humfry, Depf, Mr. R: Saltonstall, Mr. Isack Johnson, Mr. Thomas Adams, Mr. Nathaniell Wright, Mr. Theoph: Eaton, Mr. Wm. Pinchion, Capf Venn, Mr. Encrcea Noocl, Mr. Matthew Cradock, Capf Waller, Mr. Whyte, Mr. Dunenport, Mr. Huson, Mr. Backhouse, Mr. Foxcroft, Mr. Woodgate, Mr. Bradshawe, & others./

A RE of the fit of Septembr, from Mr. Endecot, the Gofino's, & others ere from New in New England, was now read; as also Mr. Gofino acquainted those p'sent wth certaine testimony sent over against one Wm. Rovell, Mr. of a shipp Wm. Rovell. of , concerning some insolent & misheesoming speaches vittered by him
1629. in contempt of the Companyes pruiledges & goûm' & wth is to bee taken into further consideraçon, & bee proceeded against, when other certyificates are come, wth are expected, concerning that business./

This day being one of the 4 quarter dayes appointed by the charter for keeping a Gefall Court, the gefall business of the plantaçon should have bin treated on; but by reason of the small appearance, & shortness of tyme, nothing was done therin: only the Goûno' made relaçon of the proceedings of the ioynt comittee concerning the setting of the ioynt stock: That wth standing there had bin all good concordencie & faire proceeding betweene them, yet, by reason of the greatness of the business, and the smallness of the supplyes, they could not bring the same to a wished effect, but only had reduced it to certaine ppossions to bee represented to the consideraçon of the Company, to receive their resolvaçon therin/

The accomptant having made an estimate of the acc', the ioynt stock appeares to bee in arrear 3000d & upwards. Towards wth 3000d there is 1900 in subscripçons not yet brought in, & about 8 or 900d vpon freight of shippes/

There wilbe a necessitie for supply of necessaries for the Companyes servants . . . . . . . . . . . 2000
for marchandizes for trade, . . . . . . . . . . 0500
for munition & artillery for fortificaçon, . . . . . . 0500

[*46.] Soe as there being an inevitable necessitie of supply of mony, ether to revyre the old stock, or to raise a new, the pposiçons were now expressed, viz',

1. That all the forç adventurers should double their forç subscripçons;
2. That the servants, cattle, & all marchandizes or pvisions belonging to the ioynt stock, should bee sold, & the vnderwryters bee paid their pporçons of what shall accrew or arise thereof;
3. Or lastly, that the old stock bee putt over to certaine vndertakers, vpon such conditions as can bee agreed on, & they to goe on wth the worke, & manage the business, to bear all charges, & to stand to pitt & loss, & to pay the vnderwryters their principall by them brought, at the end of 7 yeares; & this to bee vnderstood not to exclude any who have affectaçon to this business, but that they may come in vnder those vndertakers for such soûes as they shall thinke fitt to adventure; but that for the better furtherance and facilitating the business, the same to bee managed by few hands. And for th'incouragm' of such vndertakers, the comittee haue thought of certaine inducem': viz',

That they shall haue the one halfe of the beano';
The sole making of salt;
The sole transport[ation] of passengers; servants & goods to bee transported at reasonable rate;
To bee allowed a reasonable prift vpon all such provision as they shall keepe in magazine there for the use and relief of the inhabitaunts.
All wth promises the Govno1 recomended to the consideration of those p·sent; but by reason of the small appearance, nothing could bee determined, and therefore a spetiall Court is appointed for this purpose on Monday next, & the whole Company to bee sumoned by ticketts to bee p·sent.
Lastly, vpon the motion of Mr. Whyte, to the end that this business might bee proceeded wth the first intencon, wth was chiefly the glory of God, & to that purpose that their meetings might bee sanctified by the prayers of some faithfall ministers resident heere in London, whose advice would bee likewise requisite vpon many occasion, the Court thought fit to admitt into the freedome of this Company Mr. Jo: Archer & Mr Phillip Nye, ministers heere in London, who being heere p·sent, kindly accepted thereof: Also Mr. Whyte did recomend vnto them Mr. Nathaniell Ward, of Standon./

*A Gen'All Court at Mr. Goffs House, on Monday, the last of Novem', 1629.  

Present, Mr. John Winthrop, Go'; Mr. John Humfry, Dep'; Mr. Geo: Harwood, Trër;
Assistants,
St. Richard Saltonstall, Mr. Thomas Adams,
Mr. Isack Johnson, Mr. Theophilus Eaton,
Mr. Thomas Goff, Mr. Encrease Noell,
Mr. Tho: Dudley, Mr. John Revell,
Mr. Nath: Wright, Mr. WiHm Pinchon;
Mr. Matt: Cradock,
with many of the gellilitie. 25.

It was ppounded to the Court that whereas the ioynt stock was engaged to the value of 2500l; p·sent debt, and there was necessary required 1500l p·sent disbursm· for maintenance of the servants now in the plantaçon, and for commoditie for truck & munition, that the adventurers would bee pleased to double their forêt subscripçons; wth being not assented vnto by the Court, it was ppounded & agreed by gellall consent that ten psoues should bee chosen, 5 of the adventurers, & five of the planters, wth should take the ioynt stock at the true value, and take vpon them the engagnm· & other
RECORDS OF THE GOVERNOR AND COMPANY OF

1629. charges; for wh^th there should bee appropriated to the ioynt stock, for 7 yeares, these pr^uiledges w^th follow, viz:\n
30 November.

1. Halfe the trade of the beavo\*, & all other furrs;
2. The sole making of salt;
3. The ffurnishing of a magazine at sett rates;
4. The sole transporta\on of passengers & goods at certaine rates;/

For w^th end there was a co\mittee appointed to value the ioynt stock, viz:\n
Mr White, of Dorchester, Mr Webb,
Mr Thomas Goff, Mr Increase Noell;

who, taking vpon them the charge of the said business, did the next day (the Court then sitting vpon adiornrn\') make certificate of their proceedings to this effect, viz:\n
[*48.] 1 December.

[This date, at the top of page *48, is not in the chirography of the Secretary, but is an ancient interpolation, apparently very nearly contemporaneous with the record.]

That wheras divers so\nies had bin disbursed in publique charges, as transporting of ministers & their famili\es, ammunition, (\*, w^th were not now to bee valued to the vndertakers, as beinge to remaine always to the plantag\on; and wheras many of the servants, w^th were transported at extraordi\nary charge, doe not give soe vseful as was expected, and soe will not yield the vndertakers any such benefit as may answer their charge, divers of the cattle & provisions likewise miscarryinge, through want of experience in the begininge of such a worke, they could not fynde the said stock to remaine cleere & good, (the debts discharged;) above one third \p of the whole so\nne w^th hath bin adventured from the first to this \p sent day; w^th value, vpon due examina\on & long debate, was allowed by all the Court/\n
Wherupon it was ppounded & agreed by the whole Court, that the old adventurers (in leiu of this abatem\ of 3 of their adventures) should have an addition of a double ppore\on of land, according to the first ppore\on of 200 ac\ for 50\, and that they should have librie to putt in what so\nes they pleased, to bee added to their former adventures, soe as they subscribed the same before the first day of January now next followinge; and such as live in the country, remote from the cittie of London, to enter their subscrip\ons before the second of Feb\ next: And that any of the said adventurers may take out their adventures after the aforesaid rate: And further, that it should bee lawfull for all other ps\ons (w^th consent of any 3 of the vndertakers) to put in what so\nes of mony they please, to bee traded in the ioynt stock,
(upon such allowance to the common stock for publique uses, in regard that they shall beare noe part in the common losses,) as the said adventurers, or 3 of them, shall agree with them for, from tyme to tyme, and that all adventurers shall pay in their adventures in such tyne & manner as shalbe agreed betweene them and the s t vndertakers, or any three of them./

It was also agreed by the Court, that in regard the vndertakers should beare the greatest charge & burthen, and all other adventurers should have equall part of the gaine, if any did proceed, that therefore they should have 5 t in the hundred cleere gaines of the said ioynt stock, both in & out, all charges beinge deducted./

And that the ioynt stock being thus managed, at the end of 7 yeares, (to bee accompted from this day,) aswell the said stock, as the proceed & pfitt thereof, to bee devyded to every man proportionally, according to his adventure; and all the said premiplies then to cease, and all psons to bee at libertie to dispose of their pts in the ioynt stock at their owne pleasures./

Herevpon the Court thought fitt to desire the gen l herevnder named to vndertake the ioynt stock vpon the tearmes before ppounded, viz j:

Mr John Winthrop, the Gofino;
Sir Richard Saltonstall, K t;
Isack Johnson, Esq;
Mr Thomas Dudley,
Mr John Revell,
Mr Matt : Cradock,
Mr Nathianiell Wright,
Mr Theophilus Eaton,
Mr Thomas Goff,
Mr James Younge;

with gen l (upon much entreaty of the Court) did accept of the said charge, and accordingly were chosen to bee vndertakers, to haue the sole managinge of the ioynt stock, with all things incident thervnto, for the space of 7 yeares, as is aforesaid./

And it was agreed to desire & nominate Mr Aldersey to bee treasorer for the said Companie; and that all monyes with shall come in to the ioynt stock, or that shalbe gien to the common stock, shalbe paid vnto him, and to bee issued out vpon warrant vnder the hands of the said vndertakers, or any three of them, as occasion shall require./

It was also ordered by the Court, that the vndertakers should pryde a sufficient number of shippes, of good force, for transporting of passingers, at the rate of 5 t a pson, & 4 t a tonn for goods, with shalbe ready to sett saile from London, by the first day of March; and that if any passingers bee to take shipp at the Isle of Wight, the shippes shall stopp there 24 howers; and that all such as intend to pass over shall gie in their names, with 40 towards their freight to one of the said vndertakers abyding in London, in the Michaël's tearme before, and shall deli f their goods on shipp board

vo l. 1.
before the 20th of Feb. following, and shall give security for the rest of
their freight as they can agree with the said undertakers, either for mony to
bee paid here, or for commoditie to be deliuid in the plantaçon.

*Further it was agreed, that for the transportacon of children this rate
shalbe kept, viz: Sucking children not to bee reckoned; such as under 4
years of age, £ for one; under 8, 2 for one; under 12, 3 for 2. And that
a shipp of 200 tonn shall not carry above 120 passengers compleate; and soc
of other shippes after the same proportion. And for goods homewards, the freight
shalbe for beauo's £ per tonn, and for other commodities 20£ p tonn; and such as
will have their good assured shall pay 3£ p C./

Concerning the magazine, is likewise agreed, that the undertakers
should furnish the plantaçon with all such commodities as they shall send for;
and the planters to take them off and retaile them at their pleasure, allowing the
undertakers 25% in the hundred above all charges; and the planters to
have liberty to dispose of their part of the beauo's at their owne will; and every
man may fetch or send for any commoditie for his owne vse, where or how hee
please, soe as hee trade not with interlopers, soe long as hee may bee furnished
sufficiently by th'adventurers at the rates aforesaid.

Lastly, it is ordered, that in regard this Court could not sett downe
particular direccon for every thinge with may bee fitt to bee considered & provyded
for, in all or any of the matters aforesaid, therefore the said undertakers should
have power to meete & consult about the matters; and what orders and direc-
cions they or the greater number of them shall sett down, shalbe accompted
legall, & to bee duly observed vntill it shalbe thought fit by this Court to
alter or determynce the same.

Provided always, that if those that intend to inhabite vpon the plantaçon
shall, before the first of January next, take vpon them all the said engag'ments
and other charges of the Roynt stock, then the power & provydedges of the
undertakers to determine, and all trade, ££, to bee free.

*A Gent'all Court, holden at Mr Gaff's House, on the 15th of
Decemb., 1629.

P'sent, Mr Jo: Humfray, Dep;
Assistants,
S'r Richard Saltonstall,
Mr Matth: Craddock,
Mr Nathaniell Wright,
Mr John Revell,
Mr Geo: Harwood,
Mr Wm: Pinchion,
Mr. Increase Noell,  
Mr. Thomas Adams;  
Capt. Venn,

with divers of the generalitie.  

Mr. DEPUTIE caused to bee read the acts & orders made at the last General Court of the 30th of November; with being of great consequence, as namely for setting the joint stock, and managing of the whole busines, it was desired the same should receive confirmation by this Court. Upon debate whereof, some exceptions was taken by those who had double[d] their adventures, conceiving themselves to bee wronged in having both their somes drawne downe to soe lowe a rate as ¼ pt.; alreadinge that the second some was paid in vpon a pposition of trade, with went not forward, and not as vnto the joint stock for the plantation.

This business received a large discussion, & Capt. Waller & Mr. Vassall were content to giue the first 50l to the plantation, soe as their other 50l might goe on wholy in this new stock; but forasmuch as this concern'd divers others who were in the same case, and that it could not bee done without alteration of the act made the 30 of November, with was done by a General Court, vpon mature & deliberate consideracon, and that the vndertakers would not continue their said vndertaking but vpon the same conditions with were then appounded & concluded on.

This Court, in conclusion, put it to the question, and by erection of hands every priculer of the forme Court was ratifyed & confirmed. And the matter in difference with them who had doubled their adventures being noe more to each of them then betweene 50l & 33s 6d, was by mutuall consent referred to the 3 ministers here fore sent, Mr. Davenport, Mr. Nye, & Mr. Archer, who are to reconcile the same betwenee the new vndertakers & them.

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*A Gen'All Court, holden at Mr. Goff's House, on Wensday, the 10th of Febr: 1629–30.*

Present,  
Mr. John Winthrop, Goiit7,  
Mr. John Humfray, Dep't,  
Mr. Isack Johnson,  
Mr. Matthew Cradock,  
Mr. Theophilus Eaton,  
Mr. Thomas Adams,

with many others of the generalitie.
FORASmuch as the furtherance of the plantaçon will necessarilie require a great & continuall charge, wth cannot wth conveniency bee defrayed out of the ioynt stock of the Comp, wth is ordained for the maintenance of the trade, wthout endagering the same to bee wasted & exhausted, it was there-fore ppounded that a coimon stock should bee rayed from such as beare good affeccon to the plantaçon, & the ppgaçon thereof, and the same to bee employed only in defraym of publique charges, as maintenance of ministers, transportaçon of poore famlyes, building of churches & fortyfyeacon, & all other publique & necessary occasions of the plantaçon; & the Court doe thinke fitt, & order, that 200 acres of land shalbe allotted for every 50$, & soe pportionable for what soës shall be brought in by any to this purpose. And Mr George Harwood is chosen Trër for this accomp of the coimon stock, wth hee accepted of; who is to receive all such mony as shalbe by any sent in, and to issue out the same upon warrant under the hands of any 2 or more of the undertakers.

And it is further agreed on & ordered, That an order bee drawne vpp & published under the seal of the Company, to signifie & declare to what vses all such monyces as are given to the coimon stock shalbe employed, and what land shalbe allotted to each man that gines thereunto, asswell for their satisfacciion as th'encouragement of others to save landable and charitable a works; & it was further taken into consideracon, & ordered that this allottm of or division of land shall not prejudice the right of any th'adventurers who are to have land, & have not yet the same allotted out vnto them, nor vnto those whose land is already sett out according to the foræ order & direccion of this Court; yet notwithstanding, it is further agreed that if for good & weighty reasons, & for the benefitt of the plantaçon in gëfall, there shalbe occasion to alter any particular mans allottm, the said ñty is to have such due recompance for the same as, in the wisdome of the Goinor & Comp there resident, shalbe thought reasonable & expedient.

[*53.]

Moçon was made on the behalf of St Wiñn Brewerton, who, by vertue of a late patente, fteund right & tytle to some ñt of the land wthin the Comp pruilidges & plantaçon in New England; yet notwithstanding hee not to contest wth the Comp, but desires that a pportionable quantitie of land might be allotted vnto him for the accomodaçon of his people & servants now to bee sent over. Wth request the Court taking into due consideracon, doe not thinke fitt to enter into any particular capitulaçon wth him therin, nor to sett out any allottm of land for him more then the 600 acres hee is to have by vertue of his adventure in the ioynt stock, nor to acknowledg any thinge due vnto him as of right by vertue of his s patente, nor to give any consideracon in case hee should relinquish his fteunded right; but they are well content
bee should ioyne wth them in the present of this business, according to
their charter, and doe prius, in the meane tyme, that such servants as bee
shall send over to inhabit upon the plantaçon shall receive all courteous
respect, and bee accomodated wth land, & what els shalbe necessary, as other
the servants of the Company. Wth answere was deliued vnto those that were
sent from him; and the Court desired also that Capt Waller & Mr Eaton
would signifie the Companyes affection & due respect vnto him, bee having
written to them about this business;

A wryting of gревances of Mr Samuel & John Browne was presented to
this Court, wherin they desire recompence for loss & damage sustained by
them in New England; wth this Assembly taking into consideraçon, doe
thinke fitt that upon their submitting to stand to the Comp's fynall order for
ending of all differences betweenem, wth they are to signifie under their
hands, Mr Wright & Mr Eaton are to heare their complaint, & to sett
downe what they in their judgin' shall thinke requisite to bee allowed them
for their pretended damage sustained, & soc to make a fynall end wth them
accordingly;

Mr Roger Ludowe was now chosen & sworne an Assistant in the roome Mr Ludowe.
of Mr Samuel Sharp, who by reason of his absence had not taken the oath;

And lastly, vpon the petic'on of Humphry Scale, the beadle of this Com-
pany, the Court were content, & agreed to give him 20 nobles, for his yeres
salary ending at Christmas last; wth is to bee paid by Mr Aldersey, the Treas-
urer, out of the joyned stock;

(Here the records cease to be in the handwriting of Secretary Burgis. The remaining records of the
Company, before the removal to New England, are by Mr Simon Bradstreete.

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*At a Meeting of Assistants att Southampton, March 18th, 1629–30. [54.*]

Present, Mr Govern', Mr Humfrey,
Sir Richard Saltonstall, Mr Nowell,
Mr Johnson, Mr Pinchion,
Mr Dudley, Mr Goffe.

It was ordered and concluded, by erecçon of hands, that Sir Brian Janson,
1, Mr William Coddington, & Mr Simon Bradstreete, gen'l, shalbe chosen
in the roome and places of Assist' of Mr Nathaniel Wright, merch1, Mr
Theophilus Eaton, & Mr Thomas Goffe, of London, merch'.

Sir Brian Janson was sworne an Assistant before the Govern' & Mr Dudle-
ley, ye same day.
March 23rd, 1629.

Mr. WILLIAM CODDINGTON, Mr. Simon Bradstreete, & Mr. Thomas Sharpe, being formerly chosen Assistants, did nowe take the oath of Assistants before the Gov'r, Mr. Dudley, & other Assistants.

At a Court of Assistants aboard the Arbella, March 23rd, 1629.

Present, Mr. John Winthrop, Gofin, Mr. Willm Coddington,
Sir Rich: Saltonstall, Mr. Tho: Sharpe,
Mr. Isaack Johnson, Mr. Willm Vassall,
Mr. Thomas Dudley, Mr. Simon Bradstreete.

Mr. JOHN HUMFREY (in regard hee was to stay behind in England) was discharged of his Deputy-shipp, & Mr. Thomas Dudley chosen Deputy in his place.
THE COLONY RECORDS.

1630–1641.
MASSACHUSETTS RECORDS.

THE RECORDS OF THE COLONY OF THE MASSACHUSETTS BAY IN NEW ENGLAND.

[The patent and government of the plantation being now transferred to America, the following portion of the records of the Governor and Company is styled, in accordance with general usage, Colony Records. These commence in the handwriting of Mr. Simon Bradstreet, who was Secretary of the Colony until the end of June, 1636, when he was succeeded by Mr. Increase Nowell; and in the first volume consist of the records of the General Courts, Courts of Assistants, and Quarter Courts. The lists of Freemen, which are placed in various parts of the volume without strict reference to the times of admission, are collected together and printed at the end of the volume.]

*The first Court of Assistants, holden att Charlton, August 23rd,* 1630.

**Año Dni. 1630.**

Present, Mr. Jo : Winthrop, Goûn†, Mr Increase Nowell, *23 August.
Mr Tho : Dudley, Deput Goûn*, Mr Tho : Sharpe, *[55.]
Sir Rich : Saltonstall, k†, Mr Will : Pinchion,
Mr Robt : Ludlowe, Mr Sim : Bradstreece,†
Mr Edward Rossiter,

Mr*, it was ppounded howe the ministers should be mayntayne, Mr Wilson & Mr Phillips onely ppounded.

It was ordered, that houses should be built for them with convenient speede, att the publique charge. Sir Rich : Saltonstall undertooke to see it done att his plantaçon for Mr Phillips, and Mr Goûn, att the other plantaçon, for Mr Wilson./

It was ppounded what should be their present mayntenance./

Ordered, that Mr Phillips should have allowed him 3 hogshheads of mcale, 1 hogsh of malte, 4 bushells of Indean corne, 1 bushell of oatmeale, halfe an hundred of salte fishe ; for apparell, and other pvisions, xx$, or cis to have x$, given him in money p anni, to make his owne pvisions if hee chuse it the rather, the yeare to begin the first of September nexte.

If, that Mr Wilson should have after xx$ p anni till his wife come over ; his yeare to begin the 10th of July last. All this to be att the coûon charge, those of Mattapan & Salem onely exempted./

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It was ppounded what should be Mr Gagers maintenance. Ordered, that hee should have a house builded him against the nexte springe; is to have a cowe given him, & xx\(^4\) in money for this yeare, to begin the 20\(^{th}\) of June, 1630, & after xxx\(^4\) p an\(n\). All this to be at the co\(m\)on charge.

It was ordered, that James Pe\(n\) should have 20 nobles p an\(n\), & a dayes worke of a man att springe, from e\(f\)y able famly, to helpe build his house, his yeare to begin the 1\(^{st}\) of September nexte. His imployem\(t\) to be as a beadle to attend upon the Gofin\(r\), and alwaies to be ready to execute his co\(m\)ands in publique businesses.

It was ordered, that there should be a Court of Assistants helde att the Gofin\(r\) house on the 7\(^{th}\) day of Septemb\(r\) nexte, being Tuesday, to begin att 8 of the clocke.

It was ppounded, whither there should not be a Court helde e\(f\)y first Tuesday in e\(f\)y moneth, & a Gofin\(r\) Court the last Wednesday in e\(f\)y tcearne.

It was ordered, that, in all ciuill ac\(c\)\(\o\)ns, the first p\(c\)esse or su\(i\)\(\o\)ns by the beadle or his deputy shalbe directed by the Gofin\(r\), or Deputy Gofin\(r\), or some other of the Assistants, being a justice of the peace; the next p\(c\)esse to be a capias or distri\(n\)gus, att the discre\(c\)\(\o\)n of the Court.

*It was ordered, that Morton, of Mount Woolison, should presently be sent for by p\(c\)esse.

It was ordered, that carpenters, joyners, brickelayers, savers, and thatchers shall not take above 2\(^{\circ}\) day, nor any man shall give more, vnder paine of x\(^\circ\) to taker & giver; and that savers shall not take above 4\(^{\circ}\) 6\(^{\circ}\) 1\(^{\circ}\) hundred for boards, att 6 score to the hundred, if they have their wood felled & squared for them, & not above 5\(^{\circ}\) 6\(^{\circ}\) if they fell & square their wood themselves.

It was ordered, that the G\(o\)vern\(r\) & Deputy Gofin\(r\), for the tyme being, shall alwaies be justices of y\(^\circ\) peace; and that Sr Rich: Saltonstall, Mr John-\(s\)on, Mr Endicott, & Mr Ludlowe shalbe justices of the peace for the \(f\)sent tyme, in all things to have like power that justices of peace hath in England for reformacion of abuses and punishing of offend\(r\); and that any justice of the peace may imprison an offend\(r\), but not inflict any corporall punishm\(t\) without the \(j\)\(e\)\(s\)ence & consent of some one of the Assistants.

It was ordered, that noe ps\(o\)n shall vse or take away any boate or can noe without leave from the owner thereof, in paine of hyne & imprisonm\(n\), att the discre\(c\)\(\o\)n of the Court.

Memorand. — To estimate, the nexte Court day, the charges y\(^\circ\) Mr Gofin\(r\) hath beene att in entertaininge se\(f\)\(i\)\(\o\) publique ps\(o\)ns since his landing in Newe England.
A Court of Assistants, holden at Charlton the 7th of September, 1630.

Present, The Governor, Mr. Nowell.
Deputy Governor, Mr. Coddington.
S'r Rich: Saltonstall, k't, Mr. Ludlowe.
Mr. Johnson, Mr. Rossiter.
Mr. Endicott, Mr. Pinchon.
Mr. Sharpe, Mr. Bradstreete.

Capt. Endicott, being formerly chosen an Assistant, did nowe take the oath of an Assistant in the presence of the Court.

It was ordered, that e'y third Tuesday there should be a Court of Courts, Assistants helde att the Gouerno's howse, (for the tyme being,) to begin att 8 of the clocke in the morning, e'y Assistant not being present att that tyme to be fyned att the discrecon of the Court.

James Peñ did now take the oath of beadle.
Mr. Ludlowe, Mr. Rossiter, & Mr. Pinchon, by the general consent of the Court, is fyned a noble a pece for their absence from the Court after the tyme appoynted.

It is ordered by this present Court, that Thomas Morton, of Mount Wolliston, shall presently be sett into the bilbowes, & after sent prisoner into England, by the shipp called the Gift, nowe returneing thither; that all his goods shalbe seized vpon to defray the charge of his transportacion, payment of his debts, & to give satisfacon to the Indians for a cannoe hee vniustly toke away from them; & that his howse, after the goods are taken out, shalbe burnt downe to the ground in the sight of the Indians, for their satisfacon, for many wrongs hee hath done them from tyme to tyme.

It is ordered, that M'r Clearke shall pay into John Baker the some of xxxvij', in recompence for the damage hee receaued by a bargain of cleath, wherein M'r Clearke deale fraudelently with the said John Baker, as hath beene puued vpon oath.

*It is ordered, that M'r Patricke & M'r Vnderhill shall have allowed them. for halfe a yeares prision, 2 hogsheads of meale, 4 busheells of malte, 10 of powder, & leade to make shott; also howseroom for them, & 15 12 in money, to make other prouisions. All this to be done att the publique charge, their yeare to begin from the tyme they begin to kepe howse.

It is ordered, that Trimountaine shalbe called Boston; Mattapan, Dorchester; & the towne vpon Charles Ryver, Waterton.
1630. It is ordered, that noe pson shall plant in any place within the lymitts
of this patrent, without leave from the Gofn' and Assistants, or the major
pte of them./

Also, that a warrant shall presently be sent to Aggawam, to command
those that are planted there forthwith to come away./

28 September. A Court of Assistants, holden att Charlton, 28th of Septemb', 1630.

P'resent, The Gofn', Mr Coddington,
Deputy Gofn', Mr Bradstreete,
Capt Endicott, Mr Rossiter,
Mr Ludlowe, Mr Pinchon./
Mr Nowell,

1. It is ordered, that those of Dorchester whoe bought certayne cattell of the
merch' of Dorchester shall pay vnto Nich. Stower 9 bu-hells of meale
or of Indian corne, or 9 of bea', for the keepinge of the said cattell, according
to an agreem' made w' him./

2. It is ordered, that noe pson whatsoeu' shall, either directly or indirectly,
impoy, or cause to be impoyed, or to their power pmitt, any Indian to use
any pcece vpon any occa'on or pretence whatsoeu', vnder payne of x ffyne
for the first offence, & for the 2 offence to be ffyned & imprisoned att
the discrecon of the Court./

It is further ordered, that noe serv', either man or maide, shall either
give, sell, or trucke any coimodytie whatsoeu', without lycence from their
maister, daring the tyme of their service, vnder payne of ffyne & corporall
punishm', att the discrecon of the Court./

*John Woodbury is chosen constable of Salem, & Thomas Stoughton
constable of Dorchester, to contynue in that office for a yeare & after, till
newe be chosen./

John Woodbury did nowe take the oath of a constable./

It is ordered, that all Rich. Cloughes stronge water shall presently be
seazed vpon, for his selling greate quantytie thereof to sefll mens serv's,
which was the occa'on of much disorder, drunckenes, & misdemeanor'.

It is ordered, that noe maister carpenter, mason, joynier, or brickelayer
shall take aboue 16 a day for their worke, if they haue meate and drinke, &
the second sort not aboue 12 a day, vnder payne of x' both to giuer & receauer./

It is ordered, that Mr Patricke & Mr Vnd'hill shall haue allowed them
6th 8th in money, to buy them howseholde stuffe, & for helpe to washe, brewe, & bake, xx

Thomas Gray is inioyned, under the penalty of xx, to attend on the Court in person this day 3 weekes, to answer to dyvers things objected against him, & to remoue himselfe out of the lymetts of this pattent before the end of March nexte.

S* Rich: Saltonstall is fined 4 bushels of malt, for his absence from the Court.

It is ordered, that noe person, inhabiting within the lymitts of this pattent, shall, either directly or indirectly, give, sell, trucke, or send away any money, to buy them howseholde stuffe, & for helpe to wash, brewe, & bake, xx

28 September.

Gray sent.

It is ordered, that John Gouldsworth shalbe whipped, and afterwards sett Goulsworth, in the stocks, for felony comitted by him, whereof hee is convicted by his owne confession; also, that Henry Lyu shalbe whipped for the like offence, & John Boggust & John Pickrin to sitt in the stocks 4 bowers togeath', att Salem, for being accessory thereunto.

It is ordered, that none person, inhabiting within the lymitts of this pattent, shall, either directly or indirectly, give, sell, trucke, or send away any Indian corn to any English without the lymitts of this pattent, or to any Indian whatsoeuer, without licence from the Goyn' & Assistants.

It is ordered, that there shalbe collected & levied by distresse out of the For Capt Pat-sehall plantaçon, for the maintenance of Mr Patricke & Mr Vnderhill, the some of 50l, viz: out of Charlton, 7t; Boston, 11t; Dorchester, 7t; Roxbury, 5t; Waterton, 11t; Meadford, 3t; Salem, 3t; Wessaguscus, 2t; Natascett, 1t.

It is ordered, that labourers shall not take above 12t a day for their rates, work, & not above 6d & meate & drinke, vnder paine of xx

*Septembr 28th, 1630. [*60.]

28 September.

A Jury impanneld to inquire concerning the Death of Austen Bratcher:—

Rich: Browne,  
John Johnson,
Willm Aspynwall,  
Edward Converse,
Abraham Palmes,  
Rafe Sprage,
Nich: Stower,  
Giles Sexton,
Peter Palfr,  
Abraham Pratt,
Roger Williams,  
Francis Smyth,
Willm Bunell,  
George Dyar,
Nich: Vpsall,

Austen Bratcher, dyeing lately att Mr Cradocks plantaçon, was vewed before his buryall by dyvers persons, viz: —
The Records of the Colony of

1630.

28 September.

Tho: Graues,  
James Crugott,  
Thomas Ward,  
Thomas Paynt,  
Willm Barsham,  

Thomas Reade,  
Rich: Lynton,  
John Jarvis,  
Arthur Ellis,  

Absent/

The Juryes Verdict:

Wee finde that the strookes given by Walter Palmer were occasionally the means of the death of Austen Bratcher, & soe to be manslaughter.

Walter Palmer hath bound himselfe in 40$, & Ralfe Sprage & John Sticklett hath bound themselves in 20$ a piece, for Walter Palmers psonall appearance att the nexte Comte, to be holden att Boston the 19th of Octob nexte, to answer for the death of Austen Bratcher.

[61.]

September 18th, 1630.

Upon view of the dead Body of Willm Bateman.

An Inquisition taken att Charlton, the 18th day of Septbr, Ano Dni 1630, before John Winthrop, Esq & Goyn, & Isaack Johnson, Esq, one of the Assistants, & Justice of Peace.

Upon the oaths of

Walt Norton, Esq;  
Robte Hardinge,  

Rich: Stowre,  
Richard Garrett,  

Ralfe Sprage,  
Thomas Wthms,  

Will: Cheesebrough,  
Daniell  

John Stickland,  
John Baker,  

Rich: Norman,  
Wthm Bateman;  

Richard Browne,  

whoe say, upon their oaths, that the aforesd Willm Bateman was sett on shore upon the necke of land neere Pullen Poynte, in the bay of Mattachusetts, by a shallop of one M'r Wright, (which brought him from Plimouthe,) vpon Wednesday last, being very sick & weake, & beinge lefte there with one M'r Ralfe Glouer & others, whoe hadd a shallop in that place; but being forced to leaue her there, because the winde was contrarie, they, returninge home, lefte him such provisions as they hadd, & a fire; but when they returned to their boate, vpon Friday last, they found the said Willm Bateman dead, about the highwater marke, neere their boate, about a stones cast from the place where they lefte him. Soe the jury present that he dyed by Gods visitacon.

Evidences, M'r Ralfe Glouer, Elias Mañacke, Giles Sexton, & James Browne, &c/
THE MASSACHUSETTS BAY IN NEW ENGLAND.

*J* Gen'vll Court, holden att Boston the 19<sup>th</sup> of Octob', 1690.

Present, The Gov'n, Captain Endicott,

Deputy Gov'n, Mr Nowell,

Sir Rich: Saltonstall, Mr Pinchon,

Mr Ludlowe, Mr Bradstreete.

FOR the establishinge of the govn'. It was ppounded if it were not the best course that the freemen should have the power of chusing Assistants when there are to be chosen, & the Assistants from amongst themselves elections, to chuse a Gov'n & Deputy Gov'n, whose with the Assistants should have the power of making lawes & chusing officers to execute the same. This was fully assented unto by the general vote of the people, & erectio of hands.

Ralf Sprage is chosen constable of Charlton, John Johnson of Rocksbury, & John Page for Waterton, for the space of one whole yeare, & after till newe be chosen.

It is ordered that sawers shall not take above 12<sup>1</sup> a score for saweing oak boards, & 10<sup>1</sup> a score for pyne boards, if they have their wood felled & rates squared for them.

Walter Palmer made his personal appearance this day, & stands bound, hee & his suerties, till the nexte Court.

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The Names of such as desire to be made Freemen.

Mr Sam'l Maffacke, Mr Robe Peake, Freeman.

Mr Edw: Johnson, Mr Wthm Pelham,

Mr Edw: Gibbins, Mr Ben: Brand,

Mr Will: Jeffries, Mr Will: Blackstone,

Mr John Barslin, Mr Edmond Lockwood,

Mr Sam'l Sharpe, Mr Rich: Browne,

Mr Tho: Graues, John Stickland,

Mr Roger Conant, Ralf Sprage,

John Woodbury, Mr George Ludlowe,

Peter Palfry, James Pein,

Mr Nath: Turner, *Henry Woolcott,

Mr Sam'l Freeman, Thomas Stoughton,

Ephraim Childe, Wthm Phelpes,

Mr Wthm Clerke, George Dyar,

Mr Abraham Palmer, John Hoskins,

John Page, Thomas Ford,

 [*63.]
1630.

19 October.

Nich: Vpsall,
Stephen Terree,
Henry Smyth,
Roger Wathus,
John Woolridge,
Tho: Lumberd,
Bigatt Egglesstone,
John Grinoway,
Christopher Gibson,
John Benham,
Thomas Withas,
as Harris,
Rich: Garrett,
John Howman,
John Crabb,
Capt Wm Norton,
Mr Alex: Wignall,
Mr Withn Jennison,
Mr Thomas Southcoate,
Mr Rich: Southcoate,
James Pembton,
Mr John Dillingham,
John Johnson,
George Alcocke,
Mr Robte Coles,
John Barre,
Thomas RAWlin,
Rich: Bugby,
Rich: Hutchins,
Rafe Moshell,
Thomas Lambe,
Will: Throdingham,
Wilhm Chase,
Mr Foxwell,
Mr Charles Gott,
Henry Harwood,
Mr George Phillips,
Mr John Wilson,
Mr John Mauacke,

Mr John Warham,
Mr Samp Skelton,
Mr Will: Colbron,
Mr Will: Aspinwall,
Edw: Converse,
Mr Rich: Palgrave,
John Taylor,
Rich: Church,
Rich: Silvester,
Will: Balstone,
Robte Abell,
Mr Giles Sexton,
Robte Scely,
John Mills,
John Cranwell,
Mr Ralf Glower,
Withn Hubbird,
Edmond James,
John Phillips,
Nath: Bowman,
John Doggett,
Laurence Leach,
Daniel Abbott,
Charles Chadwicke,
Will: Drakebury,
John Drake,
John Bilshe,
Mr Saml Coole,
Mr Will: Traske,
Will: Gallard,
Will: Rockwell,
Henry Herricke,
Saml Hosier,
Rich: Myllett,
Mr Abraham Pratt,
Withn: James,
Withn Allen,
Saml Archer.
*A Court of Assistants, holden at Boston, Novemb' 9th, 1630.

Present, The Gov'n,
Deputy Gov'n,
St' Rich: Saltonstall,
Mr. Ludlowe,
Mr. Codington,
Mr. Pinchon,
Mr. Bradstreete.

IT is ordered, that whereas the usuall rate of beare hath beene after 6' the pound, it shall be hereafter lefte free for euy man to make the best pfit & impuinct of it that hee can.

It is ordered, that euy Englishe man that killeth a wolfe in any pte within the lymitts of this pattent shall have allowed him 1d for euy beast & horse, & ob. for euy weaned swyne & goat in euy plantaçon, to be leased by the constables of the 8th plantaçons.

It is further ordered, that whosesoeuer shall first give in his name to Mr. Gov'n that hee will undertake to sett upp a ferry betwixte Boston and Charlton, & shall begin the same att such tyme as Mr. Gov'n shall appoynt, shall haue 1d for euy pson, & 1d for euy 100 weight of goods hee shall soe transport.

Mr. Clearke is prohibited cohabitaçon & frequent keepeing company with Mr. Freeman, vnder paine of such punishm't as the Court shall thinke meete to inflict.

Mr. Clearke & Mr. Freeman hath bound themselves in xx' apecce that Mr. Clearke shall make his psonal appearance att the nexte Court, to be holden in March nexte, & in the meane tyme to carry himselfe in good behav' towards all people, & espetially towards Mr. Freeman, concerning whose there is stronge suspicón of incontincency.

It is ordered, that Rich: Dify, serv't to St' Richard Saltonstall, shalbe whipped for his misdemean' towards his maister.

A Jury impannell for the Tryall of Walter Palmer, concerninge the Death of Austin Bratcher.

Mr. Edmond Lockwood, Rich: Morris,
Wiliam Rockewell, Wiliam Balston,
Christopher Conant, Wiliam Cheesbrough,
Wiliam Phelps, John Page,
Wiliam Gallard, John Balshe,
John Hoskins, Laurence Leach.

The jury findes Walter Palmer not guilty of manslaughter, whereof hee stoode indicted, & soe the Court acquitts him.
1630. "A Court of Assistants, holden at Boston, Novemb' 30th, 1630.

30 November. [*66.*]

Present, The Gov'n, M' Nowell,
The Deputy Gov'n, M' Pinchon,
S' Rich: Saltonstall, M' Coddington,
M' Ludlowe, M' Bradstreete.

S' Rich: Saltonstall is fined 5l for whipping 2 small persons without the presence of another Assistant, contrary to an act of Court forfully made.

It is ordered, that whatsoever employeth Wm Knapp or his sonne in any worke shall pay the one halfe of their wages to S' Rich: Saltonstall, & whatsoever buyeth boards of them shall pay one halfe of the price to S' Richard, till the money hee hath disbursed for them be satisfied.

Bartholomewe Hill is adjudged to be whipt for stealing a loafe of breade from John Hoskins, which himselfe confesseth.

It is ordered, that there shalbe 60s collected out of the seuell plantagen followeing, for the maintenance of M' Wilson & M' Phillips, viz: out of Boston, 20s; Waterton, 20s; Chartlon, 10s; Rocksberry, 6s; Meadford, 3s; Winnett-senett, 1s.

It is ordered, that John Baker shalbe whipped for shooting att fowle on the Sabboth day, 6s.

It is further ordered, that Thomas Moulton shall pay unto M' Ralfe Glouner xl before the 8th day of Decemb' nexte, or els to be whipped for the wronge hee did M' Glouner in coming from Plymout, being maister of his boate, & leeauing him without a pylott.


1 March. [*67.*]

Present, The Gov'n, M' Pinchon,
Deputie Gov'n, M' Nowell,
S' Rich: Saltonstall, M' Sharpe,
M' Ludlowe, M' Coddington,
Cap't Endicott, M' Bradstreete.

It is ordered, that M' Aleworth, M' Wecan, M' Plastowe, M' Shutt, Cobbett, & Wormwood shalbe sent into England by the shipp Lyon, or soe many of them as the ship can carry, the rest to be sent thither by the 1st of May nexte, if there be opurtunity of shipping, if not, by the nexte shipp.
that returns for England, as poons vnume to inhabit here; & that S: Christopher Gardnr & Mr. Wright shall be sent prisoners into England by the shipp Lyon, nowe returninge tothir.

Further, it is ordered, that the busines concerning Mr. George Ludlowe, expressed in a ceretaine petition sent out of England, to the Govnr, &c, shall be referred to [the] Govnr & Deputie Govnr; & the rest of the Assistants, resident at Boston, or some 3 of them, the Govnr & Deputie being 2 thereof, to receive his answer, and determine the busines.

Mr. Tho: Stoughton, constable of Dorchester, is fyned v for taking vpon him to marry Clem: Briggs & Joane Allen, & to be imprisoned till hee hath paid his fynye.

It is ordered, that if any poon within the lymitts of this pattent doe trade, trucke, or sell any money, eith: silver or golde, to any Indian, or any man that knows of any that shall see doe, & conceale the same, shall forfeit twenty for one.

Further, it is ordered, that whatter poon hath rechered any Indian into their familiarie as a servant shall discharge himselfe of them by the 1st of May nexte; & that noe poon shall hereafter intreate any Indian for a serv. without licence from the Court.

Nich: Knopp is fyned v for taking vpon him to cary the surveye h, a water of nee worth nor value, which he solde at a very deare rate, to bee imprisoned till hee pay his fine, or give securite for it, or els to be whipped, & shalbe lyable to any mans accion of whom hee hath rechered money for the s: water.

*Just Weillust is chosen surveye of the ordinane & cannonueere, for which: hee is to have allowed him 106 p anil.

John Ellford hath bound himselfe in C filks, & Roger Connant & John Woodbury hath bound themselves in 40 l a pece, for John Ellfords poonal appearance at the first Court to be helden in November nexte, to answer for the death of Thomas Pucket.

Mr. Willm Pellam & Mr. Edmond Lockewood hath promised to pay to the Court the some of v, for Nich: Knopp, before the last Court of May nexte.

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*Att a Court att Waterton, March 8th, 1630–31.

**Present,** The Govnr, Deputie Govnr, S: Rich: Saltonstall, Mr. Ludlowe, Mr. Nowell, Mr. Pinchon, Mr. Cockington, Mr. Bradstreet.
1630-1. Upon a complaynte made by Saggamore John & Pet, for haung 2 wiggs burnt, which, upon examinacon, appeared to be occaconed by James Woodward, serv't to Sr Rich: Saltonstall, it was therefore ordered, that Sr Richard should satisfie the Indians for the wronge done to them, (which accordingly hee did by giuing them 7 yards of cloath,) & that his said serv't should pay vnto him for it, att the end of his tyme, the some of 1l.

It was ordered, that Tho: Foxe, serv't to Mr Cradocke, shalbe whipped for vtttering malitious & scandilous speeches, whereby hee sought to traduce the Court, as if they had taken some bribes in the business concerning Walter Palmer.

Courts legall. Further, (in regard the number of Assistants are but fewe, & some of them goeing for England,) it was therefore ordered, that whensoever the number of Assistants resident within the limmits of this jurisdiccon shalbe fewer then 9, it shalbe lawfull for the maior part of them to kepe a Court; & whatsoever orders or acts they make shalbe as legall & authenticall as if there were the full number of 7 or more.

[*69.] At a Court of Assistants, holden at Boston, March 22th, 1630-31.

22 March. Present, The Gouern'r, Sr Rich: Saltonstall,
The Deputie Gouern', Mr Pinchon,
Mr Ludlowe, Mr Sharpe,
Mr Coddington, Mr Bradstreete,
Mr Nowell,

Workmen wages at libert. Rates.
Armes for all inhabitants to be provided.

It is ordered, (that whereas the wages of carpenters, joyners, & other artificers & workmen, were by order of Court restrayned to particul' somes) shall nowe be left free & att libertie as men shall reasonably agree.

Further, it is ordered, that every town within this pattent shall, before the 5th of Aprill nexte, take especiall care that every person within their town, (except magistrates & ministers,) as well serv't as others, furnished with good & sufficient armes allowable by the capt & other officers, those that want & are of ability to buy them themselves, others that are vnable to have them prided by the town, for the present, & after to receeve satisfaccion for that they disburse when they shalbe able.

It is likewise ordered that all persons whatsoever that have cards, dice, or tables in their howses, shall make away with them before the nexte Court, under paine of punishiment.

Rich: Johnson confesseth to owe vnto Sr: Richard Saltonstall (all
THE MASSACHUSETTS BAY IN NEW ENGLAND.

accompts cleared) the soine of 13th, wth hee promiseth to pay after 2nd p weeke; therefore it is ordered, that those that setts Johnson on worke shall pay vnto Sr Richard out of his wages the 3d 2nd p week:

It is ordered, that Beniamyn Cribb, John Cable, & Morris Trowent shalbe whipped for stealeing 3 piggis of Mr Ralfe Glouers/

Rich: Lough confesseth to owe vnto Mr Ludlowe the soine of 3s, 18d, 4d, which hee promiseth to pay him after 2nd p weeke till it be all satisfied.

It appeares by Sr Rich: Saltonstalls note of disbursms that Wifm Knopp owes him the soine of 19th v/, as was evidenced to the Court by Richard Browne & Ephraim Child, being men indifferently chosen betwixte them to judge thereof.

* A Court of Assistants, holden att Boston, April 12th, 1631.

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<tr>
<th>Present,</th>
<th>The Govr,</th>
<th>Mr Nowell,</th>
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<tr>
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<td>Deputie Govr,</td>
<td>Mr Pinchon,</td>
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<td>Mr Ludlowe,</td>
<td>Mr Bradstreete,</td>
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It is ordered, that there shalbe a watch of 4 kept efiy night att Dorchester, & another of 4 att Waterton, the watches to begin att sunset.

Further, it is ordered, that if any psone shall shoote of any peace after the watch is sett, hee shall forfeit 40s, or if the Court shall judge him nable, then to be whipped; the second fault to be punished by the Court as an offence of an higher nature.

It is likewise ordered, that efiy man that foueth a muskett shall, before the 18th day of this moneth, (& soc alwaies after) havee ready 1st of powder, 20 bulletts, & 2 fathome of match, vnder penaltie of xs for efiy fault.

Moderated 470.

It is ordered, that efiy capaine shall traine his companie on Saturday in euerie weeke.

Further, it is ordered, that noe psone shall travell single betwixte their plantation & Plymouth, nor without some armes, though 2 or 3 togeather.

A Court of Assistants, holden att Boston, May 3, 1631.

<table>
<thead>
<tr>
<th>Present,</th>
<th>The Govr,</th>
<th>Mr Nowell,</th>
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<tbody>
<tr>
<td></td>
<td>Deputie Govr,</td>
<td>Mr Pinchon,</td>
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<td></td>
<td>Mr Ludlowe,</td>
<td>Mr Bradstreete,</td>
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<tr>
<td></td>
<td>Capt Endicott,</td>
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</tbody>
</table>

Watches, when to begin.

Disturbance of y's: (6) 12-

Ammunition, efiy man to provide.

Moderated 470.

Trainings once a week.

Travelers not to go unarmed.
THE RECORDS OF THE COLONY OF

1631. IT is ordered, that Thomas Chubb shall be freed from the service of Mr. Sam[1] Maunacke, & shall become serv[1] to Wi[1]h[1]a Gayl[1]erd, of Dorchester. It is ordered, that John Legge, serv[1] to Mr. Humfry, shall be severely whipped this day at Boston, and afterwards as conveniently may be, att Salem, for striking Richard Wright, when hee came to give him correc[1] for idleness in his maist[1] worke.

Tho. Walford, of Charlton, is ffyned x[1], & is inioyed, hee and his wife, to dep[e] out of the lymits of this pat[1] before the 20th day of October nexte, under paine of confisca[1] of his goods, for his contempt of authoritic & confrontinge officers.

IT is ordered, that Thomas Bartlett shall be whipped for his vnjust selling of his maist[1] tooles, & that Sam[1] Hosier & John Page shall returne either the tooles they bought of him, or the prices thereof, to Mr. Pelham.

John Norman, sen[1], is ffyned x[1] for his not appearing att the Court, being summoned.

A Jury impaneled to inquire concerning an accon of batty, complayned of by Thomas Dextor against Capt. Endicott.

Rich: Browne, Henry Wolcott,
Alex: Wignall, John Strickland,
John Dillingham, Isaac Sternes,
John Gosse, Daniell Fince,
John Johnson, Edw: Converse.

The jury findes for the plantiff, and cesses for damages x[1].

* A Gen’l Court, holden att Boston, the 18th day of May, 1631.

PRESENT, Mr. Winthrop, Gov[1], Mr. Nowell,
Mr. Dudley, Deputy G[1], Mr. Pinchon,
Mr. Ludloue, Mr. Bradstrete,
Capt. Endicott. Assistants.
JOHN WINTHROP, Esq, was chosen Gofinr for a whole yeare nexte ensuinge by the generall consent of the Court, according to the meaning of the patent, and did accordingly take an oath to the place of Gofinr belonginge.

Tho: Dudley, Esq, is also chosen Deputy Gofinr for this yeare nexte ensuinge, & did in presence of the Court take an oath to his place belonginge.

For explanation of an order made the last Gofal Court, holden the 19th of Octobr last, it was ordered noe, with full consent of all the cōmens then present, that once in citi yeare, att least, a Gofal Court shall be holden, att which Court it shall be lawfull for the cōmens to pproy any psom or psoms whom they shall desire to be chosen Assistants, & if it be doubtfull whether it be the greatt psome of the cōmens or not, it shall be putt to the poll. The like course to be holden when they, the said cōmens, shall see cause for any defect or misbehav to remove any one or more of yt Assistants; & to the end of the cōmens may be pserued of honest & good men, it was likewise ordered and agreed that for time to come yt one shall be admitte to the freedome of this body politicke, but such as were members of one of the chappell with the lyme of the court.

Tho: Williams hath undertaken to sett vp a fery betwixte Winnetssem & Charlton, for which hee is to haue after 3d a psom, & from Winnetssem to Boston 4d a psom.

It is ordered, that euy planteācon within the lyme of this patient shall before the last day of June nexte payable cōmons measures & weights, whb shall be made by some that the Gofinr hath already sealed, & by yt also all others that will have weights & measures of their owne arc to be made.

It is ordered, that noe psom shall kill any wild swine without a gefall swine.

agreement att some Court.

Rich: Norman is fined ij: yd for his negligence in watching.

Dan Abbott is fined 5: for refusing to watch, & for other ill behav, showed towards Capt' Patricke.

Chickatanbott & Saggamore John pmised vnto the Court to make satisfaction for whatsoever wronge that any of their men shall doe to any of thl English, to their cáttell or any other wáies.

Mr Roger Coliant pmised to deliuer to Mr Thomas Dudley, Deputy Gofinr, 4 bushels of Indian corne before the last day of Octobr nexte.

[On pages 73, 74, and 79 are lists of freemen admitted in 1631, 1632, 1633, and 1634, which are transferred to the end of the volume. Pages 75, 76, 77, and 78 contain miscellaneous matter, and having been placed here probably by the mistake of some person who has bound the manuscript, have been restored to their true place, and numbered 12, 13, 1 and 2, and are likewise printed at the end of the volume.]
1631. *A Court, holden att Boston, June 14th, 1631.

11 June. 
Present, The Gov'n,
Deputy Gov'n,
Mr. Ludlowe,
Cap't Endicott,
Mr. Nowell,
Mr. Pinchon,
Simon Bradstreet.

16—\[80.] Svt. Licence.
IT is ordered, that noe man within the limits of this jurisdiccon shall hire any psone for a serv't for lesse time then a yeare, vales Lee be a setted housekeeper; also that noe psone w'soever shall travell out of this pattent, eithe by sea or land, without leave from the Govern', Deputy Gov'n, or some other Assistant, vnder such penalty as the Court shall thinke meete to inflict;

It is ordered, that the constables of the se'all plantacons shall give notice to the credit of Cap't Levett, John Boggsat, & Henry Lawson, to be att the nexte Court, to make p'le of their debts, that they may receive satisfaccon for the same, soe far as their goods will afford;

Upon the reading of certaine artickles concerning a gevall trade of beav' agreed vpon by Cap't Endicott & dyvs others, it was ordered, that the psones interest therein shall give a meetinge before the nexte Court, att such tyme & place as Cap't Endicott shall appoynet, to discide such differences as are betwixte them, & for such as they cannot end to bring them to the nexte Court, there to be determined;

Mr. John Maisters hath vndertaken to make a passage from Charles Ryver to the newe towne, 12 foote broad & 7 foote deepe, for which the Court puniseth him satisfaccon according as the charges thereof shall amount vnto;

It is ordered, that Phillip Swaddon shalbe whipped for running away from his maister, Robt Secly, intending to goe to Virginia;

It is ordered, that Phillip Ratliffe shalbe whipped, haue his cares cutt of, fyned 40$, & banished out of ye lymitts of this jurisdiccon, for yttering malties & scandulous speeches against the govn'r & the church of Salem, &c., as appeareth by a pricel thereof, puned vpon oth';

It is ordered, that noe psone w'soever shall buye come or any other provision or merch'able commodity of any shipp or barke that comes into this bay, without leave from the Goyn' or some oth' of the Assistants;

Chickatanbott is fyned a skyn of beav' for shoeteinge a swine of S:t Rich: Saltonstall's;

Whim Alm is fyned ij' vi$ for taking away Mr. Glouers cannoc without leave;

Edw. Converse hath vndertaken to sett vpp a fierry betwixte Charlton &
Boston, for which hee is to haue ij\[^{d}\] for euy single psou, & 1\[^{d}\] a peece if there be 2 or more

It is ordered, that Mr Pelham shall pay vnto Tho: Golithayt the somme of v\[^{d}\] (whereof 5 nobles is already pd) wch the Court hath awarded him to pay, to make good a covenant betwixte them.

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* A Court of Assistants, held at Boston, July 5\[^{a}\], 1631. [^1]

P\[^{s}ent.,\] The Gov\[^{n}\], Mr Nowell,
Deputy Gov\[^{n}\], Mr Pinchon,
Mr Ludlowe, S: Bradstreete.

IT is ordered, there shalbe levied out of the se\[ll\] plantacons the somne of thirty pounds for the makinge of the crecke att the newe towne, vz: Winetsem\[^{t}\], 15\[^{d}\]; Wessaguscus, 40\[^{e}\]; Sangus, 20\[^{r}\]; Natascett, 10\[^{e}\]; Waterton, v\[^{d}\]; Boston, v\[^{d}\]; Dorchester, 4\[^{f}\] 10\[^{r}\]; Rocksbury, 3\[^{f}\}; Salem, 3\[^{f}\] 5\[^{r}\]; Charlton, 4\[^{f}\] 10\[^{r}\].

Further, it is ordered, that all the ile\[lands\] within the limitts of this pattent, vz: Conants Ile\[land\], Noddles Ile\[land\], Tempsons Ile\[land\], toge\[ther\] with all other ile\[lands\] within the limitts of our pattent, shalbe appri\[priated\] to hands, publique benefits & vses, & to rema\[in\]e in the power of the Gov\[^{n}\] & Assistants (for the time being,) to be lett & disposed of by them to helpe towards publique charges, & that noe psou w\[hoe\] shall make any vs or benefit of any of the said ile\[lands\], by putting on cattell, fell\[ing\] wood, raisinge slate, &\[c\]; without leane from the Gov\[^{n}\] & Assistants for the time being. This order to take place immediately after the first of Octobr\[^{r}\] nexte.

It is further ordered, that e\[uy\] Assistant shall haue power to grannt war\[^{t}\], su\[mm\]ons, & attatchm\[^{t}\] as occa\[sion\] shall require, & that the acts of the Court shalbe authenticall if they passe onely vnder the Secretaries hand, (for y\[^{r}\] tyme being/)

The Sag\[gamore\] of Aggawam is banished from com\[ing\] into any English\[e\] mans howse for the space of a yeare, v\[nd\] the penalty of 10 skins of be\[av\]/

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* Att a Court, helden att Boston, July 26\[^{a}\], 1631. [^2]

P\[^{s}ent.,\] The Gov\[^{n}\], Mr Nowell,
Deputy Gov\[^{n}\], Mr Pinchon,
Mr Ludlowe, S: Bradstreete.
Capt Endicott.
FOR the preservation of houses, hay, boards, timbers, &c., it was ordered, that no person whatsoever within the limits of a patent shall burn any ground or ground any year before the first of March, under such penalty as the Court shall think meet to inflict; & if any person be desirous to burn any of his own ground for corn before that time, he shall make full satisfaction for the damage he doeth, in case any be occasioned thereby. Alured, \( \text{C}^2 \), 442.

Lucy Smyth is bound as an apprentice with Mr Roger Ludlowe for 7 years, durance with time he is to finde her meat, drink, & clothes, & at the end of her yeares to give her the some of \( \text{v}^4 \)/

It is ordered, that there shalbe a watch of sixe & an officer kept every night at Boston, 2 whereof are to be of Boston, 2 of Charlton, and 2 of Rocksbury.

It is further ordered, that every first Thursday in every month there shalbe a general training of Capt. Rocksbury's company at Boston & Rocksbury, & every first Friday in every month there shalbe a general training of the remainder of them who inhabit at Charlton, Mistieke, & the newe towne, at a convenient place about the Indian wigwams, the training to begin at one of the clocke in the afternoon.

\[ [*82.]*\]

*It is ordered, that Francis Perry be whipped, for his ill speeches & misbehaviour towards his master.*

Mr Francis Aleworth is chosen Leiftenant unto Capt. Southcoate, & Capt. Southcoate hath liberty granted him to goe for England, praising to return againe with all convenient speede.

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**A Court of Assistants, holden at Boston, August 16th, 1631.**

**Present,** The Gouernor, Mr Nowell, Deputy Gouernor, Mr Pinchon, Mr Ludlowe, S. Bradstreete.

Debts. 16 August.

\[ (10) \]

It is ordered, that any bill assigned to another shall be good debt to the payee to whom it is assigned; also that such debts due upon bill shall be paid before any other, & that the payee that giueth such bills shall renewe them upon demand & deliver in of the old bill.

It is ordered, that Mr Shephard and Rob't Coles shall be fined 5 mks a piece, & Edward Gibbons xx, for abusing themselves disorderly with drinking to much strong drink aboard the Frendshipp, & att Mr Ma'acke his howse at Winetseam. Discharged, 409.
Mc Alex: Wignall is fined 5 ſarks for the like offence at the same time.

It is further ordered, that the executors of Rich: Garrett shall pay unto Henry Harwood the sum of 20 nobles, according to the appraisement that the goods of the said Rich: Garrett shall amount unto.

It is ordered, that Phillip Swaddon shall be sett free from his maister Robe Scely, vpon the payement of x to his maister.

Mc William Gennison is chosen ancieint to Cap: Patricke.

A Court of Assistants, holden att Boston, Septem' 6th, 1631.

P'sent, The Gov'n', Mr Nowell,
Deputy Gov'n', Mr Pinchon,
Mr Ludlowe, S: Bradstreete/

It is ordered, that Henry Lyyn shalbe whipped and banished the plantation before the 6th day of Octob' nexte for writing into England falsely & malitiously against the govn'r & execution of justice here.

There is granted to Mc Gov'n' 600 aé of land, to be sett forth by ſarks & bounds neere his howse att Misticke, to enjoy to him & his heires for ever.

It is ordered, John Dawe shalbe severely whipped for intiseng an Indian woman to lye with him. Vpon this occaſon it is apposseed with adultery, eith' with English or Indian, shall not be punished with death. Referred to the nexte Court to be considered of.

*Mc Alex: Wignall is fined 40', bound to his good behav', & enjoyed to remove his dwelling to some settled plantation before the last of May nexte, for drunkenenes & much misdeemeunders by him comitted att the plantation where nowe hee dwelleth/

A Court of Assistants, holden att Boston, Septem' 27th, 1631.

Present, The Gov'n', Mr Nowell,
Deputy Gov'n', Mr Pinchon,
Mr Ludlowe, S: Bradstreete/

It is ordered, that sawers shall not take above 12' a score of boards, if they have their wood felled & squared for them, & not aboue 7' the hundred, after 5 score to the hundred, if they fell & square their wood themselves.

WiLM Phelps is chosen constable of Dorchester/
1631. 27 September.

It is ordered, that Josias Plastowe shall (for stealing 4 baskets of corne from the Indians) returne them 8 baskets againe, be fined 4, & hereafter to be called by the name of Josias, & not M', as forsmly hee vsed to be, & that Wtham Buckland & Tho: Andrewe shalbe whipped for being accessory to the same offence.

18 October.

A Court of Assistants, holden att Boston, Octob' 18th, 1631.

P'sent, The Goff', Mr Nowell,
Deputy Goff', Mr Pinchon,
Mr Ludlowe, S: Bradstreete.
Capt Endicott,

It is ordered, that if any man shall have carnall copulaçon with another mans wife, they both shalbe punished by death. This was confirmed the first month, 1637 or 1638./

The constable of Rocksbury returns the receipt of Mr Shepheards fine of 5 fûks, & see it remaines in his hands to be accountable for it. Mr Gofn' is to have 40$ of it, wth hee pd for ferryeing the watch from Charlton to Boston./

It is ordered, that Thomas Grays house att Marble Harb' shalbe puld downe, & that noe English[e] man shall hereafter giue howseroom to him or intertaine him, under such penalty as the Court shall thinke meete to inflicte./

It is ordered, that there shalbe taken out of the estate of Mr Crispe & his company the soine of xij j$ v$, & deliued to John Kirman, as his pp goods, & after the whole estate to be inventoryd, whereof the 8$ John Kirman is to have an 8$ pâte; this to be done with all convenient speede by theis 5 commision's, or any 3 of them, viz: Mr John Masters, Mr Robte Feakes, Mr Edward Gibbons, Epharim Child, Dan' Fynch, &c./

It is further ordered, that corne shall passe for payemt of all debts at the vsuall rate it is solde for, except money or beav be expressly named.

1631-2. 3 February.

At a Meeting of Assistants att Boston, February the 3, 1631.

P'sent, The Goff', Mr Nowell,
Deputy Goff', Mr Pinchon,
Mr Ludlowe, S: Bradstreete.
Capt Endicott,
It was ordered, there should be three score pounds levied out of the
several plantations within the limits of this patent towards the making
of a palesadoe about the new town, viz.: Waterton viij, the new
towne iiij, Charlton viij, Mcedford iiij, Saugus & Marble Harv viij, Salem
iiij x, Boston viij, Rocksberry viij, Dorchester viij, Wessaguscus vi, Wines-
ettsem xxx/

Thomas Knowe hath bound himselfe in x to make his personal appear-
ance att the nexte Court, to be holden att Boston the first Tuesday in March
nexte, to answer to such things as shallbe objected against him./

_A Court of Assistants, holden att Boston, March 6th, 1632._

_Present,_ The Gou'n,
Deputy Gou'n,
Mr. Ludlowe,
Capt. Endicott,

_Mr Nowell,_
_Mr Pinchon,_
_S: Bradstrete._

It is ordered, that noe planter within the limits of this jurisdiction, return-
ing for England, shall carry either money or beaver with him without
leave from the Gou'n, (for the time being,) under paine of forfeiting the
money or beaver so intended to be transported./

As an addition to an order made the 22nd of March, 1630, it is ordered
that if any single person be not provided of sufficient armes allowable by the
capt or lieutenants, before the 10th of Aprill nexte, shalbe compelled to serve
by the yeare with any master that will retaine him for such wages as the
Court shall thinke meete to appoynte./

It is ordered, that Courts hereafter shalbe helde every first Tuesday in
every month./

It is further ordered, that Robt Coles, of Rocksberry, shalbe fined xx Robert Coles.
for being drunke at Charlton in Octobr last, & is inioyned to confesse his
fault to the Court, (nowe comitted in exculpating his offence,) the nexte
Court, & after att the Gefall Court./

Tho: Knowe hath bound himself in x to make his personal appearance
att the nexte Court, to answer to such things as shall be obiceted against him./

*A Court of Assistants, holden att Boston, April 3, 1632._

_Present,_ The Gou'n,
Deputy Gou'n,
Mr. Ludlowe,
Capt. Endicott,

_Mr Nowell,_
_Mr Pinchon,_
_S: Bradstrete._

It is ordered, that no planter within the limits of this jurisdiction, return-
ning for England, shall carry either money or beaver with him without
leave from the Gou'n, (for the time being,) under paine of forfeiting the
money or beaver so intended to be transported./

As an addition to an order made the 22nd of March, 1630, it is ordered
that if any single person be not provided of sufficient armes allowable by the
capt or lieutenants, before the 10th of Aprill nexte, shalbe compelled to serve
by the yeare with any master that will retaine him for such wages as the
Court shall thinke meete to appoynte./

It is ordered, that Courts hereafter shalbe helde every first Tuesday in
every month./

It is further ordered, that Robt Coles, of Rocksberry, shalbe fined xx Robert Coles.
for being drunke at Charlton in Octobr last, & is inioyned to confesse his
fault to the Court, (nowe comitted in exculpating his offence,) the nexte
Court, & after att the Gefall Court./

Tho: Knowe hath bound himself in x to make his personal appearance
att the nexte Court, to answer to such things as shall be obiceted against him./
THO: KNOWLER was sett in the billowes for threateing the Court that, if hee should be punisht, hee would haue it tryed in England whither hee was lawfully punished or not.

It was ordered, that noe person w/soruer shall shoote at fowle vpon Pul- len Peynte or Noddles Ieland, but that the s^1 places shalbe reserved for John Perkins to take fowle w/th nets.

Vpon Robe Coles confession of his faulte committt the last Court, in extenuating of his offence of drunkenes, the Court remitted his flyne, & further confession enjoyed him the last Court.

Sarah Morley is putt as an apprentice to M' Nathanaell Turner, of Saus- gus, for the space of nyne yeares from this Court, for w^th tearne hee is to finde her meate, drinke, & cloathing.

The Ieland called Conant's Ieland, with all the librties & priviledges of fishing & fowling, was demesd to John Winthrop, Esq^r, the f^sent Go^n^r, for the tearne of his life, for the fine of fforty shillings, & att the yearely rent of xiij^, to be paid to the Treasurer vpon the 25^th day of March ; & it was further agreed, & the said John Winthrop did covenant & promise to plant a vineyard and an orchyard in the same, in consideration whereof the Court did granunt that, att the end of the said tearne, the lease herc^of should be renewed to the heires or assignes of the said John Winthrop for one & twenty yeares, payable yearely to the Go^n^r, for the time being, the fift f^te of all such fruicts & pffits as shalbe yearely raysed out of the same, & soe the same lease to be renewed from time to time vnto the heires & assignes of the said John Winthrop, with the said reseruacoon of the said fift f^te to the Go^n^r for the time being, & the name of the said Ieland was changed, & is to be called the Go^n^r Garden ; prived, that if the heires or assignes of the said John Winthrop shall att any time suffer the said Ieland to lyce wast, & not impue the same, then this f^sent demise to be voide.

*March 6^th 1632.

IT is agreed vpon by the f^yes whose names are here vnderwritten, by vertue of an order of Court for the appointed & setting out the bounds of Charles-Towne & Newe Towne.

First, it is agreed that all the land impaled by Newe Towne men, with the necke thereunto adjoyning, whereon M' Graues dwellet, shall belonge to the said Newe Towne, & that the bounds of Charles Towne shall end att a tree marked by the said pale, & to passe alonget from that tree, by a straight
lyne vnto the mydway betwene the westermost pte of the greate lott of land of John Winthrop, Esq., nowe Goynr of the Englishe colony in the Massachusetts, & the neest pte thereto of the bounds of Waterton. In witnes where-of, wee have herevnto sett of hands, the day & yeare aforesaid./

THO: MAYHEWE,  
NATH: TURNER,  
GEORGE ALCOCKE/

* A Gen'all Court, holden att Boston, May 9th, 1632.  

Present,  The Goynr,  Mr Nowell,  9 May.  
Deputy Goynr,  Mr Pinchon,  [*788.]  
Mr Ludlowe,  S: Bradstreete  

It was gefiall agreed vpon, by erccoon of hands, that the Goynr, Deputy Goynr, & Assistants should be chosen by the whole Court of Goynr, Deputy Goynr, Assistants, & freemen, and that the Goynr shall alwaies be chosen out of the Assistants./

John Winthrop, Esq., was chosen to the place of Goynr (by the gefiall consent of the whole Court, manefested by erccoon of hands) for this yeare nexte ensuing, & till a newe be chosen, & did, in presence of the Court, take an oath to his said place belonging./

Thomas Dudley, Esq., was in like manner chosen to the place of Deputy Goynr for this yeare nexte ensuing, & till a newe be chosen, & did, accordingly, take an oath to his place belonging./

Mr Roger Ludlowe, Mr Increase Nowell, Mr WiHm Pinchon, S: Bradstreete, Capt John Endicott, John Humfrey, Esq., Mr WiHm Coddington, & Mr John Winthrop, Jun., was chosen into the place of Assistants for this yeare nexte ensuing, & till newe be chosen./

It was ordered, that there should be two of euy plantacon appointed to conferre with the Court about raising of a publique stocke:—

Mr Oldeham & Mr Masters, for Waterton;  
Robte Coles & John Johnson, for Rocksby;  
Mr Will: Colbran & Will: Cheesebrough, for Boston;  
Rich: Wright  for Saugus;  
Mr Lockwood & Mr Spencer for Newe Towne;  
Mr Gibbons & Mr Paln, for Charlton;  
Mr Comant & Peter Palfy, for Salem;  
WiHm Felpes & John Gallard, for Dorchest/
It was ordered, that the town of Waterton shall have that privilege and interest in the way they have built vpp Charles Ryver, according as the Court hereafter shall think meete to confirme unto them.

Mr Edmond Lockwood was chosen constable of New Towne for this yeare nexte ensuing, & till a newe be chosen. / Jur.

Mr Clerke was chosen constable of Waterton for this yeare nexte ensuing, & till a newe be chosen. / Jur.

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* A Court of Assistants, holden att Boston, June 5th, 1632.

P'sent, The Gofin',
Deputy Gofin',
Mr Nowell,
Mr Pinchon,

Mr Ludlowe,
Mr Winthrop, Ju',
S: Bradstreete.

Day of Thanks-giving.

The Court, taking into consideration the great mercy of God, vouchsafed to the churches of God in Germany and the Pallattinate, &c, hath appoynted the 13th day of this present moneth to be kept as a day of publice thanksgiving throughout the several plantacons.

It is ordered, that the goods of the company of husbandmen shalbe inventoried by the beadle, & preserved here, for the use and benefit of the said company.

It was further ordered, that there shalbe 200 a.6 of land set out by marks & bounds, on the west side of Charles Ryver, ouer against the newe town, to enioy to Thomas Dudley, Esq', Deputy Gofin', to him & his heires for ever.

It was likewise ordered, that e&y planter inhabiting within this pattent shall pay to the Court, towards the defraying of publique charges, xij for e&y pound of beav' that hee shall trade for with any Indian within this pattent, or that hee brings into the pattent, haveing traded the same with any foraine Indean. / Rep. 207.

Also, it is agreed that there shalbe a trucking howse appoynted in e&y planthacon, whither the Indians may resorte to trade, to avoide there comeing to several howses.

There is a commission granted to Mr Pinchon & Mr Maüicke, Sen', to make inquiry, & to take deposicions of the creditors of Josías Plastowe & there witnesses, that it may appeare what debts are oweing by him, & see his estate to be preserved here till the nexte Court.
APPT. ENDICOTT, being chosen an Assistant att the Gefall Court, did nowe take an oath to his place belonging, in the presence of the Court.

It is ordered, that Joist Weilhust shall have allowed him \( v^t \) towards his transportation into his owne country, whith, according to his desire, he hath free leave to goe.

It is ordered, that Thomas Dexter shalbe bound to his good behav till the nexte Gefall Court, & fined \( v^t \) for his misdemeane & insolent carriage & speeches to S: Bradstreect, att his owne howse; also, att the Gefall Court is bound to confesse his fault.

There is a nekke of land lyeing aboute 3 myles from Salem, conf aboute 300 a\( c \) of land, granted to Capt Jo: Endicott, to enjoy to him & his heires for ever, called in the Indean tongue Wahquaine-schook, in English Birchwood, bounded on the south side with a ryver called in the Indean tongue Soewamopenesssett, commonly called the Cowe Howse Ryver; bounded on the north side with a ryver called in the Indean tongue Comanabsquoonecant, commonly called the Ducke Ryver; bounded on the east with a ryver leading upp to the 2 forn\( a \) ryvers, whith is called in the Indean tongue Okhussant, otherwise known by the name of Woolleston Ry\( v^r \); bounded on the west with the maine land.

There is another nekke of land, lyeing aboute 3 myles fro Salem, conf aboute 200 a\( c \), granted to Mr Sam\( ^n \) Skelton, to enjoy to him & his heires for ever, called by the Indeans Wahpuck, bounded on the south vpon a little ry\( v^r \) called by the Indeans Conamabsquoonecant; vpon the north abutting on another ryver, called by the Indeans Pouomeneahcant; & on the east, on the same ry\( v^r \), also there is granted to Mr Skelton one a\( c \) of land, on w\( hth \) his howse standeth, & 10 a\( c \) more in a nekke of land abutting on the south ryver, vpon the harb\( r^r \) ry\( v^r \) on the north, vpon WiHm Allens ground on the east, & vpon Mr Higgensons ground on the west.

Likewise there is granted to Mr Skelton 2 a\( c \) more of ground, lyeing in Salem, abutting on the south ry\( v^r \) on the east, vpon the maine vpon the west, on Cap\( t \) Endicotts ground on the south, & on John Sweetes ground on the north.
1632. Withm Parks dooth promise, if S'cant Bateman comes noe more, to satisfie Mr Pinchon w't shalbe thought meete by 2 indiffernt men for 3 leaden waights by him lost, & 12 pce of stockins w'th the said Bateman solde to Mr Pinchon for good ones, but pue badd & moth-eaten.

[91.] John Smith is bound as an apprentice with Mr John Wilson for fyve yeares from this Court, dureing w'th terme Mr Wilson is to finde the said John Smyth meete, drinke, & appelle, & att the end of the said time is to giue unto him the same of fforty shillings.

It is likewise ordered, that those goods w'th were sent ouer with the said John Smythe shall remaine in the hands of Mr Wilson, for w'th hee is to be accountable to those y't sent them ouer.

Bryan Bincks & Peter Johnson hath bound themselves ioynctly & seaully in x a piece, that they shall not deipt out of the paent w'thout leave from the Goyn', & shalbe ready to attend vpon the Court, when they shalbe called to giue an account of their company goods.

John Smyth hath likewise bound himselfe in x to be acountable for his companyes goods nowe inventioned, & remaininge in his hands.

Mr James Parker is fined x1, & bound to his good behav' till the nexte Court, for his misdemean' and drunkenes, comitted aboard the Virginia shipp.

Mr Sam' Dudley is fined x1 for the like offence att the same time.

It is ordered, that the capt & officers shall take especiall care to search all peccees that are brought into the ship for being charged, & that noe person w'soever shall att any time charge any piece of service w'other bulletts or shott, other then for defence of their howses, or att command from the capt, vpon such penalty as the Court shall thinke meete to inflict.

[92.] A Court, holden att Boston, August 7th, 1632.

P'sent, The Goyn', Mr Pinchon,
Deputy Goyn', Mr Winthrop,
Mr Ludlowe, S: Bradstreete,
Mr Nowell,

Upon further consideration of justice to be done vpon the murder of Walter Bagnall, & vpon reading a fre from those of Plymouth, being written in answer to a fre sent to them aboute it, it is ordered that a boate shall be sent forth, sufficiently manned, with comission to deal with the plantaçon to the eastward, & to ioyn with such of them as shalbe willing thereto, for examinacion of the murder of the said Walter Bagnall, & for
apphending of such as shalbe found guilty thereof, & to bring the prison's into the Bay; it is referred to the Goûn⁹ to take order herein.

It is ordered, that the remaind⁸ of Mr. Allens stronge water, being estimated about 2 gallands, shalbe deliued into the hands of the deacons of Dorchест⁴, for the benefit of the poore there, for his selling of it dyv^2 tymes to such as were drunke w^th it, hee knowing thereof.

It is ordered, that James Woodward shalbe sett in the bill-bowes for being drunke att the newe townce/

There is iiij⁴ of Knoes fine of v^t remitted./

It is ordered, that the capî shalbe mainetained by their sefull companies. / 4.

Mr. Wîthm Pinchon is chosen Treasurer for this yeare nexte ensuing, & till a newe be chosen./

A Court, holden att Boston, Sept. 4th, 1632.

Present, The Goûn⁹, Mr. Tresur⁴,
Deputy Goûn⁹, Mr. Nowell,
Mr. Ludlowe, Mr. Jo: Winthrop,
Capî Endicott, S: Bradstreete.

It is ordered, that Robt Shawe shalbe seuerely whipt, for wicked curseing, sweareing, justifieing the same, & gloryeing in it, as hath been prvd by oath./

John Stickland is fined iiij⁴, for his refusing to watch, att the capî commandes/

Saggamore John, (¿, punished against the nexte yeare, & soc ener after, to fence their corne against all kinde of cattell./

Josuah Barnes is bound as an apprentice to Mr. Paine for 5 yeares from his landing, for 4⁴ p annû wages, and v^t att the end of his tearme, to be paid to him by his said maister./

It is ordered, Wîthm Hamon shalbe sett in the bilbowes, for being drunke./

Mr. Turner is chosen constable of Saugus for this yeare, & till a newe be chosen, & did nowe take an oath to his place belonging./

There is order given to Mr. Tresur to pay 40^* to Richard Waterman, for killing a woule aboute 2 monthes since, in Salem plantaçon./

*There is likewise order graunted to Mr. Treasur to pay Capî Vnderhill & Capî Patricke a quart's exhibîçon./

Mr. Robt Feakes is chosen into the place of leifeten^t to Capî Patricke./

It is ordered, that Richard Hopkins shalbe seuerely whipt, & branded, Hopkins sent.
with a hot iron on one of his cheeks, for selling pieces & powder & shot to the Indians. Hereupon it was pronounced if this offence should not be punished hereafter by death. Referred to the next Court, to be determined.

A Court, holden att Boston, Octob' 3, 1632.

**Present.** The Gov'n, Mr Tresur'r, Deputy Gov'n, Mr Nowell, Mr Ludowe, Mr Winthrop, Cap't Endicott, S: Bradstreet.

Mr Tresurer hath pronounced to give xxv' for this yeare, for his beam' trade, for w'h his 12' in the pound is remitted.

It is ordered, that there shalbe a howse of correction & a house for the beadle built att Boston, w'th w' speedie conveniently may be.

Mr Batchel' is required to forbear exercising his girds as a post' or teacher publiquely, in o' patent, unless it be to those hee brought with him, for his contempt of authority, & till some scandele be removed.

It is agreed, that the beadle shall have viij' exhibition for this yeare.

It is ordered, that James Woodward shalbe whipt, for running from his maist', Mr Gibbons, & absenting himselfe from his service; in recompense whereof hee shall doe him 6 weekes worke when his time comes out.

Edward Burton is fined vi for his contempt of authority, in refusing to come to the Court, being suinoib by the Gov'n', and 40' for drunkennes.

It is ordered, that Saugus plantation shall have liberty to build a ware vpon Saugus River; also, they have promised to make & continually to kepe a good footbridge vpon the most convenient place there.

It is ordered, that Alex: Miller & John Wipple shall give iiij' iiij' a pece to their maister, Israel Stoughton, for their wastfull expence of powdr & shott.

Leifsten' Aleworth hath liberty granted him to returne to England by the shipp Lyon.

There is 60 a' of meadowe ground granted to Simon Bradstreete, in the marshe ground against the oyster banke, where hee shall chuse, to inioy to him & his heires for ever.

It is ordered, that Nicholas Frost, for theke by him committed att Damcrills Cove vpon the Indians, for drunkenes and fornicacon, of all w'h hee is convicted, shalbe fined vi to the Court, & xli to Henry Way & John Holman,
shalbe seereuly whipt, & branded in the hand with a hott iron, & after ban-
ished out of this patent, with penalty that if ever hee be found within the
lymmites of the said patent, hee shalbe putt to death; also it is agreed that hee
shalbe kept in bounds by Henry Way & John Holman, till his fines be paid,
during wth time hee is to bære his owne charges.

It is thought, by gefall consent, that Boston is the fittest place for pub-
lique meetings of any place in the Bay.

It is ordered, that from the 1th of March nexte, ey pson shall satisfie
for the damages his swine shalbe doe in the corne of another.

It is further ordered, that noe pson shall take any tobacco publiquely.

George Dyar is chosen constable of Dorcheste for this yeare nexte ensuing,
& till a newe be chosen, & did nowe take an oath to his place belonging.

A Court, holden att Boston, Novemb 7th, 1632.

For preservacion of good timb for more necessary vses, it is ordered, that
noe man shall fell any wood for palcing but such as shalbe vewed &
allowed by the nexte Assistant, or some whome they shall depute to doe the
same; this order not to extend to ground that is or shall be assigned to pitcull
psons.

It is ordered, that the difference betwixte Charles-Towne & Newe-Towne,
for ground, shalbe referred to Mr Maücke, Junr, Mr Alcocke, Mr Turner, &
John Johnson, to vewe the ground, wood, & meadowe, & scoe to sett downe the
bounds betwixte them.

It is ordered, that the necke of land betwixte Powder Horne Hill & Pul-
len Poynte shall belonge to Boston, to be enjoyed by the inhabitants thereof
for ever.

It is likewise ordered, that the inhabitants of Boston shall have liberty to
1632.

fetch wood from Dorchester necke of land for 20 years, the priety of the land to remaine to Dorchester.

*Cap't Traske, Mr Conant, WiU'hn Cheesbrongh, & John Perkins are apportioned by the Court to sett downe the bounds betwixte Dorchester and Rocksberry. Ralf Sprage is chosen umpire.

There is 100 a'c of land granted to Mr Roger Ludlowe, to injoy to him & his heires for ever, lyeing betwixte Musquantum Chappell & the mouthe of Naponsett.

John Finch is fined x' for wanting armes for his man, & for being absent himselfe from traineig.

Hen Lynn is fined x' for absenting himselfe from training.

Mr Mathewne Cradocke is fined iiiij' for his men being absent from training dyvers times.

It is ordered, that the cap't shall traine their companyes but once a monethe.

It is further agreed, that Sr Richard Saltonstall shall giue Saggamore John a hogs-head of corne for the hurt his cattell did him in his corne.

It is ordered, that neither English nor Indeans shall haue any more rewards given them for killing woolles.

There is aboute 50 a'c of mead ground granted to John Winthrop, Esq', upon Go'n', lyeing betwixte Cobbetts howse & Wanottymies Ryver.

It is referred to Mr Turner, Peter Palfry, & Roger Conant to sett out a porcon of land in Saugus for John Humfrey, Esq'.

Mr Phillips hath 30 a'c of land granted him vpp Charles Ryver, on the south side, begininge att a creeke a lyttle higher then the first pynes, & soe vpwards towards the ware.

It is ordered, that Robt Hait & Mary Ridge shalbe whipt for committung fornicaciou togetheer, of wch they are convicted.

There is iiiij' of Tho. Dexters fine of v' forgiven him.

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It was agreed by the parties appointed by the Court, 8, that all the ground impaled by Newe towne men, with the neck whereon Mr Graves his house standeth, shal belong to Newe towne, & that the bounds of Charlestowne shall end at a tree marked by the pale, & to passe along from thence by a straight line vnto the midway betwixt the westermost part of the Governo's grate lot & the nearest part thereto of the bounds of Watertowne.
*A Court, held at Boston, March 4th, 1632.

Present, The Gofin, Mr Treser,
Deputy Gofin, Mr Nowell,
Mr Ludlowe, Mr Winthrop, Jun,
Capt Endicott, S : Bradstreete,

4 March.

THERE is administratio grante to Roger Ludlowe, Esq., of the goods and chattels of John Knight, whose deceased in November last.

The Court hath reversed the last act against Mr Batchler, with restrained him from further gathering a church within this patent.

It is ordered, that Thomas Dexter shall be sett in the bilhowes, disfranchized & fined x f for speaking reproofful & seditious words against the gofin here established, & finding fault to dyve with the acts of the Court, saying this capious gofin will bring all to naught, adding that the best of them was but an attorne, &c.

It is agreed, that the bounds forandy sett out betwixt Boston & Rocksbery shall continue, onely Rocksbury to enjoy the conveniency of the crekke neere thereunto.

Boston is cessed v, Charlton iii, Rocksbury vi, Waterton vi, Newetowne vi, Medford ii, for the maintenance of Capt Vanderhill & Capt Patricke for halfe a yere.

Sient Morris is chosen ancient to Capt Vanderhill.

Thomas Wincall is fined xx for drunkennes.

A Court, held at Boston, April 1st, 1633.

Present, The Gofin, Mr Treser,
Deputy Gofin, Mr Nowell,
Mr Ludlowe, S : Bradstreete,

1 April.

THERE is x v allowed to Edward Converse for ferrying officers over the water.

It is ordered, that no person w'soever shall goe to plant or inhabitt at Agawam, without leave from the Court, except those that are already gone, viz': Mr John Winthrop, Jun, Mr Clerke, Robt Coles, Thomas Howlett, John Bigges, John Gage, Thomas Hardy, William Perkins, Mr Thorne dicke, William Sient.
The price of corn, formerly restrained to 6d the bushell, is nowe set at liberty to be sole as men can agree.

Nodles Island is granted to Mr Samuell Mauleke, to enjoy to him & his lesirs for ever, yeilding & paying yearly att the General Court, to the Governor for the time being, eith' a satt weather, a satt hogg, or xl in money, & shall giue leave to Boston & Charles-towne to fetch wood contynuall, as their neede requireth, from the southerne pte of the s^e iseland.

*It is agreed, that Mr William Blackstone shall have 50 a^ of ground sett out for him neere to his howse in Boston, to enjoy for ever.*

Ezekiel Richardson is chosen constable of Charlton, for this yeare nexte ensuing, & till a newe be chosen.

It is ordered, that if any swine shall, in fishing time, come within a quarter of a mile of the stage att Marble Harbours, that they shall be forfeited to the owners of the s^e stage, & soe for all other stages within this lymitts.

It is ordered, that Joyce Bradwicke shall giue vnto Alex Becke the same of xx, for praising him marriage w^th her friends consent, & nowe refusinge to porme the same.

John Sayles being convicted of fellonously taking away corn & fishe from dyvers persons the last yeare & this, as also clapboards, &c, is censured by the Court after this manfe: That all his estate shallbe forfeited, out of w^th double restitution shallbe made to those whom he hath wronged, shallbe whipt, & bound as a serv^d with any that will retaine him for 3 yeares, & after to be disposed of by the Court as they shall thinke meete.

John Sayle is bound with Mr Coxeshall for 3 yeares, for w^th he is to giue him 4l p an^; his daughter is also bound w^th him for 14 yeares. Mr Coxeshall is to haue a sowe w^th her, & at the end of her time hee is to giue vnto her a cowe calfe.

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*General Court, holden att Boston, May 29th, 1633.*

**Present,** The Governor, Mr Codlington, Mr Winthrop, Jr, Mr Tresor, S: Bradstreete, Mr Nowell,

John Winthrop, Sen, Esq, was chosen to the place of Gov'n for this yeare nexte ensuing, manefested by general creccion of hands, & did in presence of the Courte take an oath to his place belonging.

In like manner, Tho: Dudley, Esq, was chosen to the place of Deputy
Goفر for this yeare nexte ensuing, & did in presence of the Court take an oath to his place belonging.

Mr Roger Ludlowe, Mr Wiḥm Pinchon, Mr Will: Coddington, Mr Increase Nowell, Mr Simon Bradstreete, & Mr John Winthrop, Jr, was chosen to the place of Assistants for this yeare nexte ensuing, & till newe be chosen, & did in Court take the oath to their place belonginge.

Mr John Endicott, Sr Richard Saltonstall, John Humfray, Esq, was chosen to the place of Assistants for this yeare nexte ensuing.

It was ordered, that the ffort att Boston shalbe finished with what convenient speede may be, att the publique charg.

Mr John Beniamyn chosen constable of Newe-Towne for this yeare nexte ensuing, & till a newe be chosen.

The nexte Court is to be holden the 2 Tuesday in June.

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* A Court, holden att Boston, June 11th, 1633. [100]

Present, The Goفرح, Mr Nowell,

Deputy Goفرح, Mr Coddington,

Mr Ludlowe, Mr Winthrop,

Mr Tres, S: Bradstreete.

It is ordered, that Wiḥm Dixon shalbe sett in the bilbowes for disordering himselfe with drinke.

It is likewise ordered, that John Penerton shalbe whipt, bound to his Jn Penerton good behav', & enjoyned to make his appearance at the nexte Court, for committing fornicaṭion with Eliz: Marson.

John Webb is sett at liberty from his maister, Wiḥm Parks.

There is leave graunted to Tho: Sellen to plant att Aggawam.

The 19th day of this moneth is appoynted to be kept as a day of publique thanksginuing throughout the seallall plantacōns, &c.

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* A Court, holden att Boston, July 2, 1633. [101]

Present, The Goفرح, Mr Nowell,

Deputy Goفرح, Mr Coddington,

Mr Ludlowe, Mr Winthrop,

Mr Endicott, S: Bradstreete.

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Mr. Endicott, being chosen an Assistant att the General Court, did nowe take an oath to his place belonging,

Mr. Ludlowe, Mr. Tres, & Mr. Nowell are chosen as committes to take an account of the debts due to the Goyn, & to certifie the same att the nexte Court, that they may be discharged.

It is ordered, that there shalbe £150 given to the Goyn for this present yeare, towards his publique charges & extraordinary expences.

Robt Allen is fined £ for absenting himselfe from Court, being summonsed to be there as a witnes, £.

James White is fined xxx for drunkenes by him committed at Marblehead, on the Sabbath day.

John Bennet is fined £ for being drunke at Marblehead.

It is ordered, that noe pson shall sell either wine or stronge water without leave from the Goyn, or Deputy Goyn. This order to take place a fortnight hence, & after the constable of the same plantaçon hath published the same, & that noe man shall sell, or (being in a course of trading,) give any stronge water to any Indecen.

It is ordered, that if any corne fence shalbe by the inhabitants of the towne judged insufficent, & the owner thereof forbeare mending of it more then 2 days after warning given, the inhabitants shall mend the said fence, & the corne of the owner of the said fence shalbe liable to pay the charges of the mending thereof.

Alex Wigmills & Mr. Gibbons are appoyneted to joyn with Mr. Graues & Mr. Geneson to inventory the goods & chattells of Alex: Wigmill.

It is ordered, that the ground lyuing betwixte the North Ryv & the creekne on the north side of Mr. Mallacks, & soe vpp into the country, shall belonge to the inhabitants of Charlton.

Order is given to the Tres to deliuis to Leiseten Mason £ for his voyage to the eastward, when he went about the taking of Bull.

There is demised to Tho: Lambe, of Slate in Slate Heand, 10 poole towards the water side, & 5 poole into the land, for 3 yeares, poyeing the yearly rent of ij'y vij/.

Administracio is granted to Mr. Mayhew of the goods & chattells of Mr. Ralf Glover, deceased, £.

It is ordered, that it shalbe lawfull for any man to kill any swine that comes into his corne: the pyt that ow[n]es the swine is to have them, being killed, & allowe recompence for the damage they doe, £.
THE MASSACHUSETTS BAY IN NEW ENGLAND.

* A Court, holden att Boston, August 6th, 1633. 1633.

Present, The Gouier, Mr Nowell,
Deputy Gouier, Mr Coddington,
Mr Ludlowe, Mr Winthrop,
Mr Trese, S: Bradstreete.

Mr JOHN WOOLRIDGE is fined l for distempering himself with drinke, WOULD find.

aboard Mr Graues his shipp/

It is agreed, that there shalte a sufficient cartbridge made in some convenient place ouer Muddy Riner, & another ouer Stony Ryver, to be done Cartbridge, att the charge of Boston & Rockbury. Mr Coddington, Mr Colbran, & Mr Samford are chosen to see it done for Boston, & Mr Trese, Johnn Burr, & John Johnson for Rockbury.

It is further ordered, that if any ram goat be found amongst eue goats betwixte the first of July & 10th of November, it shalbe lawfull for any man to sease on him before witnesses, & to convey him to some safe place till the said 10th of November, & then halfe of him is to goe to the publique, & the other halfe to the pty that seases on him. This order to take place on Thursday next.

A Court, holden att Boston, Sep' 3, 1633. 3 September.

Present, The Gouier, Mr Nowell,
Deputy Gouier, Mr Coddington,
Mr Ludlowe, Mr Winthrop,
Mr Trese, S: Bradstreete.

JOHN SHOTSWELL is fined xl for distempering himself with drinke att Shotwell end.

Aggawam/

Robe Coles is fined x, & enioyed to stand with a white sheete of pap on his back, wherein a drunkard shalbe written in greate tres, & to stand therewth se longe as the Court thinks meete, for abusing himselfe shamefully with drinke, intising John Shotwell wife to incontinency, & other misdemeanors.

It is ordered, that the goods of Thomas Walford shalbe sequestred, & Walfords goods remaine in the hands of Ancihent Gennison, to satisfie the debts hee owes in the Bay to sefall psorns.

There is administratio granted to Willm Gallard & Willm Rockwell, of the goods and chattels of John Russell, of Dorchester, whoe diseased ad

August 26th, 1633/
1633. September 3. The records of the colony of


[*103.] Capt. John Stone for his outrage committed in confronting authority, abusing Mr. Ludlowe both in words and behaviour, assailing him & calling him a just as, &c., is fined £1, & prohibited coming within this patent without leave from the Gov'n, under the penalty of death.

It is ordered, (according to a former order at the General Court,) that every hand except magistrates & ministers shall help to the finishing of the fort at Boston, till it be ended.

Mr. Palmer is fined £4 for absenting himself, being warned to serve of a jury.

Alex. Wignall is fined £1 for drunkeness, quarrelling, breach of an order of Court, & contempt of authority.

Administracion granted to Wm. Stitson of the goods & chattells of Richard Arnold, of Wenetsan, deceased.

There is liberty granted to Mr. John Winthrop, Junr., & to his assigns, to set up a trucking howse vpp Merrymak Ryver.

Mr. John Barcroft doth acknowledge to owe unto o' Soaigne, the King, the somne of £1, & Mr. Sam'l Mauacke the somne of £2, &c. The condition of this recognizance is, that Jane Barcroft, wife of the said John, shall be of good behav. towards all persons.

1 October.

A Court, holden att Boston, Octobr 1st, 1633.

[Present,] The Gov'n, Mr. Nowell,
Deputy Gov'n, Mr. Coddington,
Mr. Ludlowe, Mr. Moody,
Mr. Tris,

Mr. Perkins & Mr. Dexter fined.

It is ordered, that S'iant Perkins shall carry 40 turves to the fort, as a punishment for drunkenness by him committed.

Also, it is ordered, that Thomas Dexter shall be fined £3 for the like offence.
It is ordered, that if any trained souldier shalbe absent from training, 1633.
upon their training dayes, shewing lawfull warninge, shall forfeit v', & that 
it shalbe lawfull for one of the assistants appoynted by the capt of the 
company to leve ; vnes with in 2 dayes after it be demanded, the pyt offending 
bring a certificate from the nexte Assistant that hee had a necessary occasio to 
be absent.

It is ordered, that maister carpenters, sawers, masons, clapboard-ryvers, bricklayers, tylars, joyners, wheelwrights, mowers, &c, shall not take above 
2* a day, finding themselves dyett, & not above 14* a day if they have dyett 
found them, vnder the penalty of v', both to giver & receav, for cuy day that 
there is more given & receaved. Also, that all other inferior workemen of 
the said occupationes shall have such wages as the constable of the said place, 
& 2 other inhabitants, that hee shall chuse, shall appoynt./

*Also, it is agreed, that the best sorte of labourers shall not take above 
18* a day if they dyett themselves, & not above 8* a day if they have dyett 
found them, vnder the aforesaid penalty, both to giver & receave./

Likewise, that the wages of inferior labor's shalbe refered to the constable 
& 2 other, as aforesaidd./

M* taylours shall not take above 12* a day, & the inferior sorte not above 
8*, if they be dyeted, vnder the aforesaid penalty; & for all othe worke they 
doe at home ppemably, & soe for other worke that shalbe done by the greate 
by any other artificer./

Further, it is ordered, that all workemen shall worke the whole day, 
allowing convenient tyme for fooe & rest. This order to take place the 
12* of this present moneth,/

It is further ordered, that noe psone, howse houlder or oth*, shall spend 
his time idlely or vnpfitably, vnder paine of such punishment as the Court 
shall thinke meete to infringe ; & for this end it is ordered, that the constable 
of cuy place shal vs speciall care & deligence to take knowledge of offend-
ers in this kinde, especially of common coisterers, vnpfitable fowlere, & tobacco 
takers, & to send the same to the 2 nexte Assistants, whose shalbe have power 
to heare & determine the cause, or, if the matter be of importance, to transferr 
it to the Court./

In regard of the many & extraordinary mercys wth the Lord hath beene 
pleased to vouchsafe of late to this plantaçon, v2* a plentiful harvest, ships 
safely arriued wth psone of speciall vse & quallity, & it is ordered, that 
Wednesday, the 16* day of this present moneth, shall be kept as a day of pub-
lique thanksgiving through the seall plantaçon. And whereas it is found 
by common experience that the keeping of lectures att the ordinary howres
1633. nowe observed in the fore-noone to be dyuers ways fjudicall to the coimon good, both in the losse of a whole day & bringing othr charges & troubles to the place where the lecture is kept, it is therefore ordered, that hereafter noe lecture shall begin before one a clocke in the afternoone.

It is ordered, that there shalbe 400\(^\text{t}\) collected out of the seulfal plantaçons, to defray publiques charges, viz\(^\text{t}\):

<table>
<thead>
<tr>
<th>Place</th>
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<tr>
<td>Boston</td>
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<td>Rocksbury</td>
<td>48 00 00</td>
</tr>
<tr>
<td>Newe-Towne</td>
<td>48 00 00</td>
</tr>
<tr>
<td>Waterton</td>
<td>48 00 00</td>
</tr>
<tr>
<td>Charlton</td>
<td>48 00 00</td>
</tr>
<tr>
<td>Dorchester</td>
<td>80 00 00</td>
</tr>
</tbody>
</table>

Sum tot: 412\(^\text{t}\) 00 00

[*105.]*

1 Court, holden att Boston, November 5\(^\text{th}\), 1633.

3 November.

**Present:** The Goûr\(^\text{t}\), Mr Tress\(^\text{t}\),

Mr Ludlowe,     Mr Codlington,

Mr Nowell,      S: Bradstreet.

1. It is ordered, that when all the plantaçons in the Bay hath done 2 days worke a pece att the fort, there shall order goe forth to Salem, Aggawam, & Sagus, to send in their money for 3 days worke towards it, for cfiy man, except magistrates & minister.

It is ordered, that peces shall be directed by the Secretary to the beadle, for the warning of 24 jurors, 14 days before the Court, to be named by the Secretary.

It is likewise ordered, that corne of the country shall passe att 6\(^\text{t}\) the bushell till the nexte Court.

Further, it is agreed, that noe man shall give his swine any corne but such as, being vewed by 2 or 3 neighbors, shallbe judged vnfitt for mans meate.

Also, that cfiy plantaçon shall agree howe many swine cfiy pson may kepe, winter & summer, aboute the plantaçon; this order to take place 10 days hence.

Mr Rich: Browne is allowed by the Court to kepe a sherry ouer Charles Ryver, against his howse, & is to have 2\(^\text{t}\) for cfiy single pson hee soc transports, & j\(^\text{t}\) a pece if there be 2 or more.

Ensigne Morris is discharged of his place of ensigne, & Mr Thomas Mootcham chosen in his roome.

S:icant Stoughton is chosen ensigne to Cap\(\text{t}\) Mason.
It is ordered, that James Peñ, the beadle, shall have allowed him by the Tresurer the soune of 30l, to build a howse, wher is to be for his vse while hee remains in the place of beadle, & after to be disposed of as the Court shall thinke meete.

*Novembr 8th, 1633.*

WHEREAS, by order of Court, holden in Octobr last, the wages of workmen were reduced to a certainty, in regard of the greate extorcion used by dyvers psions of little conscience, & the greate disorder w'h grewe hereupon, by vaine and idle wast of much precious tyme, & expence of those imodrate gaynes in wyne, stronge water, & other supfluities, nowe, least the honest & conscioinable workmen should be wronged or discouraged by exces-sive prizes of those commodities w'h are necessary for their life & comfort, wee have thought it very just & equall to sett order also therein. Wee doe therefore hereby order, that after publique notice hereof, noe psions shall sell to any of the inhabitants within this jurisdiction any prvison, cloathinge, toolde, or other commodities, above the rate of floure peace in a shilling more then the same cost or might be bought for ready money in England, vpon paine of forfeiting the valeue of the thinge solde, (except cheese, w'h, in regard of the much hazard in bringing, & wyne, oyle, vineger, & stronge waters, w'h, in regard of leakeing, may be solde att such rates (prvided the same be moderate as the buyer & seller can agree.)

And for lymmen & other commodities, w'h, in regard of their close stowage & small hazard, may be afforded att a cheap rate, wee doe advise all men to be a rule to themselves, in keeping a good conscience, assuring them that, if any man shall exceede the bounds of moderation, wee shall punish them severely.

*^A Court, holden att Boston, March 4th, 1633.*

P*sent, The Govn, M' Tresurer,

Deputy Govn, M' Nowell,

M' Ludlowe, M' Coddington,

Capt Endicott, S: Bradstreet.

I* is ordered, that all the swamps conteyning above 100 ac, either belonging to any towne or not, shall lye in common for any free inhabitant to fetch wood att seasonable tymes, without prejudice to the inhabitants where the same is, (that swampe onely excepted lyeing within the Never-Towne pale, towards the bay./)
1633-4. It is ordered, that Mr Dumer shall be rated viij to the publicke stocke, &c.

4 March.
Mr Dumer rat.
Mr Dawnings cattle to be rated.
Boston market.

It is ordered, the rest that he was rated in Saugus.

The Court hath ordered, that Mr Dillingham shall be rated for the cattell of Mr Dawnings;

It is ordered, that there shall be a markett kept att Boston vpon euy Thursday, the fifth day of the weeke;

Mr Turner, capt.
Sayles census.

It is ordered, that Edward the markett is

Mr Nath: Turner is chosen capit of the millitary company att Saugus;

It is ordered, that John Sayles shall be severely whipt for running from his master, Mr Coxeall;

It is ordered, that v of the indigem against Joseph Twitchwell shall be abated, it appearing to the Court that Joseph Mannerings hadd not paid the same, as was formerly conceaved;

Mr Morris, left.

Mr Rich: Morris is chosen leiftenent to Capt Vnderhill;

It is ordered, that noe psone whatsoeuer shall buy any land of anyindean without leave from the Court;

Christopher Tarling is to be whipt for stealing victuals from his mster, & for running away;

Mr W Dennison, constable.

Mr W Dennison is chosen constable of Rocksby;

John Chapman is fined xx for selling boards att 8 per 10s, contrary to an order of Court, & is remitted, vpon praise of 300 of 4 inch planke towards the sea forit;

Rich: Williams is fined 40 for drunkenes committed att Bowmans howse;

WiHm Cooley is fined 40 for the like offence;

Tymoth Hawkes & John Vauhan fined xx a pece for mispending their tyne in company keepeing, drinking stronge water, & selling other, contrary to an order of Court;

Allowed to the witnesses bound over to the Court, to give evidence against them, v/;

*Edward Howe is fined xx for selling stronge water, contrary to an order of Court;*

It is ordered, that Robte Coles, for drunkenes by him committed att Rocksby, shall be disfranchized, weare aboute his necke, & soe to hange vpon his outward garn, a D, made of red cloath, & sett vpon white; to continue this for a yeare, & not to leave it of att any tyne when hee comes amongst company, under the penalty of xe for the first offence, & v the second, & after to be punished by the Court as they thinkfit; also, hee is to weare the D outwards, & is enjoyned to appeare att the nexte Gefall Court, & to continue there till the Court be ended;
Josuah Harris is bound as an apprentice with Frauncis Weston, for 5 yeares from this day, his said maister findeing him meate, drinke, & clathes.

Ensigne Stoughton, Tho: Ford, & Wiþn Felpes, & Wiþn Galard are appoynted to sett out the bounds betwixte Boston & Rocksbury, wth is nowe in difference betwixt them.

The ware att Mysticke is granted to John Winthrop, Esq, & to Mathewe Craddocke, of London, merch't, to enjoy to them & their heires for euer.

Upon consideracon of the usefullness of a moveing sfort to be builte, 40 ffoote longe & 21 ffoote wide, for defence of this colony, & upon the free offer of some gentleſm lately come ouer to vs of some large soſmes of money, to be implied that, way, it is thought fitt that this matter be moued to such men of ability as have not borne their ſte in the great charges of the ffloudacon of this colony; & for this end it is desired that eſly Assistant shall under-
take the busines for treatiing with such as are within the towne where they dwell, & if they see fitt, they may desire some other of the Assistants to ioyne wth them.

There is x£ promised Mr Steuns, for his care & expediſon in this worke, to be pd when the worke is finished.

*Give vn & promised towards the Sea Fort:* —

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
<th>Description</th>
</tr>
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<tr>
<td>Mr Haynes</td>
<td>£1</td>
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</tr>
<tr>
<td>Capt Turner</td>
<td>x£</td>
<td></td>
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<tr>
<td>Mr Coxcall</td>
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<tr>
<td>Rich: Wright</td>
<td>400</td>
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</tr>
<tr>
<td>John Chapin</td>
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</tr>
<tr>
<td>Mr Aspinwall</td>
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<td>John Johnson</td>
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<tr>
<td>Mr Nowell</td>
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<tr>
<td>Francis Johnson</td>
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<td>Josua Hewes</td>
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<td>James Peñ</td>
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<td>Mr Wiþn Dennison</td>
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<td>Mr Harding</td>
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<tr>
<td>Mr George Alcocke</td>
<td>xl£</td>
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<tr>
<td>Mr Israel Stoughton, to be pd within 9 or 10 months</td>
<td>xx£</td>
<td></td>
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<tr>
<td>Mr John Coggin</td>
<td>x£</td>
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</tr>
</tbody>
</table>
1634.
1 April.

Tho: Beade, .......... xx
Mr: Parker, of Rocksbury, .... 1
Mr: Duner, .......... xxx
Phillip Tabor, 4 inch plancke, .. 200
Garrett Church, 4 inch plancke, .. 200
Mr: John Wilson, .. .. .. .. .. iiij

[Page 110 left blank.]

144 & 1100 4 inch p't.

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[*111.] *A Court, holden att Boston, April 1st, 1634.

[Present,] The Gov'n', Mr: Nowell,
Deputy Gov'n', Mr: Coddington,
Mr: Ludlowe, Mr: Winthrop,
Mr: Endicott, S: Bradstreete,
Mr: Treasurer,

88-
Sam: Dud. Deputy Gov'n',
Dan: Den. Mr: Nowell.

THERE is a thousand acres of land, & great p's granted to John Haynes, Exq., ffive hundred aè granted to Thomas Dudley, Esq., Deputy Gov'n', x hundred to Mr: Samuel Dudley, & two hundred acres x Daniell Denison, all lyying & being aboue the falls, x easterly side of Charles Ryver, to enjoy to them & x heires for euer./

89-
200 aè to Mr: Nowell.

There is two hundred acres of land granted to Mr I. Nowell, lyying & being on the west side of the North Ryv, otherwise called the Three Myle Brooke./

90-
Mr: Oldham's grant.

There is ffive hundred acres of land granted to Mr: Jo: Oldham, lyying nere Mount Feakes, on the north-west of Charles Ryver./

91-
Improvement of farms.

It is ordered, that if any man that hath any great quan x of land granted him, & doeth not builde vpon it or imp x within three yeares, it shalbe ffree for the Court to disp x of it to whome they please./

92-
Mr: John Wilson's grant of his farme of 200 acres.

There is two hundred acres of land granted to Mr: Jo: Wilson, pastor of the church of Boston, lyying neste the land granted to Mr: Nowell on the south, & neste Meadford on the north./

Mr: Lee census.

It is ordered, that John Lee shalbe whipt & fined for calling Mr: Ludlowe false-hearted knave, & hard-heart knave, heavy friend, & x.

Thomas Foxe is fined x for want of appearance, being sumi to give evidence against John Lee/

Thos: Fox sent.

Robte Moultone is chosen constable of Charlton, & sworne./

93-
Mr: Stoughton's liberty to build a ware.

Mr: Isaccel Stoughton hath liberty granted him to builde a myll, a ware, & a bridge ouer Naponsett Ryver, & is to sell the alewyves hee takes there att 5 of the thousand./
It is ordered, that if any boy (that hath bene whipt for running frō his maister) be taken in any other plantaçon, not hauing a note from his maister to testifie his business there, it shall lawfull for the constable of the said plantaçon to whip him and send him home./

There is power granted to Mr. Ludlowe & Mr. Coggin to inventory, & take into safe keeping the goods & chattells of Mr. John Tilley, to satisfie such debts as hee owes in ye Bay./

The price of corne is lefte at liberty to be solde as men can agree./

Mr. Chester hath bound himselfe in x to appeare at the next Court, to be holden in June, to answer to such things as shalbe objected against him./

Garrett Church & Phillip Tabor hath bound themselves [in] x a piece, to appeare then to giv[e] testimony agst Mr. Ch. for selling commodities contrary to order./

Long Island, Deere Island, & Hogg Island granted to Boston for ex, for the yearly rent of iij, to be paid x x Treasurer x first day of the second moneth yearly./

*It was further ordered, that euy man of or above the age of twenty yeares, whoe hath bene or shall hereafter be resident within this jurisdiction by the space of six monethes, as a householder or soiomer, and not infrachised, shall take the oath hereunder written, before the Gofin', or Deputy Gofin', or some two of the nexte Assistants, whoe shall have power to convent him for that purpose, and vpon his refuseall, to bind[e] him ower to the nexte Court of Assistants; and vpon his refuseall the second tym[e], hee shall be banished, except the Court shall see cause to gie him further respite./

The Oath.

I DOE heere swear, and call God to witnes, that, being nowe an inhabitant within the lymits of this jurisdiction of the Massachusetts, I doe acknowledge my selfe lawfully subject to the autheritie and govern't there established, and doe accordingly submit my person, family, and estate, to be pected, ordered, & governed by the lawes & constituciones thereof, and doe faithfully promise to be from time to time obedient and conforme thereunto, and to the autheritie of the Gofin', & all other the magistrates there, and their success's, and to all such lawes, orders, sentences, & decrees, as nowe are or hereafter shall be lawfully made, decreed, & published by them or their success's. And I will always indeavou'r (as in duty I am bound) to advance the peace & welfaire of this body politique, and I will (to my best power & means) seek to deuert & prevent whatsoever may tende to the ruine or damage thereof, or of ye Gofin', Deputy Gofin', or Assistants, or any of them or their success's, and
1634. will give speedy notice to them, or some of them, of any sedition, violence, treachery, or other hurt or ill will. I shall know, hear, or vehemently suspect to be plotted or intended against them or any of them, or against the said Commonwealth or government established. So help me God.

[*113.] It was further ordered, that the constable & four more of the chief inhabitants of city townes, (to be chosen by all the free men there, at some meeting there,) with the advice of some one or more of the nexte Assistants, shall make a surveyinge of the howses backsides, corne feildes, mowing ground, & other lands, impved, or inclosed, or granted by speciall order of ye Court, of every free inhabitant there, & shall enter the same in a booke, (fairly written in words at length, & not in figures,) with the several bounds & quantities, by the nearest estimation, & shall deliver a transcript thereof into the Court, within sixe monethes nowe nexte ensuing, & the same soe entered and recorded shalbe a sufficient assurance to city such free inhabitant, his & their heirs and assignes, of such estate of inheritance, or as they shall have in any such howses, lands, or franchise-tenemts.

The like course shalbe taken for assurance of all howses & towne-lotts of all such as shalbe hereafter enfranchised, & city sale or grant of such howses or letts as shalbe from time to time entered into ye said booke by the said constable & four inhabitants or their succest, (whose shalbe still supplied upon death or removeall,) for which entry the purchaser shall pay sixe pence, & the like suifie for a copy thereof, under the hands of the said surveyors, or three of them. See p. 190.

[Pages 112 and 113 contain lists of freemen.]

[*114.] At a Gen’l Court, holden at Boston, May 14th, 1634.

Present, The Gov’n’,
Deputy Gov’n’,
Mr. Ludloue,
Mr. Endicott,
Mr. Goodwin, 
Mr. Spencer,
Mr. Talcott,
Mr. Feakes,
Mr. Browne, 
Mr. Oldham, 
Mr. Beecher, 
Mr. Palmer, 
Robt. Moulton,
Mr. Tresw’,
Mr. Nowell, 
Mr. Coddington,
Mr. Bradstrete; 
Mr. Coxsall, 
Edmond Quinsey, 
Cap’t John Vnderhill, 
John Johnson, 
Wit’hm Heath, 
Mr. Alcocke, 
Mr. Israel Stoughton, 
Wit’hm Felpes, 
George Hull,
The Oath of a Freeman.

I, A. B., being, by God's providence, an inhabitant & freeman within the jurisdiction of this commonwealth, do freely acknowledge my selfe to be subject to the govern't thereof, & therefore doe here swear, by the great & dreadful name of the everlyvng God, that I wilbe true & faithful to the same, & will accordingly yeild assistance & support thereunto, with my person & estate, as in equity I am bound, & will also truly indeav' to mainataine & preserve all the liberties & prevelidges thereof, submitting my selfe to the wholesome lawes & orders made & established by the same; and furt'h, that I will not plott nor practise any evill against it, nor consent to any that shall doe, but will timely discover & reveale the same to lawfull authority nowe here established, for the speedy preventing thereof. Moreover, I doe solemnly bynde my selfe, in the sight of God, that when I shalbe called to give my voice touching any such matter of this state, wherein freemen are to deale, I will give my vote & suffrage, as I shalbe judge in myne owne conscience may best conclude & tend to the publique weale of the body, without respect of persons, or favor of any man. Soe helpe mee God, in the Lord Jesus Christ.

Further, it is agreed, that none but the Gov'n Court hath power to chuse and admitt freemen;

That none but the Gov'n Court hath power to make and establishe lawes, nor to elect and appoint officers, as Gov'n, Deputy Gov'n, Assistants, Treasurer, Secretary, Cap't, Lieutenants, Ensignes, or any of like moment, or to remove such upon misdeemnor, as also to sett out the dutyes and powers of the said officers;

That none but the Gov'n Court hath power to rayse moneys & taxes, & to dispose of lands, va', to give & confirm privileges;

Thomas Dudley, Esq', was chosen Gov'n for this yeare nexte ensuing, Dudley, Tho', & till a newe be chosen, & did, in presence of the Court, take an oath to his said place belonginge.
1634.

In like manner, Roger Ludlowe, Esq., was chosen [to] the place of Deputy Goûnës, for this yeare nexte ensuing, & till a newe be chosen, & did take an oath, in presence of the Court, to his said place belonginge.

[115.]

 assistants chosen.

John Winthrop, Sen', John Humfrey, John Haynes, John Endicott, Esq., Mr. Willm Pinchon, Mr. Increase Nowell, Mr. Willm Coddington, Mr. John Winthrop, Jun', Mr. Simon Bradstreete, were chosen to the place of Assistants for this yeare nexte ensuing, & till newe be chosen, & did, in presence of the Court, take an oath to the said place belonging, Mr. Humfrey & Mr. Winthrop, Jun', once excepted, whoe were absent.

Mr. Willm Coddington was also chosen Treasurer for this yeare nexte ensuing, & till a newe be chosen./

In like manner, Mr. Simon Bradstreete was chosen Secretary for this yeare nexte ensuing, & till a newe be chosen.

The sentence of Court inflicted vpon Robte Coles, March 4th, 1633, for drunkeness, & by him committed, is nowe reversed, vpon his submission, & testimony being given of his good behav./

It is agreed, that there shalbe x\[21] fine sett vpon \( y^* \) Court of Assistants, & Mr. Mayhew, for breach of an order of Court against employinge Indians to shoothe with peeces, the one halfe to be payde by Mr. Pinchon & Mr. Mayhew, offending therein, the other halfe by the Court of Assistants then in being, whoe gaine leave thereunto./

It was further ordered, that the constable of c\( y \) plantaçon shall, vpon peeces receaved from the Secretary, give tymely notice to the fircemen of the plantaçon where hee dwells to send soe many of their said memb\( r \) as the pees shall direct, to attend vpon publique service; & it is agreed, that noo tryall shall passe vpon any, for life or banishment, but by a jury soe suinoned, |or by the Gelfall Courtes.| [The last five words are in the handwriting of Mr. Nowell.]

It is likewise ordered, that there shalbe foure Gelfall Courts held yearely, to be suinoned by the Goûnës, for the tymne being, & not to be dissolved without the consent of the maior fite of the Court./

It was further ordered, that it shalbe lawfull for the fircemen of c\( y \) plantaçon to chuse two or three of each towne before c\( y \) Gelfall Court, to conferre of & spaire such publique busines as by them shalbe thought fitt to consider of at the nexte Gelfall Court, & that such psions as shalbe hereafter soe deputed by the fircemen of [the] se\( y \) plantaçons, to deale in their behalfe, in \( y^* \) publique affayres of the co\( m \)onwealth, shall have the full power & voyces of all the said fircemen, derveyed to them for the makinge & establishing of lawes, grantung of lands, & to deale in all other affayres of the co\( m \)onwealth wherein the fircemen have to doy, the matter of elec\( c \)on of
magistrates & other officers onely excepted, wherein every freeman is to gyve
his owne voyce./
*All former orders concerning swine are repealed. And it is agreed
that every towne shall have liberty to make such ordres aboute swine as they
shall judge best for themselves, and that if the swine of one towne shall come
within the lymitts of another, the owners thereof shall be lycable to the ordres of
that towne where their swine are trespasseth./
Upon a complainyate made to John Winthrop, Esq., then Goûn, by a
kinsman of John Hocking, lately slain at Kenebecke, by one of the Plymouthe planctaon, desiring that justice might be done upon the offendr, the
Court, taking into consideraçon the same, hath ordered that Mr John Alden
(being there presente when the said Hocking was slain) shall be detained here,
till answer be receaved from those of Plymouthe, whither they will trie the
matter there or noe, or that sufficient security shall be taken that hee, the said
John Alden, shall not depite out of the lymitts of this paccnt, without leave
from the Court or Goûn;/
Mr John Alden doeth acknowledge to owe unto our Sovraigne Lord the
King the som of two hundred pounds; & Mr Tymothy Hetherly & Leic-
ten Rich: Morris, in an hundred pound a peece, to be levied of their goods &
chattelss, E. 
The condition of this recognizance is, that John Alden shall not depite
out of the lymitts of this paccnt without leave from the Court or Gonsen;/
There is leave graunted to the inhabitants of Newe Towne to seeke out
some convenient place for them, with prase that it shall be confirmed unto
them, to which they may remove their habitation, or have as an addicion to
that wher already they have, provided they doe not take it in any place to prin-
duce a plantacjaon already-setled;'.

It was further ordered that Robte Way shall remaine with the Deputy
Goûn till Mr Way come out of England, for wth hee is to allowe the said
Robte Way such recompence as the Court shall thinke meete./
Furthermore, the Court hath ordered, that Boston shall have convenient
inlargemnt at Mount Woolston, to be sett out by foure indifferent men, whose
shall drawe a plott thereof, & presented it to the nexte Gefall Court, when it
shall be confirmed. Mr Oldham, Mr Aspinwall, Mr Coxeall, S'cant Stoughton,
& Witham Felpes are chosen to vewe the place, & to certify the nexte Gefall
Court thereof;/

*It was further ordered, that Winetsemet, & the lowses there built &
to be built, shall joyn theirselues eithr to Charlton or Boston, as mem-
ers of that towne, before the nexte Gefall Court, to be holden the first
Wednesday in September nexte, or els to be layde then to one of those two
towns by the Court./

Mr Beecher, Mr Peirce, & Robt Moulton are desired to treate & bargaine
with Mr Stevens & Mr Mayhewe, or with either of them, for the
building of the seafort by the greate, & the Court promiseth to forme what
bargaine they shall see make, for manner & time of payemt./

Mr Edward Tomlyns & Mr John Samford are intreated by the Court to
take notice of the ordinances, powder and shott, & to make reporte to the
nexte Court in what condiçôn they are in./

It is ordered, that Dorchester shall have three peece of ordinances, to
fortifie themselves withall, one drake & two other peece, to be hadd from
Charlton./

It was further ordered, that if any Assistant, or any man deputed by
theiremen to deale in publique occasïons of the commonwealthe, doe absent
himselfe without leave in tyme of publique busines, hee shall be fined at the
discreçôn of the Court./

It was ordered, that there shalbe a ward of two kept euy day att the forte
att Boston, during the tyme of any shippys rydeing there, to be borne by the
publique, & to be ordered by Cap't Vnderhill; & it is agreed that those
plantaçons that (by reason of their remotones) are unwilling to send men,
shall pay ij a day for a man, to such as Cap't Vnderhill shall hire, when it
comes to their tyme./

It is further ordered, that in all rates & publique charges, the towns
shall have respect to lewy euy man according to his estate, & with consider-
acion of all other his abilityes, whatsoever, & not according to the number of
his persons./

Mr Robt Harding, Wittm Baulston, & Ralfe Sprage are chosen s'cants
to Captaine Vnderhill, & John Ollyver chosen corporall to the said cap-
taine.

*Richard Damford was chosen ensygnce to Cap't Traske./

It was further ordered, that there shalbe a watch of two a night kept in
euy plantaçon till the nexte Gesiall Court./

The Deputy Gofin, Mr Israell Stoughton, & Mr Coxcall are desired by
the Court to take an account of John Winthrop, Esq', for such comodities as
hee hath receaved of the coñon stocke./

There is 500 acres of land grantued to Mr Simon Bradstrete, lying
more west from the lands of John Haynes, Esq', & above the falls of Charles
Ryver, neere the weir ; provided, there be not just reason showed against it
att the nexte Court, why it may not be grantued him./
There is liberty also granted to Mr Israel Stoughton & Mr Wulcott to looke out fiermes for themselves, with promise to accomidate them.

* A Court, holden at Neve Towne, June 3, 1634.

Present, The Goaf', Mr Pinchon,
Deputy Goaf', Mr Nowell,
Mr Winthrop, Sen', Mr Winthorpe,
Mr Haynes, S: Bradstreete,
Mr Tresurer,

Eltweed Pumery swome constable of Dorchester.

Whereas Thomas Lane, late serv't to John Burslyn, by the evidence of God, is fallen lame & impotent, & hath since remayned att Dorchest', where hee hath bene chargeable to that plantaçon, & like soe to contynue, it is therefore ordered, that the inhabitants of Wessaguscus shall send to Dorchester for the said Thomas Lane, & shall pay for all the charges they have beene att in keeping him during his abode at Dorchest'.

Mr John Winthrop, Jun', being chosen an Assistant att the last Gensall Court, did nowe take an oath to his said place belonging, in presence of the Court.

By consent of Wi'llm Gallerd, admsтрат' to John Russell & Ro'be Fibbin, it is ordered, that in consideraçon of some service performed att sea by the said Ro'be Fibbin, & 3 months servis in Newe England, that the said Ro'be Fibbin shalbe sett free, & have 1', 13', 5'd forgiven him, w'h hee ought to his said maist', John Russell.

Mr Thomas Mayhewe is intreated by the Court to examine what hurt the swyne of Charlton hath done amongst the Indean barnes of corne, on the north side of Mistick, & accordingly the inhabitants of Charlton pniseth to give them satisfaction.

Mr Thomas Mayhewe, being admsтрат' of Mr Ralfe Glouer, hath nowe exhibited an inventory of the said estate into the Court: there is therefore day given till the first Tuesday in August nexte, for the creditors of the said Ralfe Glouer to make their demaunds of such debts as are due to them, or els the said estate shalbe devided betwixte those that then comes in, the other to be excluded.
1634. *A Court of Assistants, holden att Newe Towne, July 1st, 1634.

1 July. [120.]

Present, The Goum, Mr Treasurer,
Deputy Goum, Mr Pinchon,
Mr Winthrop, Mr Nowell,
Mr Haynes, S: Bradstreete.
Mr Endicot,

It was ordered, that Robe Way shall remaine with Ensigne Gennison till hee make it appeare to the Court that hee hath lawfully assigned him to some other, hee confessing hee was assigned to him by his maist, Way.

Within Almy is fined 2s. for not appearing at the last Court, being suumond, & is injoyued to bring to the nexte Court an inventory of the goods hee receaved of Edw: Johnsons, ducly prizd by indifferent men.

It is ordered, that the Tresurer shall pay unto the Deputy Goum & some other, the inhabitants of Dorchester, the soigne of three pounds, being charges they have bene att with Thomas Lane, an impotentpson.

Isaack Allerton fined.

It is ordered, that Mr Isaac Allerton shall pay the soigne of 1s to Mr William Dennison, for charges in suyte aboute a debt of an hundred pound.

New Towne addition of accommoda- tion by mead- ows.

Difference betwixte John Tilley, Mr Marriner, & John Cogan referd to a comitt.

By consent of Mr Marryner, his company, & John Tylley, the difference betwixte them is refered to John Winthrop, Senr, Esq., Mr William Peirce, Mr Thomas Beecher, Mr Stagg; also the difference betwixte Mr John Coggin & John Tylley, for money payde by Mr Coggin to the shippes company, by their consent is referd to the ityes before mentioned; as likewise the difference betwixte John Tylley & Henry Cogan is referd to the ityes aforesaid. In this reference there is a bill of 33s. of Jo: Tylley excepted.

[121.]

8 August. *A Court, holden att Newe Towne, August 5th, 1634.

Present, The Goum, Mr Endicot,
Deputy Goum, Mr Treasurer,
Mr Winthrop, Senr, Mr Pinchon,
Mr Haynes, Mr Nowell,
Mr Humfray, S: Bradstreete.
THE MASSACHUSETTS BAY IN NEW ENGLAND.

1634.

IT was ordered, that Wednesday, the 20th of this moneth, shalbe kept as a day of publique thanksgiving throughout the seall plantations, for the safe arrincale of shippes and passengers this sumner, &c.

It is ordered, that Aggawam shalbe called Ipswitch./

It was witnessed upon oath, that James Rawlens tooke xvijth aday & mene and drinke, for 10 dayes worke, for one of his serv\{s for weedinge corne, contrary to an order of Court, & therefore is to pay 5\} for eby day he hath soe transgressed./

John Humfry, Esq\}, being chosen an Assistant att the last Grefall Court, did nowe take an oath to his place belonging in presence of the Court./

Rich: Cornishe hath bound himselfe in x\} for his wyves psoneall appearance att the Court in Octob' nexte, to answer to such things as shalbe objected against her/

Frauncis Godson hath bound himselfe in x\} for his psoneall appearance att the Court to be holden in Octob' nexte, to answer for breach of an order of Court in takeing to greate wages, &c./

Sam\} Hosier chosen & sworne constable of Waterton./

It was ordered, that Katherine Gray shalbe whipt for her filthy & vnchast behav with Thomas Elkyn/

Rich: Hitchcocke hath bound himselfe in xx\} to make his psoneall appearance att the Court to be holden the first Tuesday in Octob' nexte, to answer to such things as shalbe objected against him/

It was ordered, that such monkeyes as shalbe layde out for the mainest- nance of Widd Bosworth & her family, shalbe payde againe by the Treasurer/

Whereas it was made known to the Court that Robre Way was lawfully assigned by Ensigne Gennison to Edward Burton, it was therefore ordered, that the said Burton shall kepe the said Way, according to covenant/

John Humfry, Esq\}, & Mr Increase Nowell was desyred by the Court to take depos\{ions of the witnesses of Mr Aspinwall, in a case betwixte 5\} Wi\}n Brewerton, Bar[?], & the said Mr Aspinwall,/  

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*Att a Gen\'all Court, holden att Newe Towne, Sept: 3, 1634.

IT was ordered, that there should be a platforme made on the north east syde of Castle Island, & an house built on the topp of the hill to defend the said platforme/

It was further ordered, that war\}e shalbe sent to eby constable of eby planta\}n, to send in money or workemen to make that which they have already
1634. done, three days a piece towards the fort at Boston, both of newe comers & oth'rs for eʃy hand able to worke (except magistrates & minisťs) that are behinde, to be deliue to Captayne Vnderhill, before the nexte Court of Assistants;

It is ordered, that in all ordinary publick worke of the co mônweale, the ouerseer of the worke, with the helpe of an Assistant, shall have power to send their war to the constable of the nexte plantacons to send soe many labourers & artificers as the war shall directe, which the constable & two oth', or more, of the freemen which hee shall take to himselve, shall forthwith execute, for w' th service the Assistant & ouerseer shall have power to giue such extraordinary wages as they shall judge the worke to deserve, provided that for any ordinary worke, no man be compelled to worke from home more then a weewe att a tyme. And for all extraordinary publick worke it is ordered, that the ouerseer of the worke & an Assistant shall have power to send their war to the constable of any plantacon to send soe many of any condiçon (except magistrates & officers of churches & co mônwealth) as the war shall direct, with the constable & two or more that hee shall chuse shall forthwith send.

It is further ordered, that there shall be a fortificacôn made att the poynte neere Robt Moultons, att Charlton, & another either att the Deputy Goûn's, or att Foxe Poynte: wíther the cómittees for that busines shall judge most convenient for fortificacôn, & have many pecces shalbe in each place, is refered to the cómittees & ouerseers of the worke: this is to be done by the publice, provided, that if Salem shall soe fortifie themselues as to satisfie the Court within thes 12 moneths, that then they shall have such moneys returned them as they have contributed to the said forts of Castle Ileland, Charlton, & Dorchester.

[*123.* Captaine Vnderhill, Capt Patricke, Capą Mason, Capă Traske, Capt Turner, Leiueten Peakes, Leiueten Morris, are chosen cómittees to find out the convenient places for seitaçon, as also to lay out the seifall worke for fortificacôn att Castle Ileland, Charleton, & Dorchester. Also y* Deputy Goûn is chosen ouerseer for the worke att Castle Ileland, Mr Israel Stoughton for that att Dorchester, & Mr Thomas Beecher for that att Charlton. It is likewise ordered, that the forenamed cómittees shall appoynt what further addiçon of worke shalbe done to the fort at Boston.

It is ordered, that the captaines shall traine their bands once eʃy moneth, giuing a weekes warneing before, (except in July and August,) and that the capă shall have liberty to traine all such vskskillfull men as are att
their owne hands, soe often as they please, provided they exceede not three
dazes in a weeke./

It is ordered, that the present Gov^no^, John Winthrop, Sen^r, John Haynes,
John Humfrey, & John Endicott, Esq^r, shall haue power to consulte, direct,
& gyue co^iand for y^r managing & ordering of any warr that may befall vs
for the space of a yeare nexte ensuing, & till further order be taken herin.

Mr Thomas Beecher, Mr John Coxcall, Mr Richard Dunner, Mr Nicholas
Easton, Mr Israel Stoughton, Mr John Oldham, Mr Dan^r Dennison, Mr
John Holgraue, & Mr Tymoth Tomlyns are chosen ouerscers of the powder
& shott, & all other a^jniunc^on, in the se^all planta^ous where they lyve, Mr
Oldham for Waterton & Meadford./

It is ordered, that all the muskets, bandeleroes, & rests lately come over
this yeare, shalbe equally devided amongst the se^all planta^ous; and the
townes to haue at all tymes soe many in a readynes as a towne stocke./

It is ordered, that Mr Edward Tomlyns, or any other put in his place
by the comissioners for warr, with the helpe of an Assistant, shall haue
power to presse men & carts for ordinary wages, to helpe towards the make-
ing of such carriages & wheacles as are wanting for the ordinances/

It is likewise ordered, that there shalbe an oath giuen to the cap^t, &
another to the ouerscer of the armes, suteable to their places./

Mr John Samford is chosen ca^ioneere for the shott att Boston; & it is
ordered, that for two yeares service that hee hath already done att the said
shott, & for one yeare more hee shall doe, to be accompted from this day, hee
shall haue allowed him out of the treasury the som^e of xx^l/

*It is further ordered, that euy trayned soldier, as well pykemen as
others, shalbe furnished with muskets, bandeleroes, & rests, powder and shott,
according to the or^d for musketcers, vnder the penalty of xxx^l./

Further, it is ordered, that noe trayned soldier shall make any shott vpon
any traininge day, but with bullets, att a **ike, by direc^on of the captaines
vnder the penalty of xij^l for euy such shott./

It is ordered, that Mr Oldham, Mr Dan^r Dennison, Raffe Sprage,
Edmond Quinsey, Mr Dunier, Ensigne Stoughton, John Kirman, Peter Pal-
fry, & Mr John Spencer, or the maior ^ite of them, shall haue power to sett
out the bounds of all townes not yet sett out, or in difference betwixe any
towne, prived that the co^iitiues of those townes where the difference is shal-
haue noe vote in that ^ticular, & the co^iitiues are appoynted to returne into
the nexte Court, in Novemb^, what they haue done herin./

It is ordered, that Wynetsem^t shall belonge to Boston, & to be accompted
as ^ite of that towne/
It is ordered, that noe psone that keeps an ordinary shall take above vj4 a meale for a psone, & not above j4 for an ale quarte of beare, out of meale 
tyme, vnder the penalty of x4 for euery offence, either of dyet or beare./
Likewise, that victualers, or keeps of an ordinary, shall not suffer any  
tobacco to be taken in their howses, vnder the penalty of v4 for euery offence, to  
be payde by the victuler, & xij by the pty that takes it/
Further, it is ordered, that noe psone shall take tobacco publiquely, vnder  
the penalty of ij vj4, nor privately, in his owne howse, or in the howse of  
another, before strangers, & that two or more shall not take it togethuer, any  
where, vnder the aforesaid penalty for euery offence/

The Court, taking into consideracion the greate, supfluous, & vnneces- 
sary expences occaioned by reason of some newe & immodest fashions, as also  
the ordinary wearing of silver, golde, & silke laces, girdles, hatbands, ç/;  
that therefore ordered that noe psone, either man or woman, shall hereafter  
make or buy any appell, either wollen, silke, or lynnen, with any lace on it,  
siluer, golde, silke, or thrced, vnder the penalty of forfeiture of such  
choates, ç/;

Also, that noe psone, either man or woman, shall make or buy any  
slashed choates, other then one slashed in each sleeche, and another in the backe;  
also, all cuttworks, embroidered or needle worke capps, bands, & rayles, are  
forbidden hereafter to be made & wonne, vnder the aforesaid penalty; also, all  
golde or silver girdles, lattlands, belts, ruffs, heayt hatts, are prohibited to be  
bought & wonne hereafter, vnder the aforesaid penalty, ç/;

Moreover, it is agreed, if any man shall judge the wearing of any the  
forenamed particular, newe fashions, or longe hair, or any thing of the like  
nature, to be vncomely, or prejudicial to the common good, & the pty offending  
reforme not the same upon notice given him, that then the nexte Assistant,  
being informed thereof, shall have power to binde the pty soe offending to  
answer it att the nexte Court, if the case soe requires; provided & it is the  
meaning of the Court that men & women shall have liberty to weare out such  
appell as they are nowe provede of, (except the immoderate greate slexenes,  
slashed appell, immoderate greate rayles, longe wings, ç/;) this order to take  
place a fortnight after the publishing thereof/

The ffery att Wynynsemet is granted to Mr Sam'l Maffacke, to enioy to  
him & his heires & assignes foreruer; & it is agreed, that the Court shall, from  
tyme to tyme, appoynt what shalbe payde for the transportacion of one alone,  
& what for two or more, both to Boston & Charlton/

Peddock's Ieland is granted to the inhabitants of Charlton, to enioy to  
them & their heires, for the space of one & twenty yeares, for the yearely rent
of twenty shillings, prived that if there be a plantaçon in the meane tyme setled by the Court att Nataseet, then this present grant to be voyde.

It is ordered, that hereafter noe man shallbe lyecable to pay the forfet of 7 for gineing more wages to workemen then the Court hath sett; also, that if any person that hath bargayned for any werke by the greate shall complaine to the towne, att some meeteinge, (either letter or taken,) that the bargaines procees not equall on his pte, it shallbe lawfull for the towne to appoynte three men that shall sett an equall rate thereon; also, it is agreed, that ij a day for dyett shalbe abated to all workemen, & soc much allowed them more in their wages.

*It is ordered, that noe servant shall haue any lott of land allowed him, in any plantaçon, till hee hath approued his faithfullnes to his master during the tyme of his service.*

'Sieant Perkins is chosen ensigne to the company att Rocksbury, & Mr Pinchon is desired to gine him possession thereof.'

It is further ordered, that the nyne committes appoynted to sett out the bounds of townes shall have ij vi day allowed to one of them out of the treasuir, for soc many dayes as they expend in that service.

It is ordered, that euy captain shall be mainctayned by his owne company, & where any company consists of two townes or more, the seuell townes shall contribute to the mainctenance of that captain, pporconably to the number of soldiers in each towne.

It is ordered, that it shallbe lawfull for any English man to imploioy any Indean to shoote with a pece that the Gelfall Court shall gine leane unto.

There is leane graunted to the Deputy Goûn', John Winthrop, Esq., & John Winthrop, Jun', each of them to intertaine an Indean a pece, as a houlesbole serv'l.

Further, there is leane graunted to the Deputy Goûn' to haue his Indean trayned with the rest of the company at Dorchester, & to shoote at fowle; also, there is leane graunted to Mr John Winthrop, Jun', to impioy his Indean with a pece, to shoote att fowle.

It is ordered, that noe man shall fishe with a nett neerer the weir att Waterton then the further pte of the ileland in the ryver, & there also never to crosse the ryver wholy with any nett, except it be att highe water, or after.

There is leane graunted to the inhabitants of Salem to kepe a market weekly, on the fourth day of ye weeke, commonly called Wednesday.

The weir att Naponsett is graunted to Mr Israell Stoughton, to enjoy to him & his heires for euer, after this manner, vz': to haue the sole previlidge...
of the ryver from the said weire to the bridge, & also betwene the said weire & the salte water, according to his agree'mt with the towne of Dorchester. And it is agreed, that Mr. Stoughton shall make & kepe in repair a sufficient horse bridge over the said ryver, & shall always, from tyme to tyme, sell the alwyves hee takes there att v's p thousand.

*There is leave granted to the inhabitants of Newe Towne to builde a weire uppon any place of Winotimies Ryver, within their owne bounds.*

It is ordered, that the declaratory accompt of John Winthrop, Esq., late Goûn', nowe exhibited into Court, shall be recorded.

It is ordered, that there shall be tres written to their gentlem'en here vnder mentioned, & signed by the Court of Assistants, va', Mr. George Harwood, Mr. John Revell, Mr. Thomas Andrewes, Mr. Richard Andrewes, Mr. Francis Kirby, Mr. Francis Webb, Mr. George Foxcroat, & Mr. Robt. Keane, &c., to intreate them to make choice of a man amongst themselves to be Tresur're for a yeare, for this plantaçon, & also to give them power to receave an accompt of Mr. Harwood, nowe Tresur're, as also to give the said Mr. Harwood a full discharge.

Also, it is agreed, that there shall be tres written to their gentlem'en here vnder mentioned, & signed by the Court, & sent to the Countesse of Warwicke, Mr. Paynter, Mr. Wood, & others, that haue bene benefactors to this plantaçon.

It is ordered, that if any member of the Court shall begin any speech, while another is speaking, to interrupt the former, hee shall forfeit ij' vi' for every offence.

It was the gennel desire of the Court, that the fourth day of the nexte weeke might be kept as a day of publique humiliacon throughout the sefall plantaçons.

The Court is adoined till this day fortnight, the 24th day of this present moneth.

Mrs. Pinchou is intreated to receave all such ordinances, goods, & accompts as are nowe sent in the shipp Griffin, by Mr. Keane, as pcell of Doct. Wilsons gui'te to the plantaçon.

It is ordered, that there shall be an aûmûnicon howse builte att Newe Towne, att the publique charges.

It is ordered, that James Peû shall haue allowed him the some of xx', for this yeare, to be ended att the Gennel Court in May nexte, his office to be marshall of the Court.

It is ordered, that the Goûn' shall haue c1 allowed him for this yeare, towards his extraordinary charges, &c.
It is further ordered, that there shall be sixe hundred pounds levied out of the seall plantaçons for publique vses, the one halfe to be levied forthwith, the other halfe before the nexte Gefall Court, viz: out of Dorchester, . . . . 80/00 00/00 Ipswitch, . . . . 50/00 00/00 Rocksbury, . . . . 70 00 00 Salem, . . . . 45 00 00 Newe Towne, . . . . 80 00 00 Charlcot, . . . . 45 00 00 Waterton, . . . . 60 00 00 Meadford, . . . . 26 00 00 Saugus, . . . . 50 00 00 Wessaguscon, . . . . 10 00 00 Boston, . . . . 80 00 00 Barecove, . . . . 04 00 00 Sum tot: 600/0 00/0 00/0

Mr. William Coddington, being chosen to the place of Tres' at the last Gefall Court, did nowe take an oath to his said place belonging, in the presence of the Court.

It is ordered, that any psone that desires to enter an accon against another shall pay, before the entry thereof, the same of xij/ to the Tresurer for the tyme being.

It is ordered, that it shalbe lawfull for the Tresurer to pay to any three of the commissioners for martiaall affaires, or to any of the overseers of for-tiscaçons, such money as vnder their hands they shall require, wth shalbe a sufficient discharge to the Tresurer, for soe much money disbursed by him, the like for any money appoynted by the Court to any paricular psone.

John Haynes, Esq', is desired to oversee the amunicon howse, to be built at Newe Towne.

Mr. Brenton is likewise desired to oversee the howse of correccon, to be built at Boston.

Mr. Edward Gibbons is chosen ensigne to Capt' Vnd'hill.

It is ordered, that the Scottishe & Irishmen wth intends to come hither shall haue liberty to sitt downe in any place vpp Merimacke Ryver, not possessed by any.

It is ordered, with the consent of Waterton, that the meadowe on this syde Waterton weire, containing aboute 30 acres, be the same more or lesse, & nowe vsed by the inhabitants of Newe Towne, shall belonge to the said inhabitants of Newe Towne, to inoy to them & their heires for ever, cæ/

Also it is ordered, that the ground aboute Muddy Ryver, belonging to Boston, & vsed by the inhabitants thereof, shall hereafter belonge to Newe Towne, the wood & timber thereof groweing & to be groweing to be reserved to the inhabitants of Boston, provided, & it is the meaninge of the Court.
1634. that if Mr. Hooker & the congreagation move settled here shall remove hence, that then the aforesaid meadow ground shall returne to Waterton, & the ground att Muddy Ryver to Boston.

172- There is an hundred & fifty acres of meadow ground granted to Mr. Israel Stoughton, lying aboute 8 or 9 myles vpp Naponsett Ryver, to injoy to him & his heires forever.

173- It is ordered, that Salem shall have the use of two olde sakers, landed there by the shipp Neptune, for wth they are to provide carriages.

174- It is likewise ordered, that Saugus shall have the use of two drakes, to be hadd from Boston, for wth they are to provide carriages.

175- It is ordered, that Ipswitch shall have the use of two sakers & a drake, for wth they are to provide carriages wthin a moneth after they have them.

176- Lastly, it is ordered, that Leicet' Morris shall traine the company att Rocksbury, (c/) *The Accont of John Winthrop, Esq., late Gov'f/ Whereas, by order of the last Gehall Court, comissiona were appoynced, vz', Roger Ludowe, Esq, the Deputy Gov'n, & Mr. Israel Stoughton, gen't, to receave my accout of such things as I haue receaved & disbursed for publ' use, in the time of my gov'n, in all due observance & submission to the order of the s't Court, I doe make this declaratory accout ensteinge.

177- First, I affirme that I never receaved any monyes or oth' goods committted to mee in trust for the comonwealthe, otherwise then is hereafter expressed.

178- I acknowledge I haue in my custody certaine barrells of com'd powder, & some match & drumeheads, with some things belonging to the ordinarces; wth powder being landed at Charles Towne, & exposed to the injury of the weather, I tooke & bestowed first in a tent wth I made of myne owne broad cloath, (being then worth viij' the yard; but in that service much spoiled;) after I removed it to my store howse att Boston, where it still remains, (save that some of it hath bene spent in publ' service, & fuye barrells delifi'd to Dorcest', & foure to Rocksbury, & three barrells I solde to some shippes that needed them, wth I will allowance powder or money for;) the rest I am ready to deliver vpp to such as shalbe appoynced to receave them.

I receaved also some meale & pease from Mr. White of Dorcest' in England, & from Mr. Roe of London, wth was bestowed vpon such as hadd neede thereof in the settall townes, as also xi' gyven by Mr. Hewson. I receaved also from Mr. Humfry some ragggs, freese suits, shoes & howse, (the certaine valewe
whereof I must knowe from himselfe, with tres de direcion to make vse of the greatest orte thereof as given to helpe beare out my charge for the publique. I paid for the fraught of their goods, & disposed of the greatest orte of them to others; but howe I cannot sett downe. I made vse also of two pure of carriage wheele, with I will allowe for. I had not medled with them but that they lay vselesse, for want of the carriages, with were lefte in England./

For my disbursements I have forsoyly delivered to the nowe Deputy a bill of orte of them, amounting to neere 300$, with I disbursed for pubt service dyvers yeares since, for with I have receaved in corne att vi$ the bushell, (& with will not yeild mee above iii$,) aboute 180$, or neare soe muche./

I disbursed also for the transporation of Mr Phillips & his familly, with was to be borne by the gen$, till hee should be chosen to some particular congregacion.

Nowe for my other charges by occasio of my place of Goyn$, it is well knowen I have expended much, & some what I have receaved towards it, with I should have rested satisfied with, but that being called to accompt, I must mention my disbursements with my receipts, & in both shall referre my seife to the pleasure of the Court./

*I was first chosen to be Goyn without my seekeing or expectacion, (there being then dyvers other gent, whoe for their abilities euy waye were farre more fitt:) being chosen, I furnished my selfe with servit & provisions accordingly, in a farre greater pporcion then I would have done, had I come as a private man, or as an Assistant onely. In this office I continued foure yeares & neere an halfe, although I earnestly desired, att euy eleccion, to have bene freed. In this tyme I have spent above 500$ p ann, of with 200$ p ann would have maintained my familly in a private condition./

Soe as I may truely say, I have spent by occasio of my late office above 1200$: towards this I have receaved by waye of benevolence from some townes aboute 50$, & by the last yeres allowance 150$, & by some provisions sent by Mr Humfry, (as is before mentione,) aboute 50$, or it may be somewhat more./

I also disbursed att of comming away in England, for powder & great shoot, 216$, with I did not put into my bill of charges, forsoyly deliverd to the nowe Deputy, & because I did expect to have paid my selfe out of that orte of Mr Johnson's estate, with hee gane to the publi; but finding that it will fall farr short, I must put it to this accompt./

The last thing with I offer to the consideracion of the Court is, that my longe continuance in the st office hath put mee into such away of vnvoydeable charge as wilbe still as chargeable to mee as the place of Goyn will be to some oth.$$
1634.
9 September.

In all thes things I referre my selfe to the wiselome & justice of the Court, with this protestacio'n, that it repenteth mee not of my cost or labv' bestowed in y' service of this commonwealth, but doe heartly blesse the Lord our God, that hee hath pleased to hono' mee soe farri as to call for any thing hee hath bestowed vpon mee for the service of his church & people here, the perty whereof & his gracious acceptance shalbe an abundant recompence to mee. I conclude with this one request, (weh in justice may not be denied mee,) that as it stands vpon record that vpon the discharge of my office, I was called to accompt, see this my declaracon may be recorded also; least hereafter, when I shalbe forgotten, some gleamishe may lyce vpon my posteritie, when there shalbe nothing to cleare it, (c)

Sept. 4th, 1634.

[Page 132 left blank.]

JOHN WINTHROP.

[*133.*]

6 October.

Att a Court, holden at Newe Towne, Octob' 6th, 1634.

P'sent, The Goyn',

Mr Pinchon,

Deputy Goyn',

Mr Nowell,

Mr WINTHROP,

Mr Winthrop, Je',

Mr Haynes,

Mr Bradstreete.

Ensigne Jenmison.

It is ordered, that Ensigne Jenmison shalbe flyned the some of xx for vperydayeing the Court with injustice, vtering theis words: I pray God deliver mee from this Court, professing hee had wayted from Court to Court, & could not have justice done him, (c)

Mr Craford goods invento.

It is ordered, that Leinuten' Peakes, Mr Rich: Browne, Mr Pendleton, & Epharim Chikle shall take an inventory of the goods & chattells of Mr A' Craford, lately diseased, & returne the same into the nexte Court.

Damage in

It is ordered, that Mr Hull, Witthn Gallerd, Eiweed Pumiry, Mr Witthn Hill, & Mr Witthn Haythorne shall have power to heare & determine the seull trespasses that hath bene done, by the swine of seull psons in the corne of Thomas Richards, as also for the charge hee hath bene att in keepeing his corne, & for other charges incident thereunto.

Clement Briggis is flyned x for interaining an Indean without licence, & is enjoyned forthe with to discharge himselfe of him.

John Kiirman tooke oath hee was suimon'd by Rich: Kent to appeare this day att the Court, to answer him in an accion of trespassing, & nowe pecuntes not; see the Court hath given him x' damage.

It is ordered, that John Lee shalbe whipt & flyned xl for speaking peulfully of the Goyn', saying hee was but a lawer's clerke, & what under-
standing had he more then himselfe; also taxeing the Court for makeing lawes to picke mens purses; as also for abusing a mayde of the Godn's, pret-
tending love in the way of marriage, when himselfe professes hee intended none; as also for intising her to goe with him into the cornfield, &c./

Sam: Hall is fined x for drunkenes by him committ a shipboard, him-
selfe freely confessing his offence./

Rich: Lambert hath forfected his bond of x, w bound him to appeare att this Court. And it is ordered, that Benjamin Gilham & Robte Walker shall haue x acece allowed them, being witnesses suunoned to appeare./

John Humfry, Esq. is deputed by the Court to take deposicion of the witnesses to the will of Wllm Payne, lately deceased./

Vpon a complaunt of y\(^{st}\) saggamore of Aggawam for hurt done in his corne by the swine of Charlton, it is ordered, that Mr Nowell shall hear his witnesses, & appoynt what satisfaction hee shall haue, & whose shall gie it, & to binde ouer to the Court those that refuse payemt/
THE RECORDS OF THE COLONY OF

1634-5.

*Att a Court, helden att Newe Towne, March 3, 1634.

PRESENT, The Gov'rs, M'r Tresw.,
Deputy Gov'rs, M'r Pinchon,
M'r Winthrop, M'r Novell,
M'r Haynes, S: Bradstreete,
M'r Endecott,

Cons.: find.

The constable of Dorchester is fined xx for not returning his war for the last levy into the Court./

The constable of Boston is fined the sum of xx for ye like./

Lockwoods writing.

It is ordered, that Ruth Lockwoods, widd, shall bring all the writings that her husband left in her hands to John Haynes, Esq., & Simon Bradstreeke, on the third day of the nexte weeke, whose shall detain the same in their hands till the nexte Court, when they shall be disposed of to those to whom they belonge./

Edw: Hubbard, constable.

Edmond Hubbert, Sen', chosen constable of Charlton for this yeare nexte ensuing, & till a newe be chosen./

Mrs Ann Loomans goods to be invected.

It is ordered, that the goods & chattells of Mrs Ann Looman shall be invected by 3 or 4 of the freemen of Rocksbery, & retourned into the Court in Aprill nexte. M'r Pinchon is desired to appoynte the men that shall doe it./

Jnr Stanley estate divided & settled.

Whereas John Stanley dyed in testate, in the way to Newe England, & lefte three children undisposed of, the yongest whereof is since deceased, having also left an estate of exvij, in goods & chattells, &c, it is therefore ordered, with the consent of Thomas Stanley, brother to the said John, deceased, that hee shall have with the sume of liij of the s estate put into his hands; in consideration whereof, the said Thomas Stanley shall educate & bring vpp John Stanley, sonne of John Stanley, deceased, finding him meate, drinke, & app'ell, till hee shall accomplishe the age of xxi yeares, & att the end of the said termne shall give vnto the said John Stanley the sume of fifty pounds./

Also, it is further ordered, with the consent of Tymotho Stanley, another brother of the aforesd John Stanley, deceased, that the other liij of the aforesd estate shall be put into the hands of the said Tymotho Stanley, in consideration whereof the said Tymotho shall educate & bring vpp Ruth Stanley, daughter of the aforesd John Stanley, deceased, finding her meate, drinke, & app'ell, till shee shall attaine the age of one & twenty yeares; & att the end of the said termne, or att the day of her marriage, with Tymotho Stanleys consent, shall give vnto the s Ruth Stanley the sume of thirty pounds; provided, if eyther of the said children shall dye before the expiration of the said
tearmes, then the pty whoe kept the said childe shall stand to the order of the Court for payinge soe much to the surveyeinge childe as the Court shall appoynt.

*It is ordered, that Rich: Cokar shalbe whipt here this day, & on the fifth day of the nexte wecke, att Boston, for intiseing seall all ps-ons that were servants to run away to the Dutch plantaçon, & to steale dyv^m things, to carry whipt, with them./

Also, it is ordered, that Sam^n Johnson shalbe whipt for the like offence. /Sam: Johnsons sent.

It is referd to John Humfry & John Endicott, Esq, to heare & determine all matters of difference concerninge the estate of Willust, dis-ceased, w^h is betwixte any that layes clame to any pte thereof/

*Att a Gen'all Court, holden att Newe Towne, March 4th, 1634. [137.]

Present, The Gofln, Mr Endicott,
Deputy Gofln, Mr Tresu',
Mr Winthrop, Mr Pinchon,
Mr Humfry, Mr Nowell,
Mr Haynes, S : Bradstreete ;
Mr Bellingham, Mr Abr : Palmer,
Capt Turner, Mr Will : Colbran,
Leiueten^t Feakes, Mr Woolridge,
Ensigne Jenison, Ensigne Stoughton,
Ensigne Gibbons, Mr John Spencer,
Mr Rich : Browne, Mr Tym : Tomlins,
Mr Coxeall, Mr Tho : Newberry,
Mr Talcott, John Kirman,
Mr Will : Spencer, Mr John Holgrame,
John Steele, Charles Gott,
Mr Will : Dennison, Peter Palfry,
John Johnson, Capt Mason.
Leiueten^t Morris,

Whereas Mr Israell Stoughton hath written a certaine booke w^h hath occasioned much trouble & offence to the Court, the s^t Mr Stoughton did desire of the Court that the s^t booke might forthwith be burnt, as being weake and offensive./
1634-5.  It is ordered, that the fort at Castle Hill, nowe begun, shalbe fully
4 March.
finished, the ordinances mounted, &c. by other thinge aboute it finished, before
any other fortificacion be further proceeded in.

180—
Fort at Castle
1st.
This remitted
M’ Pinchon.
Remitted.
M’ Pinchon is fined the summe of £1, for refuseinge to pay his pite of the
last rate for Rooksbury, without distreyninge, because, as hee alledge, that
towne was not equally rated with others.
The town of Saugus is fined the summe of £1, for refuseinge to pay their
levy, according to ordre of the Court.
Salem remitted.
The town of Salem is fined likewise the summe of £1, for not payinge
their levy at the tyme appointed,

H. Norton.

Henry Norton acknowledgeth to owe unto of Solainege Lord, the King,
the summe of xxl, to be levyyed of his goods & chattells.
The condicion is, that hee shalbe of good behaue towards all men till this
tyme twelve moneths, &c.

It is ordered, that the Tresorer, M’ Nowell, & M’ Coxeall shall take the
account of M’ Pinchon, late Tresorer, & make retourne thereof into the nexte
Court.

181—

Committee to divide Ipswich
lands.

It is ordered that John Winthrop, John Humfrey, & John Endicott,
Esq, or any two of them, shall haue power to devise y‘ lands att Ipswich,
within 4 myles of the town, to piteuer persons, as in equity they shall thinke
meet.

182—

Mr Soughton.

It is ordered, that Mr Israel Soughton shalbe disabiled for using any publique
office in the commonwealth, within this jurisdiction, for the space of
three yeares, for affirmeinge the Assistants were noe magistrates.

It is ordered, that there shalbe noe more Gefall Courts before the 6th of
Maye nexte, notwithstanding the former order touching the keepinge of
Gefall Courts.

[*138.]

It is ordered, that noe person whatsoever shall goe aboard any shipp without
leave from some of the Assistants, vntill shee hath lynen att anchor 24
hours at Natascott, or within some harbor that is inhabited, nor then,
unless it be apparent y‘ shee is a frind, vnder paine of confiscacon of all his
estate, & such further punishmtes as the Court shall thinke meete to inflict.

It is further ordered, that noe person whatsoever shall either buy or sell any
tobacco within this jurisdiction after y‘ last of September nexte, vnder the penaltie
of x‘ a pound, & soe pporoynably for more or lesse to be paid by buyer
& seller, & that in the mean tyme noe person shall buy or sell any tobacco at a
higher price then it shalbe valued att by the God &c for the tyme being, &
two other, whome hee shall please to chuse, vnder the penalty aforesaid.
It is ordered, that there shall be forthwith a beacon sett on the sentry hill att Boston, to give notice to the country of any danger, & that there shall be a ward of one psone kept there from the first of April to the last of Sept., & that vpon the discowy of any danger, the beacon shall be fired, an allarum given, as also messengers presently sent by that towne where the danger is discowy, to all other townes within this Jurisdiction.

Whereas, Mr. Cullimor, servt. to Mr. Abr: Mellowes, is necessarily employed in publique service of the Commonwealth in making carriages, it is therefore ordered, that John Humfray & John Endicott, Esq., shall have power to presse any other carpenter to supply the neede of Mr. Mellowes in lieu of his servt.:

It was ordered by the major pte of the Court that the act of Mr. Endicott, in altering the crosse in the ensigne att Salem, shalbe referrd for hearing, & determining thereof till the nexte Gesfall Court.

It is ordered, that hereafter farthings shall not passe for currant pay.

It is likewise ordered, that muskett bulletts, of a full boare, shall passe currantly for a farthing a peecce, provided that noe man be compelled to take above xiij. at a tyme in them.

John Winthrop & Rich: Bellingham, Esq., are desired by the Court to take a vewe of all orders already made, & to informe the nexte Gesfall Court wch of them they judge meete to be altered, abreviated, repealed, corrected, inlarged, or explained, (c.)

*It is ordered, that all forfortures for want of armes, or not observinge traininge dayes, shalbe distreynd by the clerke of the band where the offence is committd, whom, togethtr with the capt. & other officers, shall have power to buy therewith drumheads, & such armes as poore men want, & are not able to pride themselves of.*

It is further ordered, that euy man of or above the age of sixeene yeares, whose hath bene, or shall hereafter be, resident within this Jurisdiction by the space of sixe monethes, (as well servants as others,) & not infranchised, shall take the oath of residents before the Gofin's, Deputy Gofin's, or two of the nexte Assistants, whose shall have power to convent him for that purpose, & vpon his refusall, to binde him over to the nexte Court of Assistants, & vpon his refusall the second tyme, to be punished att the discrecyon of the Court.

Further, it is agreed, that the order made in April, 1634, for the assuring of lands & townes lotts for freemen, shall forthwith be put in execution, & that those wth are not freemen that haue taken, or shall hereafter take, their othes respectively, shall haue the same assurance of land as in that order is provided for freemen.
1634-5. It is ordered, that the present Gozn', Deputy Gozn', John Winthrop, John Humfray, John Haynes, John Endicott, WiIm Codddington, WiHm Pinchon, Increase Nowell, Rich : Bellingham, Es-T, & Simon Bradstreete, or
the major pte of them, whoe are deputed by this Court to dispose of all militi-
tary affaires w'hoever, shall have full power & authority to see all former lawes
concerning all militiary men & municion executed, & also shall have full
power to ordynye or remove all militiary officers, & to make & tend to them
an oathe suitable to their places, to dispose of all companys, to make orders
for them, & to make & tender to them a suitable oath, & to see that strict
discipline & trainings be observed, & to comand them forth vpon any occa-
çon they thinke meete, to make cithr offensive or defensive warr, as also
to doe whatsoever may be further behoefull, for the good of this plan-
tacon, in case of any warr that may befall vs, & also that the afores3 comission-
ers, or the major pte of them, shall haue power to imprison or confine any
that they shall judge to be enemies to the comonwealth, & such as will not
come vnder command or restrainte, as they shalbe required, it shalbe lawfull
for the 8th comissioners to putt such psoms to death. This order to continue
till the end of the nexte Gefall Court./

[*140.]
192- Orde as to munition house repe4.
193- For towne to prouide a place for powder.

Mr Stoughton5 order to pay y. Treasurer who is in his hands.

194- A rate for 500.
Constables duty.

195- Capt maintenanc.
It is ordered, that the Freemen's oath shalbe gyven to eilie man of or above the age of 16 yeres, the clause for elección of magistrates onely excepted.

It is ordered, that the Deputy Goyn's, overseer of the fortification at Castle Ieland, shall have power to presse men for that worke, for soe longe tyme as in his discreción hee shall thinke meete, notwithstanding the former order in Sept. to the contrary.

The difference betwixt Boston & Dorchester about their bounds att Mount Woolliston is refer'd to Leineten Feakes, Mr. Talcott, & Mr. Woolridge, to vewe & determine, as also the bounds betwixt Mount Wolliston & Wessaguscus, w'th the Court enioy'd them to pforme before the 29th day of this present moneth, vnder the penalty of v l a peece.

*Ensigne Gibbons & Wiltm. Felpes are appoynted to goe alonge with them, to shewe what ground each towne requires; all other psions are prohibited goinge alonge with them, vndr paine of contempt.*

The difference betwixt Boston & Charlton, aboute their bounds of land att Rumney Marche, & the lands thereabouts, is refer'd to the finall determination of John Haynes, Esq., John Winthrop, Esq., Capt. Turner, & Mr. Beecher; & noe other are allowed to accompany them.

Deere Island, Hogg Island, Longe Ieland, & Spectakle Ieland are granted to the inhabitants of Boston, to enioy to them, their heires & successors, that shall inhabithe there, for euer, payinge to the Tresurer for the tyme being the yearly rent of iij l, & the former rent of iij l is remitted them.

The rent of xx l, to be p l by the inhabitants of Charlton for Peddocks Island, is remitted them to xij l.

Whereas the yearly rent of the Goyn's garden was the 5th of all the fruit that shall growe there, it is ordered, by this present Court, (att the request of John Winthrop, Esq.,) that the rent of the said island shall be a wine yearly.

Tompsons Island is granted to the inhabitants of Dorchester, to enioy to them, their heires & successors, w'th shall inhabithe there, for euer, payinge the yearly rent of xij l to the Tresurer for the time being.

The difference betwixt Newe Towne & Waterton, concerning all bounds of lands in difference betwixt them, is refer'd to Mr. Palmer, Mr. Colbran, & John Johnson, who are appoynted to determine the same before the nexte Court of Assistants, vnder the penalty of v l a peece. Mr. Spencer & Epharim Child are onely allowed to accompany them.

It is ordered, that Robt. Cole shall not paye more of his fynye of x l, for drunkenes, &c., then hath bene already leyyed in strange water.
THE RECORDS OF THE COLONY OF

1634.

Whereas, att the General Court in May last, there was fve hundred acres of land graunted to Simon Bradstreet, on the south syde of Charles Ryver, upon a condition there expressed, it is therefore ordered, by this present Court, that the said Simon Bradstreet shall have the sd quantity [of] 500 acres of land, lyeing norewest of the lands of John Haynes, Esq., to enjoy to him, his heires & assignes, for ever.

And it is agreed, that hee shall take noe bene thereof within a myle of Waterton weire, in case the bounds of Waterton shall extend soe far on that syde the ryver.

It is agreed, that Mr. Allerton shalbe sent for, by passe, to the nexte Court of Assistants, to the intent that hee may understand the desire of the country for his removeall from Marble Harbor, & soe to be enjoyed to be att the nexte General Court, or otherwise to be dealt withall, as the particular Court shall thinke meete.

It is ordered, that noe person w.soeneu shall from henceforth transport any Indean corne or meale out of this jurisdiction, till the nexte harvest, under the penalty of viij. p. bushell, for any corne or meale that shalbe soe transported.

Whereas complainte hath bene made to this Court that dyuers persons within this jurisdiction doe vsually absent themselves from church meetings vsually absent themselves from church meetings upon the Lords day, power is therefore given to any two Assistants to heare & sentence, either by fiyne or imprisonm., (att their discretion,) all misdemeanors of that kind committed by any inhabitant within this jurisdiction, provided they exceede not the fine of viij. for one offence.

The order of the 5th of June, 1632, for payable xij. a pound for beef traded with Indeans is nowe repealed.

The matter of marriage betwixtie Englishe & Indians is refered to after consideration.

It is ordered, that Mr. Samuel Masseck shall, before the last of December nexte, remove his habitation, for himself & his family, to Boston, & in the mean time, shall not give entertainem. to any strangers for longer time then one night, without leave from some Assistant; & all this to be done under the penalty of c.

It is ordered, that noe person whatsoeuer shall keepe a common victualing house, without licence from the Court, under the penalty of xx. a weeke.

It is ordered, that maimtubale beef shall passe att x. the pound.

It is ordered, that it shalbe lawfull for any man to pay his rate to the Treasurer in maimtubale corne of the country at x. the bushell; this order to continue till the nexte harvest.
*All the ground, as well vpland as meadowe, lying & being betwixte the lands of Mr. Nowell & Mr. Wilson, on the east, & the ptiçon betwixte Mistick bounds, on the west, bounded with Mistick River on the southe & the rocks on the north, is granted to Mr. Mathew Cradocke, merch', to enjoy to him & his heires for ever /

It is ordered, that Mr. Nowell & Mr. Mayhewe shall sett out the bounds betwixte Saugus & Salem, & betwixte Salem & Marble Harb', as also betwixte Marble Harb' & Saugus, before the 22nd of this present moneth, vndr the penity of vt a peece. John Humfry & John Endicott, Esq., are allowed to goe alonge with them for Saugus & Salem, & Mr. Holgraeue for Marble Harb'.

There is a hundred acres of vpland ground & an hundred acres of meadowe ground granted to Mr. Thomas Newberry, lying nexte to the lands of Mr. Israell Stoughton, aboute 8 or 9 myles vpp Naponsett Rivery, on the north side of the said ryv', to enjoy to him & his heires for ever /

It is ordered, that the land aboute Cochichowicke shalbe reserved for an inland plantaço, & that whosoever will goe to inhabite there shall have three yeares immunity from all taxes, levyses, publique charges & services whatsoeuer, (military discipline onely excepted.) John Winthrop, Rich.: Bellingham, & Within Coddington, Esq., are chosen a comittee to licence any that they thinke meete to inhabite there, & that it shalbe lawfull for noe psou to goe thither without their consent, or the maior ptc of them /

It is ordered, that such moneyes of the 900th levy wth shall not be disbursed aboute publique affairs of the commonwealth shalbe p to John Winthrop, Esq., as pcell of an olde debt /

There is vt remitted to Mr. Pinchon of his agreem' of xxv for his beav' trade /

Whereas there hath bene a complainte made to this Court that many highe ways in the country are inconveniently layde out, it is therefore ordered, that the Court of Assistants shall haue power to lay out such highe ways as are wanting, & rectifie those that are amisse /

It is ordered, that Mr. Rich: Duñer & John Johnson shall builde a sufficient cart bridge over Muddy Ryv before the nexte Geftall Court, & that Boston, Rocksbury, Dorchester, Newe Towne, & Waterton shall equally contribute to it, čè /

*It is ordered, that noe psou whatsoeuer, either people of this jurisdicción or strangers, shall buy any conóditie of any shipp or other vessell that comes into this jurisdicción without licence from the Goñr for the time being, under the penalty of confiscacién of such goods asshalbe soe bought, or the valewe of them/ Rep.
Cap't Turner, Mr Duncan, Mr Wi'thenn Dennison, Mr Coxeall, Mr Woolridge, Mr Mayhewe, Mr Wi'thnn Spencer, Mr John Holgrave, & Mr Bartholomew, or any one of them, are authorized by the Court, after any ship, or other vessel, hath lyen 24 hours at anchor, & is discoyded sell, to board her, take notice of what commodities shee hath to sell, conferre aboute the prizes thereof, & after to acquaintance their purers therewith, whoe, togeth're or the major pte of them, shall have liberty to buy all such commodities as they shall judge to be vsfull for the country, for present payemt or bills of exchange, & att such prizes as they can agree, w'th goods, being seoe bought, shalbe layde vp by the s merchants in some maggasen, Neece to the place where the shipp anchors; & the said merchants shall, att any tyme during the space of twenty dayes after the said goods are landed, & notice thereof given to the seell townes, sell to any inhabitant within this jurisdiction such commodities as hee needes, after vi p centum pfitt, & not above. Rep. 239.

It is ordered, that the charges of dyett for the Go'n, Deputy Go'n, Assistants, & Deputyes of seell townes, during the tyme of ey'y Court, as also the dyct for the cimisioners for martiall discipline, att the tymes of their meetings, shalbe paide out of the tresury.

It is ordered, that the bounds of ground betwixte Newe Towne & Rocks-bury, aboute Muddy Ryver, & soo vpp into the country, shalbe sett out by Ensigne Jennison, before the nexte Court of Assistants, under the penalty of vi. Mr Dan' Dennison, Mr John Sampford, & Wm Parks, & noe other, are allowed to goe alonge with them.

It is ordered, that noe Indean corne (except seede corne) shalbe sold for above vi p bushell, under the penalty of forfecture of such corne, or the valewe of it; this order to continue till harvest nexte.

It is ordered, that when the deputyes of seell townes are mett together before any Gefall Court, it shalbe lawfull for them, or the major pte of them, to heare & determine any difference that may arise aboute the elecc'on of any of their members, & to order things amongst themselves that may concerne the well ordering of their body.

Further, it is ordered, that att ey'y Gefall Court there shalbe sixe men appoynted by the Go'n for the tyme being, out of the towne where hee lyves, to attend, with halberds & swords, vpon the psou of the Go'n, & the rest of the members of the Court, during the space of the first day of ey'y Gefall Court, & that there shalbe two men appoynted by the Go'n to attend, in like manner, att ey'y specula Court, att the publique charge.

This Court doeth intreate of the elders & brethren of ey'y church within this jurisdiction that they will consult & advise of one vuniforme order of dissi-
pline in the churches, agreeable to the Scriptures, & then to consider howe farr the magistrates are bound to interpose for the preseruation of that uniformity & peace of the churches.  

It is ordered, that the coissioners for martiall discipline shall take an oath suitable to their places before they execute any pte of their coission.  

There is power giuen to John Humfry, Esq, to giue Mr Endicott his oathe; all the other coissioners for martiall discipline did take their oathes respectively in the presence of the Court, &c.  

It is ordered, that there shalbe two grai juryes suinoned euy yeare, the one to informe the Court in March, the other to informe the Court in Septemb', yearly, of the breaches of any order, or other misdemeanours, that they shall knowe or heare to be committed by any psone or or psones w'yeuuer within this jurisdiccon, or to doe any other service of the commonwealth that they shalbe enioyned.  

T is referd to John Haynes, Esq, & Mr Robte Peakes, to audit the acconnts betwixt Edward Howe & Wthm Knopp, to sweare witnesses, & examine them what they can say in the case, & to make returne thereof into the nexte Court.  

Ensigne Jennisons fine of xx^t is remitted him vpon his submission & acknowledgemt of his offence.  

It is ordered, that Nahaton shall giue two skins of beav^t to Mr Blackstone, for damage done him in his swine by setting of trapps, &c.  

Further, it is ordered, that Cap't Traske shall pay to John Kirman, out of the estate of the company of husbandfn, the somne of fooure & twenty pounds eleven shillings & fyve pence, being the remainder of the eight pte of the said estate, wth was by order of Court gyven the said John Kirman.  Provided, if hereafter it shall appeare, that there is not soe much due to ye said John out of the said 8^th pte, that then hee shalbe accountable for the same.  

It is referd to the church of Waterton, with the consent of Robte Lockwood, execut^t of Edmond Lockwood, diseased, to dispose of the children & estate of the said Edmond Lockwood, gyven to them, to such psones as they thinke meeet, wth if they pforme not within foureteene days, it shalbe lawfull
1635. for the Goûnt, John Haynes, Esq., & Simon Bradstreete, to dispose of the said
children & estate as in their discreción they shall thinke meete, as also to take
an accownt of the said Rob't Lockwood, & give him a full discharge/

It is ordered, that Griffin Mountague shalbe sett in the bilbowes, for steale-
ing boards & clapboards from Mr Wilbore, & is enjoyned to remove his habi-
tation from Muddy Ryver before the nexte Généall Court, vnder the penalty
of v4/

Witn Swifte promiseth to gyve xx3 towards the cure of a his late
servant, infirme & lame./

It is refered to Mr Tresurer & Mr Pinchon to examine & prepare the
business betwixte Mr Coxeall, Sayles his daughter, & John Levens, & to re-
turne the same into the nexte Court./

Heward sent.

The lyne betwixte Rocksbury & Newe Towne is layde out to run south
west from Muddy Ryver, neere that place whch is called Mr Nowells bridge, a
tree being marked on foure sydes, & from the mouthe of the ryver to that
place: the southe syde is for Rocksbury, & the north syde for Newe Towne:
by mee,

WILL. JENNISON.

*Witn Colbran, John Johnson, & Abraham Palmer being appoynced
by the Généall Court to lay out the bounds betwixte Waterton & Newe
Towne, did make this returne into the Court: —

It is agreed by vs, whose names are here vnderwritten, that the bounds
betwixte Waterton & Newe Towne shall stand as they are already, from
Charles Ryver to the greate Freshe Pond, & from the tree marked by Wat-
ton & Newe Towne on the south east syde of the pond, ouer the pond, to a
white poplar tree on the norwest syde of the pond, & from that tree vpp into
the country norwest & by west, vpon a straight lyne by a merydian compasse;
and ffarther, that Waterton shall have one hundreth rodds in lenght above
the weire, & one hundreth rodd beneath the weire in lenght, & three-
secoore rodd in breadth from the ryver on the southe syde thereof, & all the
rest of the ground on that syde the river to lyce to Newe Towne/

WILL. COLBRAN,
JOHN JOHNSON,
ABRAHAM PALMER.
**At the Gen’llall Court, holden att Newe Towne, May 6th, 1635.**

*Present,* The Gov’t,
Deputy Gov’t,
Mr Winthrop, Sen’t,
Mr Haynes,
Mr Humfray,
Mr Endicott,
Mr Tresor,
Mr Pinchon,
Mr Nowell,
Mr Bradstreete;

together with the
depuytes & s’rees-
ten,
Capt Turner,
Leifet Peakes,
Mr Beecher,
Mr Dan’l Dennison,
Mr Talcott,
John Steele,
Mr Hutchingston,

Mr Coxall,
Mr Colbran,
Mr Holgrane,
John Woodberry,
Mr John Wulkott,
Rafle Sprage,
Robt Moulton,
John Johnson,
Sam’l Wakeman,
Wittm Parker,
Epharin Childe,
Edw : Howe,
Mr Newberry,
Mr Haythorne,
Wittm Felpes,
Mr Bartholomew,
Thomas Howlett,
Mr John Spencer,
Tho : Smyth.

John Haynes, Esq, was chosen Gov’t for this yeare nexte ensuing, &
till a newe be chosen, & did take an oath to his place belonging in the
presence of the Court./

Richard Bellingham, Esq, was chosen Deputy Gov’t for this yeare nexte
ensuing, & till a newe be chosen, & did accordingly take an oath to his place
belonging./

John Winthrop, Sen’t, Tho : Dudley, John Humfray, Wittm Coddington,
Wittm Pinchon, Increase Nowell, Simon Bradstreete, John Winthrop, Ju’,
Attenton Hough, & Richard Dunner were chosen Assistants for this yeare
nexte ensuing, & did take an oath to their place belonging in the presence of
the Court, John Winthrop, Jun’, onely excepted, whoe was absent./

Mr Roger Ludowe, at his owne request, was dismissed from the charge
of overseing the fortification att Castle Heland./

Mr Brenton, Richard Colicott, Wittm Heath, Abraham Palmer, Edward
Stebbons, Mr Oldham, Tymotho Tomlyns, Francis Weston, Humfray Brad-
streete, Mr Goodwyn, Mr Ollyver, Mr Mayhewe, Mr Spencer, were chosen a
comittee, to consider of the act of Mr Endicott, in defacing the col’s, & to
reporte to the Court howe far they judge it seensurcable./
1635.

There is liberty granted to the inhabitants of Waterton to remove themselves to any place they shall think meete to make choice of; provided they continue still vnder this govern't.

The commission's chosen to consider of the act of Mr. Endicott concerning the col'ty of Salem did reporte to the Court that they apprehend hee had offended therein many ways, in rashnes, uncharitablenes, indiscreetion, & exceeding the lynimits of his calling; whereupon the Court hath sensured him to be sadly admonished for his offence, where according hee was, & also disabled for bearing any office in the common wealth, for the space of a yeare nexte ensuing.

Wessaccon is allowed by the Court to be a plantacon, & it is refered to Mr. Hamfr'y, Mr. Endicott, Capt. Turner, & Capt. Traske, or any three of them, to sett out the bounds of Ipsw'ch & Wessaccon, or soe much thereof as they can, & the name of the said plantacon is changed, & hereafter to be called Neweberry.

Further, it is ordered, that it shalbe in the power of the Court to take order that the said plantacon shall receive a sufficient company of people to make a competent towne.

The inhabitants of Rock-bury hath liberty granted them to remove themselves to any place they shall think meete, not to prejudice another plantacon, provided they continue still vnder this govern't.

It is refered to Mr. Hamfr'y, Mr. Endicott, Capt. Turner, & Capt. Traske to sett out a ferme for Mr. Dumer, aboue the falls of Neweberry, not exceeding the quantity of 500 acres, provided also it be not suitable to Neweberry.

*The Goyn', Deputy Goyn', John Winthrop, Tho.: Dudley, John Hamfr'y, Roger Ludlowe, Esq., & Mr. Thomas Beecher, or the major parte of them, (who are deputed by this Court to dispose of all military affaires whatsoever,) shall have full power and auctoritie to see all former lawes concerninge all military men & muniçon executed, & also shall have full power & auctoritie to ordernye & remove all military officers, to appoint the gefall cap't; their allowance to be paid out of the tresury, & to invest all officers with power to make & tend to them an oath, suitable to their places, to dispose of all companies, to make orders for them, & to make & tender to them a suitable oath, & to see that stricke discipline & trainings be observed, & to command them forth, vpon any occascon they think meete, to make any defensive warre, as also to doe whatsoever may be farther behoofeful for the good of this plantacon, in case of any warre that may happen vs; & also that the afores'd commision's, or the major parte of them, shall have power at any tyme to imprison or confines any that they shall suspect to be enemyes to the commonwealth,
to bring in, either alyve or dead, such as shall refuse to come under comand or restrainte, as they shall be required; & after any alarm is raised, till the companyes are dismissed, it shall be lawfull for the said comission, or the major part of them, to putt any offenc to death, by a martiall tryall; this comission to continue till the end of the General Court, that shall be held in or after the monethe of September nexte./

Memorand: that Mr. Ollerton hath given to Moses Marbleck, his son in lawe, all his howses, buildings, & stages, that hee hath at Marble Head, to enjoy to him & his heires for euer./

It is ordered, that there shall be a plantaçon at Marble Head, & that the inhabitants nowe there shall have liberty to plant & impue such ground as they stand in need of, & that as the s plantaçon increaseth, the inhabitants of Salem shall pte with such ground as shall be impued by them there abouts, being payde for their lab' & cost. Also, it is agreed, that none shall goe to inhabite there without leave from the Court, or two of the magistrates. Further, it is ordered, that the land betwixte the Clife & the Forest Ryver, neere Marble Head, shall for the present be improved by John Humfray, Esq., & that as the inhabitants of Marble Head stand in neede of it, the said John Humfray shall pte with it, the said inhabitants allowinge him equal recconrance for his lab' & cost bestowed thereupon; provided, that if, in the meane tyme, the inhabitants of Salem can satisfy the Court that they have true right unto it, that then it shall belong to the inhabitants thereof./

There is 500 acres of land & a freshe pond, with a little ileland conteyninge aboute two acres, granted to John Humfray, Esq., lyeing betwixte nore & west from Saugus, prided hee take noe pte of the 500 acres within 5 myles of any towne nowe planted. Also, it is agreed, that the inhabitants of Saugus & Salem shall have liberty to build stoorce howses vpon the said ileland, & to lay in such pvisions as they judge necessary for their use in tyme of neede./

*The Goûn', Deputy Goûn', John Winthrop, & Tho: Dudley, Esq., are deputed by the Court to make a draught of such lawes as they shall judge needfull for the well ordering of this plantaçon, & to present the same to the Court./

Mr. Thomas Breecher is chosen capt of the sflt att Castle Ileland./

Mr. Tho: Neweberry is chosen overseer of the worke att Castle Ileland, in the roome of Roger Ludlowe, Esq., & it is ordered that hee shall have the same power to presse men for the worke, that Mr. Ludlowe hadd, as also to presse carts for such allowance as hee thinks meete./
1635.

It is ordered, that there shall be a ferry set vpp on Boston syde, by the Wyndvull Hill, to transport men to Charlton & Wenescmet vpon the same rates that the ferry men att Charlton & Wenescmet transports men to Boston.

It is refere to Mr Holgrame, Mr Colbrae, & Sieant Sprage, to sett out the bounds of land betwixte Boston & Charlton, on the nore-east syde of Mistieke River.

The accompt of Mr Pinchon, late Tresurer, hath bene pused by the present Tresurer & Mr Nowell, & vpon their report to the Court that it is a true accompt, the said Mr Pinchon is discharged.

It is ordered, that it shalbe lawfull for Mr Leveridge to transporte ten bushells of corne out of this jurisdictiön, notwithstanding any former order to the contrary.

The Court is adiorned till the first Wednesday in June.

June 3, 1635.

Mr Holgraves power to impress to unglad salt.

Order about swine keeping & feeding.

Mr Hilton liberty to transport 30 b: corne.

There is leave granted to Mr Hilton to transport 30 bushells of corne out of this jurisdictiön, notwithstanding any former order to the contrary.

It is ordered, that cuy townse within this jurisdictiön shall provide a pecke & a bushell, as also for wights a quart, halfe a pound, 1, 2, 4, 7, & 14, as also a meate yard, all to be made by the standard att Boston, & sealed by James Peñ, the marshall, before the Gennell Court, in Septembr, under the penalty of forty shillings for cuy defect.

There is like leave granted to the inhabitants of Dorchest, for their removeall, as Waterton hath granted to them.

Also, there are three peeces granted to the plantatiön that shall remove to Connecticut, to fortifie themselves withall.

The Court is adiorned till the first Wednesday in July nexte.
It is ordered, that Mr. Holgrave shall set out the bounds of Boston & Saugus about Rumney Marsh. Willm Cheeseborogh & Thomas Smyth are allowed to accompany them.

Taylours Island is granted to Mr. Willm Hutchingson, to enjoy to him & his heires for ever.

It is ordered, that there shall be a convenient quantity of land set out by Mr. Dumer & Mr. Bartholomew, within the bounds of Newberry, for the keeping of the sheep & cattle that came over in the Dutch shipps this yeare, & to belong to the owners of the said cattle.

Mr. Treasurer, Mr. Dumer, Mr. Newberry, Mr. Beecher, & Rob't Moulton are chosen as committes to consider of & drawe up an ordre aboute swine, & returne the same into the Court.

The order that prohibited the buying of commodities of shipps or other vessells but by such as were authorized by Court is nowe repealed.

There is leave granted to 21 familyes to sitt downe at Wessaguscus, New.

Joseph Andrewes sworne constable of Barecove.

Mr. Newberry & Willm Phelps are appoynted to set out the bounds betwixt Wessaguscus & Barecove.

Mr. Sam'l Maucke & Mr. Thomas Mayhew are enioyned to bring to the nexte General Court their accompts for publique busines, wherein they were employed.

There is viij of Toby's fine of x1 remitted him.

There is liberty granted to Mr. Dumer & Mr. Spencer to build a myll & a weire at the falls of Newberry, to enjoy the said myll & weire, with such preuilidges of ground & tymber as is expressed in an agreement betwixt them & the town, to enjoy to them & their heires forever.

It is ordered, that there shalbe ce4 levied out of ye seuell plantaçons for publ vses, the one halfe to be levied presently, the other halfe before the nexte General Court, vx3:

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Rate for 200.
1635.

It is ordered, that there shall be a pound made in every plantation within this jurisdiction before the 8th day of this month, & 1st such swine as shall be found in any corn field shall be impounded, & notice given to the owner thereof, if he can be known, or otherwise to be made known at the next lecture; & if within three days after notice given they be not owned, it shall be lawful for the party who hath the harness done to get the swine prized by two of his neighbors, & then he shall have liberty to sell the said swine, & pay himself double damages, being judged by two indifferent men. The like remuneration is to be made for such swine as are owned before public notice given thereof; this order to extend to all fermen, but not to the small fencells of corn of an acre or less, planted remote from towns & unfenced. Further, as for such swine as cannot be impounded, it shall be lawful for the party who hath the harness done to kill the said swine, & pay himself for harness, & so to return the remainder thereof to the owner of the swine; & if any swine shall escape out of the pound, or be taken out, the owner thereof shall, notwithstanding, be lyeable to pay damages, as before mentioned, if he can be known.

The bounds between Boston & Charlestowne are from the creek along the creek upward in the same till wee come to a little neck of land that come from the east side of the same neck: there the first stake stands a little on the east side of it, & from thence to a maked tree at the foot of the marsh agreed upon of all sides, & from that tree to another that lye right opposite over a hill, & from thence to a high, tall pine, that stands upon a point of rock, on the side of the high way to Mistick, & other side of Rummery Marsh, & from outside to outside by a straight line.

John Holgrave.

(The last paragraph is in the handwriting of Mr. Increase Nowell. Page 153 contains the names of freemen admitted in May and September, 1635, and in March, 1635-6.)

[154.
2 June.]

*At the Court, held in June 2, 1635.

P'sent, The Gofin, Mr. Nowell,
Deputy Gofin, Mr. Hough,
Mr. Winthrop, Mr. Dumer,
Mr. Dudley, Mr. Bradstreete,
Mr. Pinchon,

Perkins hill. It was ordered, that what shall be sent to Norton to bring into the next Court a bill of 4 made by Goodin Perkins to Thomas Wade, 1st it may be safely kept till it appear to whom it is due, the money being given (as the Court is informed) to Jonathan Wade his brother,
Mr. Humfry is fined £4 for his absence from ye Court.

There is administration granted to Richard Bishop (in the behalf of his wife) of the goods & chattels of Richard King, deceased.

In the cause of the children & widdowe of Edward Lockwood, (the elders & other of the church of Waterton being present, & upon consideration of the order of Court in Aprill last made in the case, which was found not to have bene observed, because the estate was not computed & apportioned, it is nowe ordered, with consent of all parties, viz, the church of Waterton, the widdow of the said Edmond lyveing, & the executts having consented to the former order, that the present Goyns & the Secretary shall have power to call parties & witnesses for findeing out the true estate, & havine consideration of the uncertainety of the will, & the debts, & other circumstances, to apporcion the remainder of the estate to the wife & children, according to their best discretion; & then the church of Waterton is to dispose of the elder children & their pocos as shalbe best for their Christian educacion & the preservation of their estate.

It is ordered, with the consent of John Cogan, John Tylley, WiUam Hill, Henry Wulcott, & Humfry Pynney, that the arbitrators chosen by them, viz,

Mr. WiUam Haythorne, Will: Halford, Roger Williams, & Rich: Collicott, shall have full power to make a final end of all differences & accounts betwixt the said parties concerninge the shipp Thunder, with the Court enioynt them to performe before this day fortnight, & to returne into the nexte particular Court what they have done herein, & in the meane tyme all executions concerninge the shipp Thunder to be respended. Also, it is ordered, that the arbitrators shall have power to examine witnesses vpon oath.

---

\*Att the Court, helden att Newe Towne, July the 7th, 1635.\* 155.

Present, The Goyns, Mr. Pinchin, Mr. Houngh, Mr. Nowell, Mr. Bradstreeete, Mr. Dumer.

Mr. Winthrop, Mr. Dudley, Mr. Tresurer.

STEVEN TERRY was sworne constable of Dorchest for a yeare, & till a newe be chosen.

It is ordered, that Esaigne Jennison & Mr. Woolridge shall require the Lands sold by

Indians that were present with Chickataubut when hee solde certaine land aboute Massachusetts to Mr. Pinchin, or knewe what it was, to sett out the Chickataubut to Mr. Pinchin.
seuall bounds thereof, & to returne the same to the Gofin\textsuperscript{r} before the last day of this weeke. Mr Smyth & Goodman Wright are allowed to goe alonge with them./

In consideration of money disbursed by Mr Henry Seawall for the transportacion of Edward Bosworth & his family, it is ordered, that Jonathan Bosworth shall pay to Mr Seawall the sume of v\textsuperscript{r} upon the 29\textsuperscript{th} of Septemb\textsuperscript{r} nexte; William Buckland v\textsuperscript{r} on the said 29\textsuperscript{th} of Sept\textsuperscript{r}; Nathanael Bosworth l\textsuperscript{r} at the said day, & l\textsuperscript{r} more that day twelve moneth; & Beniamyn Bosworth xxx\textsuperscript{r} on the said 29\textsuperscript{th} of Sept\textsuperscript{r}, & iiij x\textsuperscript{r} at midsummer nexte; all thea sumes to be paid to the said Mr Seawall. Also, it is agreed, that the forenamed \textsuperscript{r}ieces shalbe bound one for another for the payment of the said sumes att the seuall days of payem\textsuperscript{r}/

Ordered, that Francis Toby (for misdemean\textsuperscript{r} by him committed) shalbe bound to his good behav\textsuperscript{r}, & shall put in sureties for the same, or els to remaine in holde./

John Love is fined x\textsuperscript{r} for drunkenes/

\[156.\]

*All the Court, holden att Newe Towne, August 4\textsuperscript{th}, 1635.

Present, The Gofin\textsuperscript{r}, Mr Pinchon,
Deputy Gofin\textsuperscript{r}, Mr Nowell,
Mr Winthrop, Mr Hough,
Mr Dudley, Mr Drunder,
Mr Treasurer, Mr Bradstreete.

WILLM GALLERD & Wiliam Rockwell, executor\textsuperscript{v} of John Russell, hath exhibited into Court an inventory of the goods & chattells of the said John Russell, deceased/

John Holland, being att the castward, affirmeth that Mr Thomas Woonarton threatened to sink his boate if hee would not pay him a debt that Henry Way ought him, & called him roage & knave, & said they were all soe in the Bay, & that hee hoped to see all their throates cutt, & that hee could finde in his heart to begin with him, & thereupon stroke him vpon the head; & when the said Holland tould him, if Way ought him any money, hee might recouer it by lawe, to w\textsuperscript{r} Woonarton answered that they had noe lawe for them but to sterue them; the like Bray Wilkinson & Robe Ellwell witnesseth against Woonorton; whereupon it was ordered, that the said Woonarton should putt in sufficient sureties for his good behav\textsuperscript{r}, & in the meane tyme to remaine in durance/
There is admistra\'on granted Wi\m Sitson of the goods & chattels of Robe White, deceased; & it is ordered, that all his credit\'s shall repair to the Deputy & Tressurer, before the nexte Court, whoe shall have power to examine witnesses, (\&) & such debts as they shall finde due they shall give war\' to the said admistra\' to pay, & those that are doubtfull shallbe transfered to the Court.

Mr Huttingson witnessed upon oath that Arthur Holbridge tooke 2\' 6\' a day of him, for 30 dayes worke, Richard Bulgar 6 dayes, Thomas Munt 9 dayes, & James Hawkins 36 dayes, all att 2\' 6\' a day, & a\'s have all forfeited x\' aday, according to the order of Court;

Mr Cogan witnessed upon oath that James Hawkins tooke 2\' 6\' a day of him, for 14 dayes;

There is x\' granted to John Pyke, for his charges, being brought from Ips\' as a witness against John Mustlewhite.

The Court hath enjoined Wi\m Wills to pay to Gyles Gibbe the some of x\', for ffelony by him committed.

With the consent of Mr Ham\r, Mr Hough, & Richard Wright, the difference aboute two heifers that Richard Wright kept is refered to Mr Wint\rop, Mr Dudley, & Mr Newell, whoe hath power given them to examine witnesses upon an oath, & a\'e put an end to the difference.

It was ordered, that Arthur Holbridge shall put in surtvce for his good behav\', for contempt by him committed, & in the mene tyme to be imprisoned.

Ordered, that James Hawkins forfeits shall forth\' be levied, & in case hee hath noe goods, his body shall be taken & imprisoned till it be payde.

"John Russell, merchant, deceased at Dorchester, August 26th, 1633, & before his death, being of a disposing vnderstanding, did make his last will, in the presence of Mr John Warham, pass of the church of Dorchester, Tho: Moore, John Moore, & Tho: Deway, in the words following, or to the same effect:

Halfe of my estate I gife to the church of Dorchester, & halfe to my brothers, Henry Russell & Thomas Hyatt, except my mens tyme, w\' I gife to my man; & hee desired that in the disposing of his goods to Dorchester, there should be especiall respect hadd to olde Dorcheste people, namin\ Good\ Capine.

This was testified upon the oaths of the said witnesses, taken in Court, Sept\' 3, 1633.

J\n\n\n
Vol. 1. 20
THE RECORDS OF THE COLONY OF

At the Court, holden att Newe Towne, September 1st, 1635.

1st September.

Present, The Goven'r, Mr Hough,
Deputy Goven'r, Mr Nowell,
Mr Winthrop, Mr Bradstreete,
Mr Dudley, Mr Dummer,
Mr Treasurer,

Storey sent.
Scarlet sent.
Forfeits.
Dixon" bond forfeit.

It was ordered, that Andrewe Storyn shalbe whipt, for running from his maist'/

Ordered, that Robte Scarlett shalbe whipt, for running from his maister/

Wthm Dixon hath forfeited his recognizance of xx4; Edward Converse & James Browne x4 a pece, being bound for Dixons appearance att the Court./

It was ordered, that the goods and chattells of Wthm Dixon shalbe attatched, & kept safely, to satisfie the Court for the forfect of his recognizance/

Ordered, that Richard Bulgar, Thomas Munt, James Hawkins, & Arthur Holbridge shall pay iij* a pece weekly to the marshal, towards the discharge of their forfects./

It is ordered, that Mary serv* to Mr Bartholmewe, shalbe whipt, for running from her maist, & shall serve him 6 weekes after her terme is ended/

There is administracion granted to Mr Anthony Thacher of the goods & chattells of Mr Joseph Avery, diseased, wth hee is to inventory, & returne the same into the nexte Court; & the said goods are to remaine in his hands till further order be taken therein/


Due to him from John Emery, carpenter, . . . . 074 00o 004
It: from Robt Andrewes, of Ipswich, wth
he confesseth to be due, & to be pth forthwith, . . . . . . . . . . .02 00 00
It: from Wthm Hilton, . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 02 16 00
or a sowe & piggs to that valew. Testis, Rich: Kent/
From Rich: Kent, of Ipsw'th, ten bushells of Indian corne, which hee acknowledgeth/

John Emery denies his debt; but Richard Knight, Nicholaus Holte, & John Knight, all three of Newberry, can & will testifie & prove it to be due, onely hee was, by condicion, to pay the said 7* in his worke, wth hee was to doe so soon as Mr Averie did call vpon him for it; out of wth said 7* there is something paide in lab already, as hee can make to appear/

p me, ANTHONV THACHER/
The Massachusetts Bay in New England.

All the Court, Novemb' 3, 1635.

Present, The Gov'n, Mr. Pynchon,
    Deputy Gov'n, Mr. Hough,
    Mr. Winthrop, Sen'r, Mr. Dummer,
    Mr. Dudley, S: Bradstreete,
    Mr. Humfr'y, Mr. Nowell.
    Mr. Treasurer,

It was ordered, that the Deputy Gov'n & Mr. Winthrop, Sen'r, shall have
tower to examine all witnesses upon oath, concerning an accus of the
case brought by Mr. Hough against Mr. Macke./

Whereas Thomas Coleman hath contracted with S' Richard Saltonstall,
& divers other gentlem in England & here, for the keeping of certaine
horses, bulls, & sheepe, in a general stocke, for the space of three yeaes, &
nowe, since his coming hither, hath bene exceeding negligent in discharging
the trust committ to him, absenting himselfe for a longe tyme from the
said cattell, as also neglecting to provide houeing for them, by reason whereof
many of the said cattell are dead already, & more damage like dayly to accrue
to the said gentlem, it is therefore ordered, that it shalbe lawfull for the said
gentlem to devide the oates & hay provided for the said cattell amongst them-
selves, & soc every one to take care of their owne cattell for this winter./

Ordered, that John Pease shalbe whipt, & bound to his good behav', for
strikeing his mother, Mrs. Weston, & deriding of her, & for divers other
misdemeane, & other evil carriages./

There is x damages graunted Robte Coles, to be paid by Mr. Fawne,
who gave him to appr at this Court, & prosecutes not against him./

Ordered, that John Cole shalbe whipt, for stealinge a sheete & a paxe of
shoes./

Ordered, that Nich: Frost shalbe imprisoned till the nexte Court, when
a tryeall is to passe upon him for coming into this jurisdiction, being forly
banished./

There is administracion graunted to Isabell Sackett of the goods & chattells
of her husband, lately deceased./

Sam'l Cole hath forfeited xx for selling 2 quarts of beare at ij a quart.

Mr. Nowell is fined iiij ijij for selling wyne./
At the Generall Court, held at Newe Towne, Sept' 2. 1635.

2 September.

Mr. Treasurer, The Gov'n, Mr. Treasurer,
Deputy Gov'n, Mr. Nowell,
Mr. Winthrop, Mr. Hough,
Mr. Humfry, Mr. Dunier,
Mr. Dudley, Mr. Bradstreee;

Deputies,

Mr. Talcott, Ezekiel Richardson,
John Steele, Mr. Duncom,
Mr. Dan'l Dennison, Capt. Mason,
Mr. Browne, Wi'hm Gallerd,
Ensigne Jennison, Joseph Metcalf,
Mr. Howe, Humfry Bradstreee,
Mr. Hutchinson, Wi'hm Barthaumew,
Mr. Moody, Capt. Turner,
Mr. Colban, Edw: Tomlyns,
Mr. Brenton, Tho: Stanley,
Mr. Alcocke, Capt. Traske,
Mr. Beecher, John Woodberry,
Wi'hm Parks, Jacob Barney,
John Mousell, Mr. John Spencer.

Now Weymouth.

THOMAS APLEGATE was licenced to keep a ferry betwixte Wessa-
aguscus & Mount Woolliston, for which hee is to have $ for euy pson, &
iiij a horse.

The name of Barecove is changed, & hereafter to be called Hingham.

The name of Wessaguscus is also changed, & hereafter to be called
Waymothe.

3 September.

The Court is adijomed till 8 aclocke to to morrow.

It is ordered, that there shall be a plantaçon settled, aboue two myles
above the falls of Charles ryver, on the north east syde thereof, to have ground
lying to it on both sydes the ryver, both vpland & meadowe, to be layde out
hereafter, as the Court shall appoynt.

It is ordered, that there shall be v for euy wolfe, & j for euy foxe, paid
out of the tresury to him that kills the same.

It is ordered, that the deputies of Salem shalbe sent backe to the freemen
of their towne that sent them, to fetch satisfaccon for their tres sent to the
seinall churches, wherein they have exceedingly repched & vilifyed the magis-
trates & deputies of the Geniall Court, or els the argument of those that will
defend the same with the subscripçon of their names.
It was voted, & by geiall creccion of hands concluded, that Mr Endicott
should be comitted, for his contempt in pesting against the proceeding of the
Court; and, upon his submission, & full acknowledgement of his offence, hee
was dismissed.

It is ordered, that there shalbe a plantaçon att Musketequid, & that there
shalbe 6 myles of land square to belong to it, & that the inhabitants thereof
shall have three yeares immunities from all publique charges, except trainings;
& further, that when any that plant there shall have occaçon of carrying of
goods thither, they shall repair to two of the nexte magistrates where the
tennes are, whose shall haue power for a yeare to presse draughts, at reasonable
rates, to be payde by the owners of the goods, to transport their goods
thither att seasonable tymes; & the name of the place is changed, & hereafter
to be called Concord./

Further, it is agreed, that, hereafter, noe dwelling howse shalbe built
above half a myle from the meeting howse, in any newe plantaçon, granted
att this Court, or hereafter to be granted, without leave from the Court,
(except myll howses & ferme howses of such as have their dwelling howses in
some towne:;) Ipswich, Hingham, Newberry, & Waymothe to be included in
this order./

Ordered, that Waymothe shall have a deputy this Court./

It is ordered, that whensoever any servants shall run from their maisters, or
any other inhabitant shall privily goe away, with suspicion of ill intentions, it
shalbe lawfull for the nexte magistrate, or the constable & two of the chief
inhabitants, where noe magistrate is, to press men & boates, or pynaces, att
the publique charge, to pursue such persons by sea or land, & bring them back by
force of armes/

"It is ordered, that, after the last of March nexte, there shalbe xij apeece
paide (besides damages & charges of keeping) for euery swine that shalbe taken
without a keep within one myle of any plantaçon, or ferme improved by tillage,
to be paide by the owner of the said swine to any that shall impound the
same; & also that such swine be impounded shalbe cryed at the two nexte
lectures, & if they be not owned within three dayes, it shalbe lawfull for the
pty that hath impounded them to get them prized, & then to sell them, &
deliver the overplus of the money into the nexte Court./

It is ordered, that there shalbe florty markes given to Mr Thacher, out
of the treasury, towards his late greate losses.

It is ordered, that, hereafter, the deputies to be chosen for the Geiall
Courts shalbe elected by paps, as the Godif is chosen./
1635.  

It is ordered, that if the maior part of the freemen of Salem shall disclaim the tress sent lately from the church of Salem to seall churches, it shall then be lawful for them to send deputyes to the Geanvas Court./

The Deputy Goflth hath leave from the Court to intertaine an Indean into his family./

It is ordered, that Mr Brenton shall finishe, att the pubowl charge, all that is necessarie to be done att the prison at Boston./

Ordered, that the xxw Cap† Vunderhill tooke vpp of Mr Cayne in England, to pay here, shall be remitted to him./

It is ordered, that Cap† Vunderhill shall have power to send his war* to the constables of the seall planctaons, to send in money or worke, for three days, or soe much as is behinde, for the flort att Boston, for eby man (except magistrates, and officers of churches, & schoolmaist*) that were dwellers here before the third of Septemb, 1634, and that the constables shall returne their war* into the nexte pricicular Court after they receave them, att their pill, provided that those townes be required to their worke first, that are most behinde, according to a former order./

Mr Thomas Dudley, Mr Beecher, Mr Waltham, Mr Duncom, Mr Tylley, & Mr Peirce, their forenamed gentlem* or any three of them, whereof Mr Dudley alwayes to be one, shall have power to consulte, advise, & take order for the setting forwards & after manageing of a fiising trade, & vpon their acquitt, all charges of dyett or otherways, att the tymes of their meeteinge, to be allowed out of the fishing stocke./

*Captaine Mason is authorizeed by the Court to presse men & carts to helpe towards the finishing of the flort att Castle Ileland for all manner of worke that is to be done there./

Mr Treasurer & Mr Nowell are deputed by the Court to take an accompl of Mr Ludlowe, for all such somes of money that hee hath receaved of the Treasurer for the flort att Castle Ileland, & to returne the same into the Court./

Mr Dumer is deputed to buy leade for the couling of the flort att Castle Ileland./

Ordered, that there shalbe ce* levied out of the seall planctaons, to be paide to the Treasurer, before the nexte sessions of this Court, vza: —

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newberry</td>
<td>07°10'00&quot;</td>
</tr>
<tr>
<td>Ipswich</td>
<td>14 00 00</td>
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<tr>
<td>Salem</td>
<td>16 06 00</td>
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<tr>
<td>Sausau</td>
<td>11 00 00</td>
</tr>
<tr>
<td>Charles Towne</td>
<td>15 00 00</td>
</tr>
<tr>
<td>Waymite</td>
<td>04 00 00</td>
</tr>
<tr>
<td>Newe Towne</td>
<td>26 05 00</td>
</tr>
</tbody>
</table>
John Winthrop, Sen', & John Humfray, Esq., are intreated by the Court to view the bounds of Ipsw'ch & Newberry, & to informe the nexte Court howe they may conveniently be bounded.

The Deputy Govr & Mr Duncom are deputed by the Court to take Mr Humfray's accompt of whatsoever hee hath receaved & disbursed for the publique, except such moneys as hee hath receaved of the present Tresurer.

The order that enjoyned Mr Sam'l Ma'cum to remove his habitation to Boston before the last of December nexte is repealed.

William Westwood is sworn constable of the plantacons att Connecticott till some other be chosen.

Sam'l Cole, John Maister, Robt Andrewe, Mr Stileman, & Francis Plumer are licensed to keepe seall ordinarieys in the plantacons where they lyve during the pleasure of ye Court.

There is power granted to any magistrate to swear a constable att any plantacon att Connecticott, when the inhabitants shall desire the same.

Ordered, that the gran-jury shall have their charges of dyett allowed them out of the treasury, & that the petty jury shall have iiij allowed them for euy triall they passe upon, to be payde by him that recovers the suyte.

The Court is adjoyned to the Thursday after the nexte spec'ul Court.

*It was ordered that John Holland shall keepe a fery betwixt the Capt. Poynte att Dorchester, & Mr Newberryes Creeke, for wh' he is to have iiij a piece for euy single psen he transports, & iiij a piece if there be two or more.*

Ordered, that Mr Colbran shall have v allowed him out of the treasury to building a house for Robt Wing in Boston, & to be accountable to the Court for the same, as also that such further charges as shall be occaoned by the said Wing, or his wife, shalbe borne by the publique.

Ordered, that John Smyth shalbe sent within this 6 weeks out of this jurisdiction for dyuers dangerous opinions, wh' he holdeth, & hath dyvulged. if in the meane tyme he removes not himselfe out of this plantacon.

There is power gyven to Mr Duncom to swear a constable att Newberry.

Mr Longe is licensed to keepe a howse of entertainement att Charles Towne for horse & man.

Ordered, that the bounds of Rocksbury, on both sydes the town, shall be vewed, & a plott thereof drawn, & soe returned into the nexte Gefeall Court.

Ensigne Jenison & Mr Aspinwall are appoynted to doe it.

The have that prohibited takeing above iiij in the shilling plfitt for commodities, & that wh' restrained workemen wages to a certainty, as also that w' restrained men for going aboard ships till a certaine tyme, & that
1635. Where ordered military officers to have their maintenance out of the treasury, are repealed. And it is agreed that city company shall mainataine their owne officers.

Further, it was agreed, that Charles Towne & Waterton shall be two distinct companies, & to have officers of their owne.

Ordered, that the high wayes betwixte Ipsw. & Singus, & betwixte Ipsw. & Neweberry, shall be mended by the inhabitants of the townes, where they are, before the nexte particular Court.

Agreed, that Plymoth shall be ayded.

It was ordered, that there shall attatchm. goe out against all those constables that paye not in their last rates to the Trea., before this Court breaks vpp.

Mr. Winthrop, Junr., being formerly chosen an Assistant, did nowe take an oath to his said place belonginge.

It was ordered, that there shall be two drakes lent to the plantacons at Connecticott, to fortifie themselves withall, as also sixe barrells of powder, (2 out of Waterton, 2 out of Dorchester, & 2 out of Rocksberry,) also 200 shot, with other implement belonging to the pieces, that may conveniently be spared, all of which are to be retourned againe vpon demand. Captaine Vanderhill & Mr. Beech are to deliver their things.

Whereas two former laws, the one concerninge the wages of workemen, the other concerning the prizes of commodities, were for dyvers good considerat. repealed this past Court, nowe, for avoyding such mischeifes as may followe thereupon by such ill disposed persons as may take liberty to oppress & wronge their neighb., by taking excessive wages for worke, or unreasonable prizes for such necessary merchandises or other commodities as shall passe from man to man, it is therefore nowe ordered, yt if any man shall offend in any of the said cases against the true intent of this lawe, hee shall be punished by fine or imprisonment, according to the quality of the offence, as the Court vpon lawfull tryall & convicion shall adjuudge.

It was ordered, that city towne vpon Connecticott shall have liberty to chose their owne constable, whose shall be sworne by some magistrate of this Court.

Whereas Mr. Roger Williams, one of the elders of the church of Salem, hath broached & divulged dyvers newe & dangerous opinions, against the authoritie of magistrates, as also writ tes of defamacon, both of the magis-
trates & churches here, & that before any convicçon, & yet maintaineth the same without retracçon, it is therefore ordered, that the said Mr Williams shall depe out of this jurisdicçon within sixe weekes nowe nexte ensueing, with if hee neglect to pforme, it shalbe lawfull for the Gouer & two of the magistrates to send him to some place out of this jurisdicçon, not to returne any more without licence from the Court.

Mr Sam'l Sharpe is enioyed to appeare att the nexte pücicular Court, to answere for the fre that came from the church of Salem, as al.so to bring the names of those that will instifie the same, or els to acknowledge his offence vnder his owne hand for his owne pücicular.

It was ordered, that the comission for martail discipline shall continue till the end of the nexte Gefall Court, & in the roome of Mr Ludlowe, whose is dismissed, Mr William Peirce is chosen.

& further, it is agreed, that the said comission shall have full power to assist of neighbours att Plymothe, for the supplanting of the French att Penopscoft, or els where, in any other busines of that nature that may be occæoned thereby.

*Firstly, it was ordered, that none but freemen shall have any vote in any towne, in any accëon of auuthoritie, or necessity, or that which belongs to them by virtue of their freedome, as receaving inhabitants, & laying out of lotts, &c.*

[The following boundaries of several towns appear to have been recorded in this place in 1658, part of the page having been left blank.]

The Bounds layde ou betweene Hingham & Waymothe by the Order of the Gefall Court, by Mr Neweberry, diseased, & Wthm Phelps. Vide 253.

The ryver betweene Hingham & Waymothe, runing on the east syde of Waymothe, to be their bounds, vnto a crecke on the east syde of the ryver, that crecke being their bounds to the head of it, to an oake markeld, & soe their lyne to run into the contrie, uppon the same poynte that boundeth Boston & Waymothe; also wee appoynted Waymothe to make vse of all the timber on Hingham syde, from a cove called Lovells Cove, upward in the ryver halfe a myle in breeth & three quarters of a mile in length, for the space of forty yeares; also wee phibited Waymothe for making any impronent of the ground.

By mee,

WILL'M PHelpes.

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\[1635.\]

3 September.
1636.

THE RECORDS OF THE COLONY OF

The 28th day of the first month, 1636.

Agreed by vs, whose names are under written, that the bounds between
Boston & Charles Towne, on the nor east syde Mistick Ryver, shall run from
the faked tree upon the rocky hill above Rumney Marsh, neere the written
tree nor-nor west upon a straight lyne by a meridien compas vpp into the

countrie/

ABRAHAM PALMER,
WILL.
WILL. SPENCER.

260-

The bounds of Dorchester is to run from the outside of Mr Rossiter's
ferme, nexte the sea, to the floote of ye great hill, from a faked tree to a
second faked tree, in a straight lyne to the topp of the Blue Hills, nexte
Naponett, southe west & by west halfe a poynte westly, & all the marsh
ground from the south east syde of Mr Newberry's house, alonge Naponsett
Ryver, to Mr Stoughtons myll, to lye to Dorchester, & all the rest of the
vpland & marsh from Mr Rossiter's ferme to the sea, & see to the mouthe
of the ryver beyonde Minotiquid Ryver, running into a countrie southward &
to the west, to lye to Boston, onely excepting such land as they have right
to by grant of the Court forzly/  
ROBTE FEKE,  
JOHN TALCOTT.

1635.

*At the Court, holden at Newe Towne, Octob 6th, 1635.

6 October.

PRESENT, The Gofin',  
Deputy Gofin',  
Mr Winthrop,  
Mr Dudley,  
Mr Treasurier,

Mr Pinchon,  
Mr Hough,  
Mr Nowell,  
S: Bradstreete.

IT was ordered, that Clent Cole, Peter Pyford, Simon Bird, WiHm Barker,
WiHm Downes, & George Wilby shalbe whipt for running from their
maisters, & for stealing a boate & dyes others things with them, as also shall
give satisfaction to the country for their charges in sending to fetch them
home, & likewise shal serve their said maisters twice or three at the end of
their tymen, as they have bene absent from their masters service, by reason
of their running away, & for Cole & Pyford the Court will consider of some
further punishmen' for them./

Ordered, that Dan' White shall be severely whipt & fyned 4 for stealing
a golde ring & a hankercheuie, out of wch fine satisfactione shalbe made to those that have bene att charges in keeping him after hee was apprehended.

Whereas Benjamin Felton hath brought into this country one Robt Scarlett, a knowen thief, whose since his coming hither hath committed divers felonies, &c. as appeareth by his examination, —

It is therefore ordered, that the said Scarlett shalbe severely whipt & branded in the forehead with a T, & after sent to his said maister, whom the Court enioynes to send the said Scarlett out of this jurisdiction, & in the mean time to be lyeable to satisfaction for such damages as his said serv^t shall doe to any person, & also shall pay xx

It was ordered, that Richard Longe shalbe fined v^ for contempt of authoritie, & for ryeing dyv^ good trees into clapboards, and selling of them from Waymoothe towne, the wch trees hee was appoynted to fell for shingles for the flort att Castle Ieland, & that the said money shalbe gyuen to the towne of Waymoothe towards the making of a bridge there.

With the consent & att the desire of Henry Seawall, & Ellen his wife, the Court hath ordered that his said wife shalbe att her owne disposeall, for the place of her habitation, & that her said husband shall allow her her wearing apparell, & xx p a u., to be paid quarterly, as also a bedd with furniture to it.

Joshua Hayes hath fiercet v^ for knyves, & iiij v^ for a sythe, wch hee solde for above iiij in the shilling plitt.

Edward Gyles was fined xl^ for knowinge his wife carnally before marriage.

John Galley was fined xx^ for the like offence.

* At the Court, holden at New Towne, March 1st, 1635. 1635. 1

Present, The Goum', Mr Pincho, M. Pinchon,
Deputy Goum', M. Nowell,
Mr Winthrop, M. Hough,
Mr Dudley, M. Dunier,
Mr Treswn', S. Bradstreete.

I T was ordered, that all the bills & writings aboute one Robt Way shalbe defiled into the Court, & that Ensigne Jennison, Edward Burton, & Sam'l Hosier, shall pay xx apacee to WiH' Almy, as also that the said Robert Way shalbe taken from Mr Stoughton, where nowe hee is, & putt to the said
THE RECORDS OF THE COLONY OF

1635-6. Within Almy, & him shall serve till hee hath satisfied the some of iiij, wh if hee doe, hee shall pay xx thereof backe againe to Sam Hosiér./

Whereas, in a suite betwixte David Johnson & Within Almy, concerning one James Ludam, sometimes servt to either of them, there was a judgment of vi granted to Within Almy against David Johnson, but upon some consideration execucion was resipted, & nowe, by consent of all partes, it was agreed that the said vi shalbeborne equally betwixte them, that is to say, that the said David Johnson shall pay five nobles, & James Ludam the some of five nobles to the said Within Almy, & hee to loose the rest. /

Richard Phelps was fyned xi for drunkenes/

Whereas, in a suite betwixte Mr Duyn & John Burr aboute Mr Duiners swine spoyleing his cornes is, by their consent, referd to the final determination of

Within Parke, Goodyn Potter, & Goodyn Porter;/

Henry Joslyn, gent, John Pickrin, & Nicholas Frost, all of Paskataq, have forfeited their recognizance of c for not apping at this Court;/

Griffin Montague forfeited his recognizance of xxi for nonappance/

James Ludam was fincd x for drunkenes; & it is ordered, that Knight, the witnes, shalbe p out of it/

[*167.]

*Att the Gen'all Court, holden att Neve Towne, March 3, 1635.

3 March.

Present, The Goun, Deputy Goun, Mr Winthrop, Sen, Mr Humfry, Mr Dudley, Mr Treasurier,

Mr Rich : Saltonstall, Mr John Spencer, Mr Dan Dennison, Mr Townesend Bishop, Cap Tho : Scruggs, Cap Tho : Turner,

Mr Beecher, Ralf Sprage, Tho : Lyne,

Mr Will : Hutchingson, Mr Within Colbran, Mr Within Brenton, Mr Math : Allen.

Mr Pinchon, Mr Nowell, Mr Hough, Mr Duyn, S : Brad-streete;

Mr Will : Spencer, Mr John Talcott, John Johnson, George Alcocke, Leinent Morris, Mr Duncom, Within Gallerd, George Minor, Ensigne Jemison, Leinent Peaks, Mr Pennileton, Mr Will : Bartholomew, Mr Will : Woods.
THOMAS APLEGATE was discharged of keeping the ferry of Waymothe, & Henry Kingman lyeenced to keepe the saide ferry during the pleasure of the Court./

Ordered, that there shall be xx$d gyven Edward Bendall out of the treasury towards the losse of his lighter./

Mr Tresurer & Mr Nowell being deputed to take the accompls of Mr Roger Ludowe, for moneways that hee hath receaved & disbursed for the publi, hath nowe exhibited the said accompl into Court vnder their hands, & it appeares that the country owes him the some of iiij$ viji$ iiij$, & for losse in heau$ soe much as makes the s$d some vpp xx$, with the Court appoynts the Tresurer forthwith to pay him./

Mr Hutchingson & Mr WiHm Spencer are deputed to take the accompls of Mr Simkins, & to returne the same into the nexte Court/

Lieutenet Morris is choosen lieutenet of the sfort att Castle Hand in the Morris left of yr$ fort.

It is ordered, that the inhabitants of Boston shall have the use of sixe Boston, peecees of ordinances, & that there shall be xxx$d in money gyven to them, towards the making of a platforme at the foote of the Fort Hill at Boston, & the inhabitants of the saide towne are to finishe the said worke att their own pp charges before the General Court in May nexte./

Ordered, likewise, that there shall be xx$d gyven out of the treasury to the inhabitants of Charles-Towne, to make a platforme & brestworke for three chart$ peecees of ordinance, at the hill foote there; & the inhabitants of the said towne are to finishe the said worke, att their owne pp charges, before the General Court in May nexte./

It was proued this Court that Marble Necke belongs to Salem./

Ordered, that there shall be 1v$ payde to Mr Cradocke, & 2v$ to Mr Shep-heard; also, that whoesoeuer owes any money to the country, or that the country owes money to, shall bring their accompls into the General Court in May nexte; & also, that eify towne & pson that have any goods or stocke belonging to the country shall doe the like./

Ensigne Perkins is discharged of his office of ensigne/

Ordered, that the commi$ion$ for militiary dissipline shall appoynet eify company what col$ they shall have/

Further, it is ordered, that there shall be three hundred pounds levied out of the seall plantacon$ for, publicke vses, vzd: —

<table>
<thead>
<tr>
<th>Newberry</th>
<th>11 $ 05$ 00</th>
<th>Salem</th>
<th>24 $ 00 00</th>
<th>[*168.]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ipswich</td>
<td>25 $ 00 00</td>
<td>Charle$</td>
<td>23 $ 00 00</td>
<td></td>
</tr>
<tr>
<td>Sausus</td>
<td>15 $ 10 00</td>
<td>Waymothe</td>
<td>03 $ 05 00</td>
<td></td>
</tr>
</tbody>
</table>
Ordered, that there shall be 12 men sent weekly to work at the fort at Castle Island, by the constable of Dorchester, Rocksbury, Boston, Newe Towne, Watertown, & Charlton, that is to say, two out of each town, whose wages shall be paid out of the treasury.

Further, it is ordered, that the General Court, to be held in May next, for election of magistrates, & c., shall be held at Boston, & that the townes of Ipswich, Newberry, Salem, Saugus, Waymothe, & Hingham shall have liberty to stay so many of their freemen at home, for the safety of their town, as they judge needful, & that the said freemen that are appointed by the town to stay at home shall have liberty for this Court to send their voices by proxy.

Also, it is agreed, that all other townes that are nearer shall send ten of their members out of each town to the said Court, compleatly armed with muskets, swords, shotts, &c.

Further ordered, that noe person shall buy any commodity of any ship, &c., till the master of the said vessel hath given an invoice of all the commodities he hath to sell, to the Governor or Deputy Governor for the time being, & that none shall buy any provision of victuals till the Governor or Deputy Governor, or some two of the other magistrates, have given liberty to some person to buy; this order to continue for the space of four months nexte ensuing.

Also, it is ordered, that noe person w'hoever shall buy any provisions of victuals (to sell again, or to carry out of this jurisdiction) of any ship or other vessel that shall come into the bay, till further leave be given by the mayor &c. of the magistrates of Boston & Charlton, under paine of such punishment as the Court shall thinke meete to inflict. Rep. 287.

For explanation of an order, 117, made at the General Court, in May, 1634, it is ordered, that, hereafter, all men shall be rated in all rates for their whole ablity, wheresoeuer it lyes.

Agreed, that Newe Towne bounds shall run 8 myles into the country, from their meeting howe.

*Ensigne Jennison, Mr Damforth, & Mr Wi'llm Spencer are deputed to set out the bounds of the newe plantaçion above Charles River, against all other townes that joynes uppon it, & each town is munited to send one of their members to accompany them; also, they are to vewe the meadowe aboute the
Blue Hills, & to informe the nexte Gennall Court to what towns it may most conveniently be layde.  

Further ordered, this present Court, that the Gennall Court, to be holden in May nexte, for election of magistrates, & soe from tym to tym, as occaçon shall require, shall elect a certaine number of magistrates for terme of their lyves, as a standing counsaile, not to be removed but vpon due convicçon of crime, insufficiency, or for some other weightie cause; the Goun, for the tym to being to alwaies president of this counsaile, & to have such further power out of Court as the Gennall Courts shall, from tym to tym, induce them withall.  

Ordered, that there shalbe a plantaçon settled att Wenicunnett, & that Mr. Duuner & Mr. John Spencer shall have power to presse men to builde a howse forthwith, in some convenient place; & what money they lay out aboute it shalbe repaid them againe out of the treasurie, or by those that come to inhabite there.  

Ordered, that the major pte of the magistrates shall have power from time to time to dispose of the sitting downe of men in any newe plantaçon, & that none shall goe without leave from them.  

Ordered, that the bounds of Waterton shall run eight myles into the country, from their meeting howse, within the lynces already sett out; & it is agreed, that Sr Richard Saltonstall shall have one hundred acres of the meadowe, to be sett out indifferently by John Pratt & Wliam Rescue.  

It is referd to John Humfrey, Esq., & Cap. Turner to sett out the bounds betwixte Salem & Ipswich, & betwixte Ipswich & Newberry, before midsomer nexte, as also to vewe & informe the nexte Gennall Court if there may not be another towne conveniently sett betwixte them; & it is agreed, that the bounds of the said townes shall run sixe myles apecce into the country.  

With the consent of the deputies of Dorchester & Rocksbury, it [is] referd to Cap. Traske, Mr. Palmer, & Wllm Cheesebrough, or any two of them, to sett out the bounds betwixte Rocks[bury &] Dorchester, which they are appoynced to doe before[re] midsomer nexte.  

"The Goun, Deputy Goun, & John Winthrop, Senr, Esq., or any two of them, are intreated to vewe Shawshin, & soe to informe the nexte Gennall Court whither or noe it may not be a fitt place for a plantaçon.  

It is agreed, that the immunitie of Concord for three yeares shall begin the first of October nexte, & that none shall have benefit thereof but those that lyve there, & with respect onely to the stocke they have there.  

The order that restrained ordinaries to a certaine prize for dyett is nowe repealed.
Ordered, that there shall be £1 given to the inhabitants of Rocksbury, out of the treasury, towards the maintenance of Leicent [sic] Morris.

Ordered, that the land formerly granted to Mr. Math: Cradocke, merchant, shall extend a mile into the country from the river syde in all places.

Ordered, that Charles Towne bounds shall run eight myles into the country from their meeting house, if noe other bounds intercept, reserving the appriety of fermen granted to John Winthrop, Esq., Mr. Nowell, Mr. Cradocke, & Mr. Wilson, to the owners thereof, as also free ingress & egress for the servys & cattell of the said gent, & common for their cattell, on the backside of Mr. Cradocks ferme.

Agreed, that hereafter, all men that lyve within this jurisdiccon shall be rated only in the place where they lyve to all publique rates, & those that lyve out of this jurisdiccon shall have their goods, stock, & land rated in the places where they are in being.

Ordered, that such as shall build hose in any town liberties preindiall to the townes, without leave from the townes, the inhabitants of the said townes shall have power to demolish the said hose & remove the same.

Further ordered, that the commission for military discipline shall continue till the end of the nexte General Court, & that they shall have power to take such money out of the treasury as they judge needful for the present occasion, & in the room of Mr. Peirce, whose is dismissed, Henry Vane, Esq., is chosen.

Ordered, that noe mill shall take above the sixteenth part of the corne grained, & that city mille shall have alwaies ready in his mill, waights & scales prvided at his owne charge.

Forasmuch as it hath bene found by sad experience, that much trouble and disturbance hath happened both to the church & civill state by the officers & members of some churches, we have bene gathered within the limits of this jurisdiccon in a vnline manner, & not with such publique approbation as were mete, it is therefore ordered that all psions are to take notice that this Court doeth not, nor will hereafter, approve of any such compaines of men as shall henceforth joyn in any pretended way of church fellowship, without they shall first acquainte the magistrates, & the elders of the great ps of the churches in this jurisdiccon, with their intentions, & have their approbation herein. And further, it is ordered, that noe psion, being a member of any church which shall hereafter he gathered without the approbation of the magistrates, & the greater ps of the said churches, shalbe admitted to the frendome of this commonwealth.
Further, it is ordered, that there shall be four Courts kept every quarter, 1, at Ipswich, to which Newberry shall belong; 2, at Salem, to which Saugus shall belong; 3, at New Towne, to which Concord, Methuen, and Watertown shall belong; 4th, at Boston, to which Rocksbury, Dorchester, Weymouth, and Hingham shall belong.

E'ly of these Courts shall be kept by such magistrates as shall dwell in or near the said townes, & by such other persons of worth as shall from time to time be appointed by the General Court, so as to be Court in such a manner as to the least, & that none of the magistrates be excluded, who shall appointed wth of the magistrates shall specially belong to any of the said Courts.

Such persons as shall be appointed as associates to the magistrates in the said Court shall be chosen by the General Court, out of a greater number of such as the seall townes shall nominate to them, soe as there may be in e'ly of the said Courts many as (with the magistrates) may make five in all. These Courts shall take all civil causes, wherever the debt or damage shall not exceed fifteen, & all criminal causes not concerning life, member, or banishment. And if any person shall find himselfe grieved with the sentence of any of the said Courts, he may appeal to the nexte Quarter Court, provided that hee shall put in sufficient cause to present his appeal with effect, & to abide the sentence of the magistrates in the said greate Quarter Court, who shall see that all such as shall bring any appeal without just cause be exemplary punished.

There shall be four greate Quarter Courts kept yearly at Boston, by the General & the rest of the magistrates; the first, the first Tuesday in the 4th moneth, called June; the second, the first Tuesday in September; the third, the first Tuesday in December; the fourth, the first Tuesday in the 11th moneth, called March. The inferior Courts shall be kept the 1st, the last Tuesday in June, & the rest the last Tuesday in e'ly of the said moneths.

All actions shall be tried at that Court to which they belong.

All offenders which shall be in the prison at Boston at the time of any court there held, shall be tried at that Court, except in the cases belonging to the General Court. And it shall be lawful for the Governor, or Deputy Governor, or any two magistrates, or any two speciall persons, to appoint the Courts to be kept vpon other days than in this order are appointed.

And whereas the most weightie affairs of this body are nowe, by this present order, & others formerly made, brought into such a way & method as there will not henceforth be neede of soe many General Courts to be kept as...
foolly, it is therefore ordered, that hereafter there shall be only two General
Courts kept in a year, viz, that in the third month, called May, for elections
& other affairs, & the other the first Wednesday in October, for making
laws & other publike occasions of the commonwealth, provided that the
Governor may, vpon urgent occasion, call a General Court att any other tyme
besides the two Courts before mentioned. And whereas it may fall out that
in some of these General Courts, to be held by the magistrates & deputys,
there may arise some difference of judgment in doubtfull cases, it is therefore
ordered, that noe lawe, order, or sentence shall passe as an act of the Court,
without the consent of the great pite of the magistrates on the one pite, &
the great number of the deputys on the other pite; & for want of such
accore, the cause or order shalbe suspended, & if either pite thinke it soe
materiall, there shalbe forthwith a committee chosen, the one halfe by the magis-
trates, & the other halfe by the deputys, & the committee soe chosen to elect
an umpire, whoe together shall have power to heare & determine the cause
in question;

A Commission granted to several Persons to governe the People at Conecticott
for the Space of a Yeare nowe nexte coming, an Exemplification whereof
ensueth:

*Whereas, vpon some reason & grounds, there are to remove from this of
commonwealth & body of the Mattachusetts in America dyvr[s] of yr loyeing
friends, neighbor's, freemen & members of Newe Towne, Dorchester, Water-
ton, & other places, whoe are resolved to transplant themselves & their estates
unto the River of Conecticott, there to reside & inhabit, & to that end dyvr[s]
are there already, & dyvr[s] others shortly to goe, wee, in this present Court
assembled, on the behalfe of yr said memb'rs, & John Winthrop, Jun'r, Es[:]
Governor, appoynted by certayne noble personages & men of greattittie interested
in the said rye[r], w'th are yet in England, on their behalfe, have had a serious
consideration thereon, & thinke it meete that where there are a people to sitt
down & cohabite, there will followe, vpon occasion, some cause of difference,
as also dyvers misdeamenor's, w'th will require a speedy redresse; & in regard
of the distance of place, this state and goynt cannot take notice of the same
as to apply timely remedy, or to dispence equall justice to them & their
affaires, as may be desired; & in regard the said noble personages and men
of qualititie have something engaged themselves & their estates in the planting
of the said rye[r], & by virtue of a patente, doe require jurisdiccion of the
said place & people, & neither the minds of the said personages (they being
writ vnto) are as yet knowne, nor any manner of goftm[e] is yet agreed on, & there being a necessitie, as aforesaid, that some present goftm[e] may be ob-
served, we therefore thinke mee[tc], & soe order, that Roger Ludlowe, Esq[ence]
William Pinchon, Esq[ence], John Steele, William Swaine, Henry Smyth, William
Phelps, William Westwood, & Andrewe Ward, or the greater pte of them,
shall have full power & authoritie to hear & determine in a judicall way,
by witnesses vpon oath the examine, w[ht]in the said plantaçon, all those differ-
ences wh[e] may arise betweene pte & pte, as also, vpon misdeem[e], to inflict
corporall punishm[e] or imprisonment, to fine & levy the same if occaçon soe
require, to make & decree such orders, for the present, that may be for the
peaceable & quiett ordering the affaires of the said plantaçon, both in trading,
planting, building, lots, militarie dissipline, defensive warr, (if neede soe
require,) as shall best conduce to the publique good of the same, & that
the said Roger Ludlowe, William Pinchon, John Steele, William Swaine, Henry
Smyth, William Phelps, William Westwood, Andrewe Warner, or the great
tpe of them, shall have power, vnder the great pte of their ha[nks], att a day
or dayes by them appoynted, vpon convenient not[ice], to conven the said
inhabitants of the said townes to any convenient place that they shall thinke
meete, in a legall & open manner, by way of Court, to proceed in execute[ing]
*the power & authoritie aforesaid, & in case of fseent necessitie, two of
them joynynge togetheer, to inflict corporall punishm[e] vpon any offender if they
see good & warrantable ground soe to doe; provided, always, that this
commission shall not extende any longer time then one whole yeare from the
date thereof, & in the meane time it shalbe lawfull for this Court to recall the
said fseents if they see cause, and if soe be there may be a mutuall and setted
goftm[e] condiscended vnto by & with the good liking & consent of the saide
noble psonages, or their agent, the inhabitants, & this commonwealthe; pro-
vided, also, that this may not be any prejudice to the interest of those noble
psonages in the s[e] third ryver & confines thereof within their seifall lynnitts./

Att the Court, holden att Newe Towne, Aprill 5th, 1636. 16 3 5-6. 3 March.

Present, The Govn[e], Mr Pinchon,
Deputie Govn[e], Mr Novell,
Mr Winthrop, Sen[e], Mr Houghe,
Mr Dudley,
Mr Tresn[e], Mr Dunne,
Mr Bradstreete.
1636. 5 April. Vpon the appearance of Nicholas Frost att this Court, & his shewing just cause why he was detained from the last Court, the 5th Nich: Frost, Henry Joslyn, genr, & John Pickrin are discharged of their recognizance of £1, & the said Nich: Frost hath bound himselfe in xx£ to appeare at any Court hereafter, vpon summons to answer to such things as shall be objected against him./ Ordered, that WiHm Shepheard, serv to WiHm Suiuer, shalte whipt for stealing victuall from his mr & beans from the Indians./ Ordered, that WiHm Perkins shall (for drunkenes & other misdemeanors by him committed) stand att the nexte Gen'all Court one houre in publicke viewe, with a white sheete of pap on his brest, having a great D made vpon it, & shall attend the pleasure of the Court till hee be dismissed./ Ordered, that George Ropps shalte securlye whipt here this present Court, & againe after some convenient tyme att Salem, at some publicke meecing there, for strickeing his maist, Mr Garford, throweing him downe, & spurneinge him with his feete, being downe; & the Court hath intreated John Endicott, Esq, to see his correction gyven./ Ordered, that WiHm Barker shalte whipt for stealing bacon, cheese, &c, from Ralfe Tompkins./

1635-6. *Att the Gen'all Court, holden att Newe Towne, March 3, 1635. WHEREAS paticular townes have many things with concerne onely themselves, & the ordering of their owne affairs, and disposing of businesses in their owne townes, it is therefore ordered, that the freemen of euy towne, or the major pte of them, shall owen have power to dispose of their owne lands, & woods, with all the prevelidges & appurtenances of the said townes, to grannt lotts, & make such orders as may concerne the well ordering of their owne townes, not repugnant to the laws & orders here established by the Genall Court; as also to lay manks & penalties for the breach of their orders, & to levy & districe the same, not exceeding the somte of xx£; also to chuse their owne paticular officers, as constables, surveyors for the high ways, & the like; & because much busines is like to ensue to the constables of seiffal towns, by reason they are to make distresses, & gather fyynes, therefore that euy town shall have two constables, where there is neede, that soe their office may not be a burthen vnto them, & they may attend more carefully vpon the discharge of their office, for with they shalbe lyecable to give their accompts to this Court when they shalbe called therevnto./

[The remainder of page 175 is recorded in the handwriting of Mr. Increase Nowell.]
The 13th of the 2d Month, 1636.

WEE, whose names are underwritten, being appointed by the General Court to set out the bounds of the newe towne upon Charles Ryver, do agree that the bounds of the towne shall run from the market tree by Charles Ryver on the north west side of Roxberry bounds, one mile & halfe north east, & from thence three miles north west, & so from thence five miles southe west, & on the south west side Charles Ryver from the south east side of Roxberry bounds, to run four mile on a south west line, reserving the pprieties to severall psons granted by speciall order of Court.

WILLIAM SPENCER,
NICHOLAS DANFORTH,
WILLIAM JENISON.

The 13th of the 2d M', @ 1636.

WEE, whose names are hearvnder written, being appointed by the Court to view the medow ground by Naponset Ryver, near the Blue Hills, & returne into the next Court what towne it may best belong unto, (wee certify) that wee conceive that the meadowe on the west side of the ryver may lye best to Dorchester, & the meadow on the east side to that part of Mount Wollaston wh' now belongs to Boston, prived no mans pprict, [unless] by speciall order of Courte, hinder the same.

The Court reserving power to set downe the extent,

WILLIAM SPENCER,
NICHOLAS DANFORTH,
WILLIAM JENISON.

*All the Gen'all Court holden att Boston, May 25th, 1636. [176.]

Present, The Gou'n', Mr Tresurer,
Deputy Gou'n', Mr Hough,
Mr Winthrop, Mr Nowell,
Mr Dudley, Mr Dumer,
Mr Humfry, Mr Bradstreete;

Mr Beecher, John Johnson,
Mr Gibbons, Wi'llm Parke,
Ralfe Mounsell, Mr Chaplaine,
Mr Alcocke, Mr George Cooke,
HENRY VANE, Esq., was chosen Goven'r for this yeare nexte ensuing, & till a newe be chosen, & did take an oath to his place belonging in the presence of the Court/

John Winthrop, Sen'r, Esq., was chosen & sworne Deputy Goven'r for this yeare nexte ensuing, & till a newe be chosen/

John Haynes, Rich.: Bellingham, Thomas Dudley, John Humfray, William Coddington, Richard Damar, Increase Nowell, John Winthrop, Junr., Simon Bradstreete, John Endicott, William Pinchin, & Roger Harlakeuden, Esq., were chosen Assistants for this yeare nexte ensuing, & till a newe be chosen, & did all take an oath to their place belonging, except Mr Pinchin & Mr John Winthrop, Junr., whoe were absent/

John Winthrop, Sen'r, Esq., was chosen to be one of the standing counsell for the terme of his life/

In like manner Tho.: Dudley, Esq., was chosen to be one of the standing counsell for the terme of his life/

The freemen of Newberry are fined vp a piece for chusing & send-ing to this Court a deputy whereupon noe freeman./

The Tresurer & Mr Nowell are deputed to ioyne with Mr Spencer, & Mr Hutchingson, to take a plent accompt of Nicholas Simpkins, upon the fifth day of the nexte weeke save one, & noe returne what they have done to the Goven'r within one monythe./

Further, it is ordered, that the act of the last Generall Court that permitted baying commoditives of shippes till leave be granted shalpe repealed:

The Goven'r, Deputy Goven'r, Tho.: Dudley, John Haynes, Rich.: Bellingham, Esq., Mr Cotton, Mr Peters, & Mr Shepheard are intrusted to make a draught of laws agreeable to the word of God, whereupon may be the fundamentalls of this commonwealth, & to present the same to the nexte Generall Court. And it is ordered, that in the mean time the magistrates & their associates shall
peece in the courts to heare & determine all causes according to the lawes nowe established, & where there is noe law, then as necere the lawe of God as they can; & for all business out of Court for w'h there is noe certaine rule yet sett downe, those of the standing counsell, or some two of them, shall take order by their best discrecon, that they may be ordered & ended according to the rule of Gods word, & to take care for all militiary affairs till the nexte Gexall Court./

Mr. Israel Stoughton, by order of Court, is restored to his former libertie, & made capable of heareing such office in the commonwealth as hee shall be called vnto./

The names of such magistrates & other gen'ls as are deputed to keepe the p'ticul'r Courts ensue: —

For Salem & Saugus, Mr. Humphry & Mr. Endicott, Capt. Turn't, Mr. Scruggs, & Mr. Bishopp/

*For Ipsw'ch & Newberry, Mr. Dudley, Mr. Dummer, Mr. Bradstrete, Mr. Saltonstall, & Mr. Spencer,/ For Newe Towne, Waterton, Charlton, Meadow, & Concord, Mr. Haynes, Mr. Harackenden, Mr. Nowell, Mr. Beccher, & Mr. Feakes/

For Boston, Rocksby, Dorchester, Waymothe, & Hingham, Mr. Bellingham, Mr. Coddington, Mr. Israel Stoughton, Mr. William Hutchinson, & William Heath/

Ordered, also, that, in the absence of one or two of the gen'ls belonging to any of thes p'ticul'r Courts, the Court shalbe keept by any three of them, provided there be one magistrate amongst them./

Further, it is ordered, that, in all the aforesd places of judicature, the kings mates armes shalbe erected soe soon as they can be hadd./

Mr. Dummer is chosen Tresurer for this yeare nexte ensuing, & till a newe be chosen/

Ordered, that there shalbe ce'd levied out of the se'налl plantacons, for publ' vases. Capt. Turner, Capt. Traske, John Johnson, Ralfe Sprage, Mr. Dan' Dennison, Mr. Easton, Mr. Burnsley, Mr. Spencer, Mr. Coxeall, Mr. Duncon, Thomas Loreing, Ensigne Jennison, & Mr. Mayhew, thes forenamed gen'ls, or the maior p'te of them, are deputed as c'omites, & power graunted them to require the last rates of each towne in the plantacons, & to finde out thereby, & by all other means they can, according to the best of their discrecon, the true valw' of e'ry towne, & soe to make an equal' rate for the ce'd nowe graunted to be levied; & they are enioyed to meete & determine the same vpon the 15th day of the 4th monthe, called June, vnder the penalty of v't apeece, the meeteing to be att Boston, the rate to be delified to the Tresurer/
1636.

Ordered, that all the rest of the ground lying betwixt Dorchester bounds & Boston bounds shall belong to the town of Rocksbury, easterly of Charles Ryver, (except the prtyety of the aforesd towne, wch they have purchased of particular persons.) Rocksbury not to extend above eight myles in length from their meeting house.

This order should have been entered next to the second order of the last leaf, dated 13 of the second moneth, 1636.

(Here the records cease to be in the chirography of Secretary Bradstreet. The remainder of the volume was written by Secretary Increase Nowell.)

[178.]

*A Quarter Court, held at Boston, the 7th of the 4th M., @ 1636.

*Present, The Governo's, Mr Roger Herlackingden,
    Deputy Governo's, Mr Rich'd Dummer,
    Mr Tho: Dudley, Seni., Increase Nowell,
    Mr Rich'd Bellingham, Mr John Humfrey,
    Mr John Haynes, Mr John Endecott.
    Mr Willia Coddington,

JOHN JOBSON, shipmaster, vndertooke & bound himselfe in a sum set of 10l, to answer for Francis Tobey any damage not exceeding 10l.

Edw' Bendall was fined 40l to the Comp., & 40sh to the sentry, & to returne to prison till hee acknowledg the justice of the Court, & pay his fine. Hee after acknowledged his sin, paid his fine, & was discharged.

John Whitele, Willi: Bayrstow, & Tymothy Wales were censured to be whipped 6 strokes a piece for drunkennes.

John Philips was chosen custable of Dorchester, & tooke his oath to that place belonging.

Mr Moses Maverick paid the Governo's 40s rent for Nodles Island.

Thomas Miller, pylote, & mate to Mr Fearnes, in the Hector, was comitted for ceterne seditious & opprobrious speaches, saying wee are all rebells & traytors, & hee would justify it to the Governo's face, & that hee had bene twice at ye counsell table, & would go againe, & doubted not but to bring some to scourge vs.

6 September. *The 6th Day of the 7th M., @ 1636. A Quarter Court, kept att Boston.

*Present, The Governo's, Mr Rich'd Bellinga,
    Deputy Governo's, Mr Willi: Coddington,
    Mr John Haynes, Mr Pinchon,
The Massachusetts Bay in New England.

Mr. John Winthrop, Junr.,
Mr. Roger Harbakenden,
Mr. Thos. Dudley,
Mr. John Humfrey,
Mr. Rich'd Dammer,
Mr. Symon Bradstrete,
Increase Nowell.

1636.

6 September.

It was ordered, that John Olyver & Rob't Marten should veive the land beyond Monotoquid River, & bring a plot of the same.

James Clarke & Joane Clarke were suspected of fornication, but no cleare puse.

Robert Shorthose, for swearing by the bloud of God, was sentenced to have his tongue put into a cleft stick, & to stand so by the space of half a houre.

It was ordered, that Mr. Dudley, Mr. Endecot, & Mr. Bradstrete, or any two of them, should examine the accounts betweene Mr. Rich'd Saltonstall & Edw. Dillingam, & report to the Court how they find the estate of John Dillingam & his wife, deceased.

It was ordered, that Mr. Haynes, Mr. Harbakenden, & Increase Nowell, Mr. Oldams estate, or any two of them, should examine business concerning Mr. Oldams estate & debts, & Mr. Hutchinson & Mr. Mayhewe to gather vp the debts & estate, & be accountable to the Court.

John White, being bound vpon recognizance, forfeited ten pounds.

Peter Bussaker was censured for drunkenness to be whipped, & to have twenty stripes sharply inflicted, & fined 5
d, for sleiting the magistrates, or what they could do, saying they could but fine him.

Edward Woodley, for attempting a rape, swearing, & breaking into a house, was censured to be severely whipped 30 stripes, a yeares imprisonment, & kept to hard labor, with course dyet, & to weare a collar of yron.

Elisabeth, the wife of Thomas Aplegate, was censured to stand with her tongue in a cleft stick, for swearing, railing, & reviling.

*At the Generall Court, houlden at Boston, September 8th, (or 1636.)* [†179.]

Psent, The Governo',
Deputie Governo',
Mr. Thos. Dudley,
Mr. John Haynes,
Mr. Rich'd Bellinga,
Mr. John Winthrop, Junr.:
Mr. John Humfrey,
Mr. Willi: Coddington.
Mr. Pincho'n.
Mr. Rich'd Du'ner.
Mr. Herbakenden.
Mr. Bradstrete.
Increase Nowell:

8 September.
It was ordered, that, hearafter, no towne in the plantation that hath not 10 freemen resident in it shall send any deputy to the General Courts; those that have above 10, & under 20, not above one; betwixt 20 & 40, not above two; & those that have above 40, three, if they will, but not above.

Whereas the inhabitants of Concord are purposed to abate the falls in the river uppon wth their towne standeth, whearby they conceive such townes as shall be hereafter planted above them uppon the said river shall receive benefit by reason of their charge & labours, it is therefore ordered, that such townes or farmses as shall be planted above them shall contribute to the inhabitants of Concord proportionable both to their charge & adventure, & according to the benefit that the said townes or farmses shall receive by the draining of their meadows.

 Whereas I, Thom: Millard, have given out most false & repchfull speaches against his maties loyall & faithfull subiects dwelling in the Massachusetts Bay, in America, saying that they were all traytors & rebells, & that I would affirme so much before the Governo' himselfe, wth expressions I do confesse (& so desire may be conceived) did peceed from the rashnes & distemper of my owne braine, without any just ground or cause so to thinke or speake, for wth, my unworthy & sinfull carriage being called in question, I do justly stand committted; my humble & request ye'fore is, ye' vpon ye' my free & ingenious recantation of ye' my grosse failing, it would please ye' Governo' & ye' rest of ye' Assistants to accept of this my humble submission, to passe by my fault, & to dississe mee frō further trouble; & ye', my free & voluntary confession, I subscribe wth my hand ye' 9th June, 1636.

THOMAS MILLERD.
New and "go any and 452. of 293—[*

much they Spencer, 294—shalbee ' referd to is bee ue Duncan are this chosen Concord the s "

the levy the being their of discretions of the Treasur", It is 10'

that, after the leting of the said trade, & one month after the publishing thereof, no psoun whatsoever of this jurisdiction, except the farmers, shall trade w'th any Indian, either directly or indirectly, for any of the comodities before mentioned, under the penalty of 10' a pound for furs, & as much for every yard of wampam : provided, it is the meaning of this order, that any psoun may sell wampam or furs to the Indians for any other comodity that they want/

Increase Nowell, Mr. Will : Spencer, & Mr. Natha: Duncan are chosen to coiiiittes to examine the accounts of all such psouns as the country owes money vato, as also to make inquiry after such debts as are owing to the country, & to make report to the next Courte what they have done therein. To this order is added the examination of the accounts of the m'shall & Mr. Brenton/

*Ordered, that Mr. Samfoard shall have ten pounds allowed him for his servise for the publike, in the office of canonere for this yeare last past ; and Mr. Samfoard is chosen surveyor of the ordaince & other annuation, & it is referd to the nexte Gen'call Courte to consider of a meete recompence for him/

There is twelve acres of land grantet to John Galop, vpon Nixes land, to enjoy to him & his heires forever, if the iland bee so much/

Ordered, that William Clements, Samuell Holly, & Martha Buttry shall enjoy their houses & land on the south side of Charles Ryver, without disturbance, till they receive satisfaction for them from the inhabitants of Newe Towne/

Ordered, that the plantation to bee setd above the falls of Charles Ryver, shall have three yeares immunity fro publike charges, as Concord had, to bee accounted from the first of May next, & the name of the said plantation is to
1636.  
8 September.

Committee to lay out Roxbury bounds & farms.

Mr. Damfort, Mr. Alcott, & Mr. Allen are deputed to measure & set out the bounds of Roxberry, & such farms as lyes neare adjoyning to the aforesaid plantation.

Mr. Aspinwall is deputed to view the bounds of Watertowne & Newetowne, on both sides the ryver, & to make a draught thereof, with an expression of the nature of the ground in both townes, & to make returne thereof to the next sessions of this Courte.

Ordered, that there shalbee 1200l. levied out of the several plantations, haulfe to bee paid at 3 months, & the other at the time that shalbee appointed at the next sessions of this Courte; & it is agreed that good merchable corne shall passe for payment in this rate at 5sh. the bushell, to bee so delivered at Boston at the appointment of the Treasurer, to bee called for when the Treasurer please. And it is ordered, that the deputys debt shalbee paid to him in money or beaver.

Mr. Beach, Mr. Coxeall, Mr. Woodman, John Johnson, Mr. Joseph Cooke, Mr. Saltonstall, George Mynot, Mr. Tymothy Tomlins, Mr. Mayhewe, Mr. Bishop, Joseph Andrews, Willia Smythe, these forenamed gentlemen, or the greater parte of them, are deputed as committes, & power granted to them to require the last rates of each town in the plantation, & to find out thereby, & by all other meanes they can, to the best of their discretion, the true valew of every town, & so to make an equall rate for the first 600l. now granted to bee leved, & they are enjoyned to meete & determine the same vpon the 20th day of this present month, under the penaltie of five pound a peece, the meetinge to bee at Boston, the returne to bee made to the Treasurer.

For explanation of an order of Courte, Mr. Ch. 4th. 1634, against the buying & seling of tobacco, it is agreed, that it shallbee lawfull for any pson to buy or sell such tobacco by whole sale as shalbee transported to other parts out of this jurisdiction without incurring of any penaltie.

William Parks & Abrahm Palmer are deputed to view the bounds of land in difference betwixt Boston & Dorchester, & to make report thereof to the next sessions of this Courte.

Mr. Tymothy Tomlins is licensed to keepe a house of intertainment at Singnest.

Thomas Cheesholme is licensed to keepe a house of intertainment at Newe Towne, now called Cambridge.
*Agreed, that the order of Court against building of dwelling houses above half a mile from the meeting house shall extend to all the townes in this jurisdiction.*

Mr Coddington, Mr Nowell, Mr Spencer, & Mr Hutchinson, being deputed to puse the accounts of Nicholas Simkins, did returne to this Court, that they found him indebted to the country in the somne of fourtie four pounds, 8s. 4d.

The Court was adjourned till the 25th of the 8th mo.

8th Mr, the 25th.

Chausop, the Indian of Block Island, being imprisoned, was convented, & for the present was adjudged to bee sent to the island, & there to bee kept as a slave for life to worke, unless we see further cause.

Cutshamake, upon his desire, was yielded to have 9 or 10 shots of gunpowder, to kill himselfe some foules.

Concluding the difference between Boston & Waymote at Mount Woolastone, the Court did appoint Mr Beacher to take Mr Feakes, Mr Gibons, & such others as might give him light, & so to make a draught of that place in difference against the next Court in the springe, to demonstrate where the limits are.

Whereas Edward Bendall had 20 shott yielded toward the losse of the lighter, & that the lighter was recovered, the Court allowed him 12 l. of the 20 l. with hice should have had, if it had bene lost, towards his charge & hinderance.

Leifetenant Morris is to have yielded him yearly by the towne of Roxberry 10 l. @ so long as hee lyeth at the Castle, & doth service to the towne of Roxberry.

Leifetenant Gibons had yielded him 10 l. for the several impliments with hee was exercised in, being a month byside the danger.

John Higgeson had given him 2 l. for his paines, & danger undergone.

26th.

Mr Bellingham, Mr Coddington, Willi: Smyth, Mr Hutchinson, Mr Brenton, Mr Saltonstall, Mr Mayhew, being absent at 9 of the clock, were fined at 5sh. a piece.

It was ordered, that the last 600 l. shall bee paid betweene this & the first of the 11th month, called January, as the Treasurer shall appoint.

Upon a general complaint of the great damage, wth the commonwealth sustainteth every yeare by swine going at liberty, notwithstanding all former lawes.
1636. 26 October.

Mr. Coddington's account.

Mr. Brenton's account.

Mr. Harlakenden, Mr. Saltonstall, & Mr. Mayhew, being absent till near 9 o'clock, were fined 5sh. a piece.

The Secretary, Increase Nowell, was to have his rates back, & to bee free of rates hearafter.

New Towne presented a booke of their records under the hands of Will: Andrews, constable, John Benjamin, & Will: Spencer.

The inventory of Rob't Bills, who deceased about the 15th of the 10th sh. 1635, in the house of Edward Carington, of Charlestowne, in whose hands his estate was left mostly.

Mr. Mayhew fined.

Mr. Thomas Mayhew was fined 10sh, for absence when called.

The order for Concord to have liberty to passe carts for a yeare longer is renewed.

The marshal, James Peu, was granted to have his stipend with his fees made vp 40l. p @, & every one comitted is to pay 5sh. for their comitment.

Mr. William Coddington, who was Treasurer for the two yeares last past, presented his account, & the same, being examined, was allowed, the country oweing him 25l. 14s. 6d.

Mr. Brenton's account was also accepted, & the 4th od mony dew by him was remitted him.

27th.

[182.]

Mr. Harlakenden, Mr. Saltonstall, & Mr. Mayhew, being absent till near 9 o'clock, were fined 5sh. a piece.

The Secretary, Increase Nowell, was to have his rates back, & to be free of rates hereafter.


The inventory of Rob't Bills, who deceased about the 15th of the 10th sh. 1635, in the house of Edward Carington, of Charlestowne, in whose hands his estate was left mostly.

28th.

Mr. Thomas Mayhew was fined 10sh, for absence when called.

The order for Concord to have liberty to pass carts for a year longer is renewed.

The marshal, James Peu, was granted to have his stipend with his fees made up 40l. p @, & every one comitted is to pay 5sh. for their comitment.
Mr. John Samford is chosen cannore for Boston, & surveyor of the arms & ammunition, & for this to have 30l for this yeare for his owne, & his mans paines hearin. 

Whereas Benjamin Felton was enjoyned to send away Robert Scarlet for his misdemeanors, & since having hope of amendment, he is aduised to stay.

George Munnings is granted 5l in regard of the losse of his eye in the voyage to Block Island.

For Robert Cutler, in regard of his lamenes, charge, & weake estate, by reason of his long sicknes, the deacons of Charlestowne were wished to see him, & afford such help as is needfull, & bring in their bylls, & the Treasurer to pay the same.

Lovels Island is granted to Charlestowne, prived they imploie it for fishing by their owne townesmen, or hinder not others.

That no poyn, after one month, shall make or sell any bone lace, or other lace, to bee worn upon any garment or linen, vpon paine of 5sh the yard for every yard of such lace so made or sold, or set out; neither shall any taylor set any lace vpon any garment, vpon payne of x' for every offence; prived that binding or small edging laces may bee vsed vpon garments or linen.

It is ordered, that the freemen of evey towne shall, from time to time, as occasion shall require, agree amongst themselues about the prices & rates of all workemen, laborers, & servants wages; & evey other poyn, inhabiting in any towne, whether workeman, labouer, or servant, shalbee bound to the same rates wth the said freemen, or the greater pt, shall bind themselues vnto; & whosoever shall excede shalbee punished by the discretion of the Court, according to the quality & measure of the offence. And if any towne shall have cause of complaint against the freemen of any other towne, for allowing greater rates or wages then themselves, the Quarter Courte at Boston, or the Governo & counsell, shall, foro time to time, set order therein.

The commision for millitary affaires is committ to the standing counsell till the Courte in May next, & so forward vntill the Generall Court shall take other order.

That, at the next Quarter Court, Nicolas Simkins bee sumonned to give satisfaction for his misdemeanors.

*That the charge of the deputies of the townes bee borne by the townes wth they came from, to ease the publike. 

The Court agreed to give 400l towards a schoole or colledge, whereof 200l to bee paid the next yeare, & 200l when the worke is finished, & the next Court to appoint where & w' building.
The fines of this weeke are agreed to bee given to George Munnings, who lost his eye in the countries service, & this to bee added to the 5th given before.

Increase Nowell, Mr. Duncan, & Mr. Spencer, being deputed to prse & examine all accounts what any did owe to the country, & what was owing to any from the country, did returne what they had done.

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A Quarter Courte, houlden at Boston, the 6th Day of the 10th M, @ 1636.

Present, The Gvnr, Mr. John Endecot,
The Deputy Gvnr, Mr. Will: Coddington,
Mr. Thom: Dudley, Mr. Richard Dummer,
Mr. John Haynes, Mr. John Winthrop, Iuni,
Mr. Rich: Bellingham, Mr. Symon Bradstreet,
Mr. John Humfrey, & Increase Nowell, Se:

The same order was renewed which was formerly agreed upon betweene Mr. Rich'd Saltonstall, Mr. Apleton, & Mr. Edw. Dillingam; & the same gentlemen to whom the cause was refered to have power to determine or to report to the Courte.

Will: Clarke, being convicted of severall thefts, was censured to bee severely whiped, & comitted to prison till the ship returne, & then to bee sent home.

Anthony Robinson, being convicted of fornication, comitted by him 3 times, by his owne confession, was censured to bee whiped, & to have 20 stripes sharply layd on. Hee was also enjoyned to appear at the next Quarter Courte after the expiration of his time, & the meanie while to bee of good behavio.

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[184.] A Generall Court, houlden at Boston, the 7th Day of the 10th M, @ 1636.

Present, The Gvnr, Mr. William Coddingtō,
The Deputy Gvnr, Mr. Rog. Herlakenden,
Mr. Thom : Dudley, Mr. Rich: Duuner,
Mr. John Haynes, Mr. John Winthrop, Iū,
Mr. Rich'd Bellinghā, Mr. Symon Bradstreet,
Mr. John Humfrey, & Increase Nowell;
Mr. John Endecot, Deputies,
Mr. Thom: Beachr, Mr. Joseph Cooke,
S. Sprague, M. Nicolas Danforth,
Abraham Palmer, Mr. Robt Feakes.
Mr. Hove, Geo. John Kirman.
Symon Wadlard, Capt. Wil. Trask.
Mr. John Coxall, Geo. Thoam Scruggs.
Mr. Will. Colbron.
Mr. Will. Brenton, Mr. Dani. Denison.
Mr. Joseph Wells.
Mr. Israell Staughton.
Mr. Willi. Hauthorne. [1]3th, John Johnson, vice of

The Governour declaring unto this Court the occasion of their assembling at this present, vid: some letters lately received out of England, wh. hee had imparted to those of the counsell with him, (as not thinking it fit to expose to more publike viewe his owne private affairs,) & both by him selfe & them declared to bee of such present & pressing necessity for his taking a voyage into England, wh. yet hee thought not fit to resolve vpon without the advice & allowance of this Court. This Court, now taking into consideration the said proposition, & after some debate about such objections as fell in therewith, & some respite taken for answer therein, the Courte, after such serious advise & consultation, declared that it was very greevous to them to heare of the said proposition for the departure of their Governour, whose wisdome, love, & faithfulness they had so good expience of, & in a time now especially, when there is so great neede of such a ruler; yet, being not willing that his abilities & readiness to do the country service should bee so prejudicial to himselfe as they do feare if the credit with they give to his owne & the rest of the counsellors report, wh. they rest satisfied in, in this point, his stay might bee, & assured from himselfe of his serious resolution to returne to vs againe, vpon the settling of his affairs in England, this Courte agreed, that it was needfull at this time to give way to his departure; & because there might bee a timely supply for the discharge of the places of Governour & Deputy, it was wth all ordered, that a Generall Court should bee called to assemble the 15th of this present, & that, in regard of the season, it shalbe sufficient for any of the freemen to send their votes in writinge, if they thinke not fit to come in person.

Mr. Willia. Hutchinson was discharged from assisting at the particular courts, vpon the churches request.

The Courte is adiourned till the 13th, in the afternoon.

It was ordered, that no balast should bee taken from any townes shore without leave from the townes-men, under the penalty of sixe pence for every shovell fall taken away, vnlesse such stones as they have heyde there before.

THE MASSACHUSETTS BAY IN NEW ENGLAND.

1636.

7 December.

12 December.

Ballast not to be taken without leave.
1636.

13 December.

312-

Sec 318, prize for new colo-

come prize.

Spice, sugar, tobacco.

313-

Servant not to be set free till ex-
piration of ye time.

314-

Inmates by townes to be dis-
posed of.

315-

Suffolk.

For preventing the immoderate expense of provisions brought from beyond the seas. It is ordered, that whosoever (after 3 months from the date hereof) shall buy or receive out of any ship any fruit, spice, sugar, wine, strong water, or tobacco, shall pay to the Treasurer one sixth part of the price or value thereof; & every person who shall buy or receive any of the said commodities, with intent to retale the same to others, shall pay to the Treasurer one third part of the value or price thereof; & for the due execution of this order there shall bee one officer chosen by the Governo' & counsell, (who shallbee also sworn to bee faithfull,) who shall have power, by himselfe or his deputies, to survey all vessels within any of ye harbors, & to make search in all warehouses & other places of stowage, for discovery of such provisions; & if any person, being demanded if hee have any of the said provisions, shall deny the same, or the quantity thereof, hee shall forfeit the same so concealed, or the value thereof; & if any such summe, so imposed or forfeited, bee not paid to the said officer, or to the Treasurer, within one month after it shall be due, lawfully demanded, it shall be levied by warrant from the Treasurer, by way of distress, with all charges thereby growing; & the said officer, for his pains, shall have a third part of all such benefit as shall come to the commonwealth by his service therein.

Provided, that this order shall not extend to such wine as the deacons of the churches shall buy or purchase, bona fide, for the churches publick use.

Provided, also, that this order, for so much as concerns fruit, sugar, & spice, shall not bee in force till the first of the seaveninth moneth next ensuing.

Provided, also, that none of the said commodities within this order, to be sent to other parts, shall bee included within this order; nor shall any of the said commodities pay more then once, though they passe through divers hands.

It is ordered, that no servant shall bee set free, or have any lot, vntill hee have served out the time covenanted, vnder penaltie of such fine as the Quartermaster shall inflict, unless they see cause to remit the same.

It is ordered, that all townes shall take care to order & dispose of all single persons & inmates within their townes to servise, or otherwise; & if any bee grivied at the order of a town, the parties to have liberty to appeal to the Governo' & counsell, or the Courte.

It is ordered, that all military men in this jurisdiction shall bee ranked into three regiments, viz; Boston, Roxbury, Dorchester, Wennoth, Hingham, to bee one regiment, whereof John Winthrope, Senior, Esquire, shall bee colonell, & Tho: Dudley, Esquire, leutenant colonell;
Charlestowne, Newetowne, Watertowne, Concord, & Deddam to bee another regiment, whereof John Haynes, Esq', shalbee colonell, & Rog' Herlakenden, Esq', leiftenant colonell;

Saugust, Salem, Ipswich, & Neweberry to bee another regiment, whereof John Endecot, Esq', shalbee colonell, & John Winthrope, Junior, leiftenant colonell;

& the Governo' for the time being shalbee cheife general';

And each severall regiment shall make choise of such men as they shall thinke most fit & safe for the servise & trust of those places of colonell & leiftenant colonell, & shalbee them by their deputies to the next session of this Court; & for the captaines & leiftenants to the severall companies the several townes shall make choice of some principall man, or two, or three, in each town, & shalbee them to the counsell, who shall appoint one of them to the said office in each company.

And each regiment shall have one muster master, who shall have yearly maintenance out of the treasury, viz, 1 p 1/2, to bee paid quarterly to every of them. The said three mustermasters for the shalbee Captaine Traske for the east regiment, Capt Vanderhill for the south regiment, and Capt Patrick for the north regiment. The power & employment of all the said counanders & mustermasters shall, fró time to time, bee ordered by the Governo' & counsell, or by the counsell of warre, when any shalbee established.

Christopher Davies & Thomas Robinson bound in 5£ for the appearance of John Davies at the Quarter Court to bee held the first Tewday in March.

The execution of the order against swine made the 7th month last past was agreed to bee suspended till the first of the first month, prowed they be rung, or, if any bee found varung, the former order to stand in force.

It was agreed, that there should bee a generall fast the 19th of the 11th month, being the 5th day of the weeke Thursday come month.

The Court did intreate the Governo' & counsell to consider about the prosecution of the wars against the Pecoits & Block Hand against the next session of this Courte.

The Court is adimonstred till the 5th day of the weeke, whearin the Quarter Court is to bee held the first Tewday of the first month at Boston.

The First Month, the 4th Day.

The order for each towne to beare their owne deputies charge was reversed; & the former order, for the charge of the deputies to bee borne by the country, is restored.
Whereas complaint hath been made to this Court that divers of those soldiers who were employed to Block Island are not able to bear the losse of so much time, & some others seeme not willing to bestowe their service freely, it is therefore ordered, that Richard Bellingham, Esq, Mr William Coddington, Mr Roger Herlakenden, Mr Israel Stoughton, Mr Abraham Palmer, Mr William Spencer, & Mr William Brenton, or the greater part of them, shall meete at Boston vpon every 5th day of these 4 weeks next, & shall take notice of the complaints of all such persons who were sent forth in the late expedition to Block Island, (who shall resort to them vpon any of those dayes, or otherwise to bee wholly debarred,) & vpon due consideration of their condition & service, to allow them such recompence as they shall thinke equall, as also for any special losse or damage sustained by any of them without their owne default, and shall also enquire of all such as did any way misbehave themselves, & to certify the counsel thereof; & vpon a note vnder the hands of the said commissioners, or the greater part of them, of any sume alowed to any such person, the Treasurer shall make payment thereof accordingly; & if any dwell so far remote as they cannot conveniently repair to the said commissioners, they may appoynt some other lawfully authorized to demand the same.

All persons of any trayned band, both freemen & others, who have taken the oath of residents, or shall take the same, & being no covenant servant in household with any other, shall have their votes in nomination of those persons who are to be appointed captains, or other inferior officers of the same band, pridely they nominate none but such as shallbe freemen; for it is the intent & order of the Court that no person shall henceforth bee chosen to any office in the commonwealth but such as is a freeman. Any one magistrate may administer the said oath./

*This Court, taking into serious consideration the greate danger & damage that may accrue to the state by all the freemen leaving their plantation to come to the place of elections, have therefore ordered it, that it shall bee free & lawfull for all freemen to send their votes for elections by proxie the next General Court in May, & so for hereafter, with shallbee done in this manner: The deputies with shallbee chosen shall cause the freemen of their townes to bee assembled, & then to take such freemens votes as please to send by proxie for every magistrate, & scale them vp, severally subscribing the magistrates name on the backside, & soe to brouge them to the Court, & counted, with an open roule of the names of the freemen that so send by proxie:/

That all swine shallbee kept vp in yards, lands, or committed to keepers, under the penaltie of ten shillings for every swine not so disposed of, or found
at liberty, & that whatsoever swine shalbe taken in corne, or medowe ground, shall forfeit v a peecce to those that shall impond them, & the owners of the said swine shalbee lyable to pay double damages for such harnes as the said swine shal be either in corne or medowe, & in case any swine cannot bee impounded, it shalbee lawfull to kill them, out of w'h the said v a peecce shalbee paid to those that shall so kill them, & the rest to bee returned to the owner if hee can bee knowne, or else to the Treasurer for the publike, the said v a peecce to bee paid before the dead swine bee delivered to the owner. Provided it shall not bee lawfull for any man to kill or impound any swine that shalbee found vpon the ground of the owner of the said swine

William Browne, & Jackson were remitted their rate of 8l, in regard of their losse by fire.

It was voted, that the marshall hath no right to bee in the Courte, (viz 3) when it is private for consultation

Steven Greensmith, for affirming that all the mit (except Mr. Cotton, Mr. Wheelwright, & hee thought Mr. Hooker) did teach a covenant of works, was for a time committ to the marshall, & after enjoyed to make acknowledgment to the satisfaction of every congregation, & was fined 40l, & standeth bound in 100l till this bee done; both the satisfaction bee given to the mit & the churches, & the Courte bee satisfied for the fine

The Courte did approve of Mr. Wilson's speach, in their indigant

Charlestowne, vpon their petition, was granted a market, to begin the 7th day of the 21st month, 1637, & so to bee kept constantly vpon the 6th day of the week

Nodles Island is layd to Boston

Mr. William Aspinwall & Robert Marten are required to take a plot of the bounds between Weymouth & Boston against the nexte Courte

William Reade, having bought the house & 20 acres of land at Weymouth, vnfenced, for 7l 13s 4d, w'h was Zachary Bicknels, (after Bicknels death,) of Richd Rocket & his wife, is to have the same sale confirmed by the child when hee cometh to age, or else the child to alow all such costs as the Court shall think meet

It was ordered, after the first of Aprill there shall bee double damages allowed for hurt done by goates; & any goates taken in corne, or gardens, the owners of the corne, or gardens, have power granted them to keepe or use the said goates till full satisfaction bee made by the owners of the goates

It was concluded by the Court that Mr. Wheelwright was guilty of contempt & seditio

[188]
Whereas many complaints have been made to this Court, both formerly & at present, of the great neglect of all sorts of people of verseing the lawfull & necessary means of their safety, especially in this time of so great danger fro the Indians, it is therefore ordered, that the military officers in every towne shall provide that the watches bee dewely kept in places most fit for common safety, & also a ward on the Lords dayes, the same to begin before the end of this first month, & to be continued untill the end of September; & that every person above the age of 18 yeares (except magistrates & elders of the churches) shall bee compellable to this service, either in person or by some substitute, to bee allowed by him that hath the charge of the watch or warde for that time, vpon paine of 5s. for every default, to bee levied by distresse by the surveyor of the armes, & to bee impayed for light & fyer, & such necessaries, by the discretion of the military officers.

And all such persons (except such as some Courte or the counsell shall see cause to dispence wth, & except those of Boston who shall hearin bee ordered by the magistrates there) shall come to the publick assemblyes wth their musketts, or other pceses fit for service, furnished wth match, powder, & bullets, vpon paine of 12d. for every default, to bee levied & impayed as aforesaid.

And no person shall travel above one mile from his dwelling house, except in places where other houses are neare together, wthout some armes, vpon paine of 12d. for every default, to bee levied & impayed as aforesaid.

And every towne shall provide a sufficient watch house before the last of the 5th month next, vpon paine of 5s./

Provided, that all such as keepe families at their farmes, being remote from any towne, shall not bee compellable to send their servants from their farmes to watch orwarde in the townes.

The surveyor of the armes shall give account to the townesmen of all the said forfeitures, & the imployment thereof, & any of the Courts or the counsell shall have power to hear & determine all questions & differences wth may arise about the execution of this order,

For Dorchester, Mr Israel Staughton chosen captaine; Mr Natha : Dunkan, leiftenant; Jedn Homan, ensigne

For Charlestowne, Mr Robert Sedgwick chosen captaine.

For Watertowne, Mr Willia : Jenison chosen captaine.

[*189.]

For Newtowne, Mr George Cooke chosen captaine; Mr Willi: Spencer, leiftenant; Mr Sam : Shepard, ensigne

For Saugust, Mr Du: ; Mr Daniel Howe, leiftenant; Rich'd Walker, ensigne
THE MASSACHUSETTS BAY IN NEW ENGLAND.

For Ipswich, Mr. Daniell Denison chosen captain.
For Salem, Mr. William Traske chosen captain; Rich: Dumport, lieutenant; Tho: Read, ensign.
For Newbury, Mr. John Spencer chosen captain.
For Boston, Mr. John Underhill chosen captain; Mr. Edward Gibbons, lieutenant; Mr. Rob't Harding, ensign.
For Concord, Symon Wellard, lieutenant.
For the countries service, Mr. John Underhill, Daniel Patrick, captains.

For with they two are to have 30l. a piece yearly out of the treasury, & to be disposed of by order from the council of war.

Round Hand & Grape Hand are granted to the town of Weymouth.
There was a levy of 300l. granted, to be paid as the last was, between this & the next Courte, & corne to be paid for the rate at 5s. the bushel.
It was agreed, that the Courte of Elections, to be held in May next, should be held at Newetowne.
Mr. Anthony Thacher had granted him the small island at the head of Cape Ann, (vpon wh hee was preserved from shipwrack,) as his pp inheritance.

A General Court, held the 18th Day of the 2d Month @ 1637.

Present, The Governour,
Deputy Governour,
Mr. Thomas Dudley,
Colonel Haynes,
Colonel Endecott,
Mr. John Humfrey,

Mr. Rich: Bellingha,
Mr. William Coddingt5,
Mr. Rich: Duuner,
Leiff Colo: Winthotope,
Leiff Colo: Herlakenden,
Increase Nowell;

Capt. Israh: Stoughton,
Mr. John Glover,
Rich'd Colicott,
Mr. Will: Colbron,
Mr. John Coggeswall,
Mr. Will: Brenton,
Mr. Rich'd Browne,
Capt. Jeanison,
Mr. Bryan Pendleton,
Mr. Joseph Cooke,
Mr. Nicolas Danforth,

Leiff. Spencer,
Capt. Sedgwick,
Thomas Line,
John Mousall,
Mr. Edward Woodman,
Mr. John Woodbridge,
Mr. Rich'd Saltonstall,
Capt. Denison,
Capt. Denison,
Leiff Daveport,
Rob't Moulton,
IT was ordered, that corne should passe at 5sh. p bushell in all payments for any bargaine hereafter to bee made, untill the Court take further course therein.

The power of the military commision is confirmed in the hands of the counsell till further order bee taken.

This Court being assembled for the speciall occation of prosecuting the warr against the Peecots, it was agreed & ordered, that the warrs, having bene undertaken vpon inst ground, should bee seriously prosecuted; & for this end there shall bee 160 men prvid to bee chosen out of the severall townes according to the aportion vnderwritten, vidit out of out of:

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<tr>
<th>Number soldiers</th>
<th>Newberry, . . .</th>
<th>8 men 0</th>
<th>Charlesstown, . . .</th>
<th>12 more after 4</th>
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<td>Ipswich, . . .</td>
<td>17 more after 6</td>
<td>23 Boston, . . .</td>
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<td>Salem, . . .</td>
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<td>6 24 Roxberry, . .</td>
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<td>Saugast, . . .</td>
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<td>5 21 Dorchester, .</td>
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the men to bee named by the severall townes, & prsented to the counsell, wth in one weeke, who shall give a call vnto such of them as they shall think fit, (& may imprese such as are not freemen, at their discretion,) to the number of 120, at the least; (these who were late sent to Saybrooke to bee accounted of the said number of 160;) & they shall prvide amongst these men some fit to bee chosen officers, & such as shall bee enrold for this servise shall have, every coonion soldier, 20sh. p month, every sergeant, 30sh. p month, besides their dyots, & that the counsell shall take order hearin for all other things concerning the said expedition, so as all may bee in readiness (so far as is possible) by the end of the next Generall Court, & for training & prparing the soldiers, before they bee sent.

And for the furtherance of this expedition there shall bee 600l levied fourthwa, according to the last levy of 300l.

The counsell are also to treate wth of neighbours of Plimoth about such ayde as they will send wth vs, & also wth of frends vpon Conneecticut, & shall have power to proceede wth them in the said treaty as occasion shall require.
And they shall make choyce of a fit man to bee stewcard for making & dispensing the provisions, who shall have 40s. the month for wages, besides dyet.

Capt Traske shall have the command of all the soldiers, & Leift Dam- port, who shall be allowed, the capi. 6d. p. month, & the leift 4d. p. month; & the next Court will take order for such other commanders or commandants as they shall thinke fit to ioyne unto them.

A Quarter Courte, holden at Boston, the 7th Day of the First

Mr. @ 1636. 1636-7. 18 April.

P'sent. The Gov'nor, Mr. Coddington.
The Deputy Gov't. Mr. Herlakenden.
Mr. Dudley. Mr. Humfray.
Mr. Haynes, Increase Nowell.
Mr. Bellingham.

IN regard the imprisonmy of Edward Woodley doth prove prinditial to Woodley, his m'r, the Court (if the mayde shall profess her freedome from feare before Mr. Haynes) doth release the said Woodley to his master.

Weybro Lovell, wife of Capt Lovell, being presented by the grand jury Lovells sent. for light & whoarish behavior, was seriously admonished to repent, & walk humbly, chastly, & holily.

John Emerson, being accused by Edith Pitts, forfeited 100s.

George Kendrick & Will. Hatchet forfeited 50s. a piece for want of Empeors bond.

John Emerson's appearance. These were discharged the 40th of, 1638.

James Hayden was admitted to be free, because of his m'r, his former p'ise, before the act of the Courte made against it.

It is thought equall by the Court that the town of Salem should repay Goodman Robert Moniton the money taken of him for the last 1200s rate.

Will: James being presented for incontinency, knowing his wife before marriage, was sentenced to bee set in the bilboes at Boston, the 5th, in the afternoone, & in the stocks at Salem upon the next Courte day, & bound in 20s.

The power formerly granted to Mr. Dudley, Mr. Endecot, & Mr. Brad- streeete is granted to Increase Nowell & Thom. Mayhew, to examine the accounts betwecne Mr. Rich'd Saltonstall, Mr. Apleton, & Edward Dil- lingam.

Capt Lovell was admonished to take heed of light carriage.

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Tymothy Tomlins was contented to take only x' of John Stretton.
A capias was granted to John Stretton, to bring Kibbe & Elwell before
the Governor. /Thom: Pettet for suspicion of slander, idleness, & stubbornness, is cen-
sured to be severely whipped, & to be kept in hould, /Attachment was ordered for Will: Powell to appear the 28th of next for
contempt, & to answer to the accusation of Thom: Pettet. /John Trumble was fined 20/ to the common wealth, resting till the next
Quarter Court, & bound in 40/ to appear the first Thursday in the 4th month,
@ 1637 /Mary Bowler was adjudged to make double restitution for the things
stolen by her from others, /A Generall Courte, held at Newtowne, the 17th of the 3d of, @ 1637, for Elections. /P*SENT, The Governor,
The Deputy Governor, Mr. John Winthrope, Juni,
Mr. Symon Bradstreet,
Mr. Thom: Dudley, Capt. Israel Staughton,
Mr. John Humfrey, Colo: John Endecot,
Mr. Rich'd Bellinghâ, Increase Nowell,
Mr. Roger Herlakenden,
Deputies,
George Mynot, Leift Dan: Howe,
Mr. John Glover, Mr. Tymothy Tomlins,
Rich'd Collicot, Capt Traske,
Isaack Heathe, Leift Danford,
Williâ Heathe, Edmond Batter,
John Johnson, Samu: Apleton,
Capî Rob't Sedgwick, Joseph Medcalfè,
Thom: Line, Edward Woodman,
John Mousall, John Woodbridg,
Mr. Joseph Cooke, John Vpham,
Mr. Nico: Danforth, Will: Smythe,
Mr. Will: Spencer, Antho: Eames,
Capî Jeanison, Joseph Androws,
Mr. Rich: Bowme, Mr. Henry Vaine,
Mr. Thom: Mayhewe, Mr. Will: Coddington,
Leift Symon Wellard, Mr. Atherton Haugh.
JOHN WINTHROPE, Sen'r, Esq, was chosen Governo' for the yeare ensuing, & in the p'sence of the Courte did take the oathe to his place belonging;

Thomas Dudley, Senior, Esq', was chosen Deputy Governo', & did take an oath to his place belonging in the p'sence of the Courte./

Richard Bellingham, John Humfrey, John Endecot, John Winthrop, Junior, Roger Herlakenden, Increase Nowell, Simon Bradstreete, Israel Staughton, & Richard Saltonstall, Esq, were chosen Assistants for this yeare next ensuing, & till newe bee chosen, & did all take the oathe to their place belonging, except Mr Saltonstall, who was absent./

John Endecott, Esq', was chosen to bee one of the standing counsell for the terme of his life./

The elections of the deputies of Boston being app'ended by the deputies to bee vndew, order was given for new warrant to bee sent out from the Court for a newe election./

Warrant was given to Sgent RIch'd Collicott, steward, appointed to make provisions for the expedition against the Peoits, to require ayde of any constables or others whom it may concerne to p'sse carriages, or horses, & to make provisions; & vpon bylls to the Governo' & counsell warrant shalbee given to make payment./

Cap't Traske, Cap't Jeanison, Cap't Turner, & Sergent Rich'd Collicot were appointed a coimitee for the p'sent expedition for men, munition, & provisions./

Mr John Spencer is discharged from being cap't at Newberry, & Edward Woodman is chosen leiftenant at Neweberry./

John Woodbridg is appointed surveyer of the armes at Newberry./

RIch'd Bellingham, Esq', was chosen Treasurer for this yeare./

Mr John Wilson & Mr John Eliot being put to lot w'h should go fourth w'h the souldiers against the Peoits, Mr Wilson was chosen./

Mr John Winthrope, Junior, Mr Symon Bradstreete, & Cap't Israel Staughton, being put to lot, w'h should go fourth in the expedition against the Peoits, & Cap't Staughton was chosen./

Cap't Staughton, Cap't Jeanison, Leiff Howe, & John Johnson were appointed deputies to lay a pportion vpon each towne for raising 50 men more to bee sent fourth w'h Cap't Staughton, Mr Wilson, Cap't Traske, & others./

Alexander Waite was accused for seling powder to the Indians, confessed to have sold a pistoll, & to have given 2 of gunpowder. It was ordered, that hee should bee whiped for this offence./
Concord had leave granted them to purchase the ground within their limits of the Indeans, to wit, Atawans & Squa sachim. 

It was ordered, that Steven Greensmyth should, before the next session of this Court, give satisfaction to the elders & churches, & pay his fine, & certify so much at the next Court, or else to forfeit his bond.

Mr John Wheelwright was enjoyned to appear at the next session of this Court, to answer further, or receive such sentence as the cause shall require.

The late Treasurer, Mr Dummer, was ordered to receive all the last rates, of which he hath received part.

Mr Timothy Heatherly, & Mr . . . . . Tylden, with Mr Willia Ashpinwall & Joseph Andrews, were appointed to view the bounds betwixt vs & Plymouth, & make return how they find them lyke to both Courts.

It is ordered, that no man within this jurisdiction shall, directly or indirectly, amend, repair, or cause to bee amended or repaired, any gun, small or great, belonging to any Indian, nor shall endeavour the same, nor shall sell or give to any Indian, directly or indirectly, any such gun, or any gunpowder, or shot, or lead, or shot mould, or any military weapons, or armour, upon paine of ten pound fine for every offence at least, & that the Court of Assistants shall have power to increase the fine or to impose corporall punishment where a fine cannot be had, at their discretion.

It is ordered, that no towne or pson shall receive any stranger, resorting hither with intent to reside in this jurisdiction, nor shall allow any lot or habitation to any, or intertaine any such above three weekes, except such pson shall have allowance under the hands of some one of the counsell, or of two other of the magistrates, upon paine that every town that shall give or sell any lot or habitation to any such, not so allowed, shall forfeit 100£ for every offence, & every pson receiving any such, for longer time then is here expressed, (or then shallbe allowed in some speciall cases, as before, or in case of intertaine of freinds resorting from some other parts of this country for a convenient time,) shall forfeit for evvy offence 40£; & for evvy month after such pson shall there continue 20£; provided, that if any inhabitant shall not consent to the intertaine of any such person, & shall give notice thereof to any of the magistrates within one month after, such inhabitant shall not bee lyable to any part of this penalty. This order to continew till the end of the next Court of Elections, & no longer, except it bee then confirmed.

For avoyding the evils & inconveniences with have risen by trading with the Indians in other parts.

It is ordered, that from henceforth no person of this jurisdiction shall trade out of the limits of the same with any Indian, upon paine of such fine, &
other censure, as the Court wherein it should se see cause to inflict, according to the power of the Court & measure of the offence.  

Mr Edward Howe & Capt Nathanial Turner, with Mr Roger Conant & Mr William Hawthorne, were chosen to assist in the particular Courts at Salem.  

Capt Daniel Denison & Mr Samuel Apleton were chosen to assist at the particular Courts at Ipswich.  

Leift Ralph Sprage, Mr Richard Browne, & Mr Joseph Cooke were chosen to assist at the particular Courts at Newetowne.  

The counsel, with Mr Richard Bellingham, Mr Roger Herlakenden, & Increase Nowell, or the greater number of them, shall have power to send forth the soldiery, with are more to be sent against the Peccots, & to furnish out all necessaries, both of arms, provisions, vessels, & all other things incident thereunto, & to impress any vessels, & other helps of men, & carriages, & to take care, that they may be sent forth with in ten days, if possible.  

These to take care of the Castle at the island, till the next session of this Courte, according to their discretion.  

*Leift Howe to go leift to Capt Patricke, Leift Damfort to have charge of the arms & ammunition, Sgent Tomlins to bee canoneere, Will Fuller, gun-smythe, Starr for chirurgion.*  

The Court is adiourned till the first Tuesdaiy in August, (valess the Governo' see cause to call it sooner, & to continuwe to bee kept at Newetowne.  

[The remainder of page 194, and pages 195 and 196, contain the names of such as were made freemen from May, 1636, to December, 1638, inclusive.]  

*The First of the 4th M., @ 1637.*  

Mr RICHBD SALTONSTALL, being chosen an Assistant by the Generall Court, this day tooke the oath to that place belonging.  

*A Quarter Court, houden at Boston, the 6th Day of the 4th M., @ 1637.*  

Present, The Governo', The Deputy Governo', Col. John Endecott, Mr Richard Bellinghâ, Mr John Winthrop, Junior, Mr Roger Herlakenden, Mr Rich Saltonstall, Mr Israel Stoughton, Increase Nowell.
JOHN SWEETTE, being presented by the grand jury for shooting a woolfe

dog of Colonel Endecots, in Colonel Endecots owne yard, was fined 5\(^{t}\),

& to bee imprisoned during the pleasure of the Court.

Robert Anderson, for his contempt, was fined 50\(^{t}\), & sent to prison till hee

shall give satisfaction.

John Hathaway, being accused of adultery with Margaret Scale, wife of

Edward Scale, James Pen & Samuell Coles testified that she confessed it to

them; so the grand jury found the bill of inditement to bee true; though—

Robt Allen & Margaret Scale, being accused of adultery, confessed the

fact; so the grand jury found the bill of inditement to bee true.

Mathew Bridg being accused to be guilty of the vatinly death of

John Abbot, the said Mathew, & John Bridge, his father, were bound in 40\(^{t}\)

for his appearance at the next Quarter Court, to bee held the first Tewsday

in the 7\(^{th}\) m'; at Boston.

In regard Phebe Scales was, by order of Court, put app'tice to John

Coggesall, of Boston, merchant, who, at the instant request of the Court,

accepted the same, & for that the said girle hath prevd over burthensome to

him, the Court, as formerly, so nowe, have thought it just to ease him of it; &

whereas the said girle was put by the said John Coggesall to one John

Levens, of Roxberry, to bee kept at a certaine . , it is now ordered, that

Mr Deputie, calling to him Mr Brenton & Will: Parks, chosen by the said 2

prices, shall have power to end the difference between the said parties, & to set
downe such order for the case & discharge of the said John Coggesall, & dis-
posing of the said Phebe, as they shall think:equall.

John Palmer was granted 10sh\(^{t}\) costs against Georg Woodward, for not

prosecuting his suite, having summoned the said John to appeare this Quarter

Court;

John Trumble being formerly fined 20\(^{t}\), fifteen pound of the said 20\(^{t}\) is

remitted, & the other 5\(^{t}\) hee hath a yeares time granted him to satisifie the same.

Rich'd Osborn was enjoyned to give an account to the constable weekly

how hee doth impve his time; & if hee neglect, further order to bee taken,

by putting him to the Castle.

Isaac Davies was ordered to bee sent whom to his wife, to England; &

the care thereof is committed to Salem.

Wheeras John Binfield dyed, leaving 2 child'ren undisposed of, the charge

of the one was ordered to bee defrayed by Mr Cradock, hee having the goods

of the deceased, the other child being disposed of by the country.

Edward Scale, for his beastly drunkenness, was ensured to bee set in the

bilboes till the end of the Court, & then to bee severely whipped.
George Munnings was fined 20sh for selling beare & keeping a house of intertainment without license.

Samuell Cole was fined 10sh for selling a quart of beare at 2\textsuperscript{4}, & was licensed to sell such claret & white wine as is sent for.

Rob't Longe was fined 10\textsuperscript{o} for selling a q't of beare at 2\textsuperscript{4}, and was licensed to sell such claret & white wine as is sent for.

*William Baulston was fined 10sh for selling a q't of beare at 2\textsuperscript{4}/

James Browne was censured, for drunkemnes, to bee set two hours in the bilboes, vpon the market day, at Boston, publickly.

And the said James Browne was fined 40sh for selling strong water to the Indians, without license.

Benjamin Hubberd was also solemnly admonished of his failing, for being in company with James Browne & the rest, & often drinking of the strong water bottle with them, & not replying them.

George Woodward was ordered to give Richd Chadwell 6\textsuperscript{6} 8\textsuperscript{1} because hee called him for a witnes from Sangast, by warrant.

John Knight, of Neweberry, was licensed to keepe an ordinary, & give intertainment to such as neede.

Nicholas Vpsall, of Dorchester, was licensed to keepe an ordinary, & give intertainment to such as neede.

Willi: Knop was enjoyed, vpon paine of 100\textsuperscript{i} & imprisonment, to bring in sureties within 8 days for his appearance at the next Quarter Court, to answer what shall bee objected about his speaches of Mr Vaine, of late Governor.

Mr Samuell Maverick was enjoyed to keepe in his hands, of the goods of Robert Anderson, to the valew of 50\textsuperscript{i} starling, for his fine, for his contempt offered, & to deliver him the rest of his goods.

The 5\textsuperscript{th} day of the next weeke, being the 15\textsuperscript{th} of this month, was A day of thanksgiving.

Willi: Baulston is licensed to keepe a house of intertainment, & is licensed to sell such claret & white wine as is sent for.

Order was appointed to bee given to the constable of Neweberry to appear before Schooler, Bayly, & , dwelling beyond Merrimack, to appear at the Court at Ipswich, or before the magistrates there, who have power to take further order, as they shall see cause.

Henry Kingman, of Waymoth, is licensed to keepe a house of int. Orders
1637. *Gen.* Court, by Adjourn'd from 3: 17; the First of the 6th M', called August, 1637.

[199.] Against this session, instead of Cap't Trask, Leifit Danford, Geo: Mynard, Rich'd Colicott, & Mr Hen: Vane, Esq,

Were chosen, Mr Willi: Hauthorne, Mr Tho: Gardner, Leifit Duncan, Willi: Gaylard, & Willi: Aspinwall.

In regard there hath loss fallen upon many by the receiving of corn at 5sh. p bushel from the country, these five gentlemen, Mr Nathaniell Duncan, John Johnson, Isaac Heathc, Mr Willi: Aspinwall, & Mr Abraham Palmer, are appointed commissionors for them, or any three of them, to consider what may be equal, & to set order therein according to equity.

The former order of selling corn at five shillings the bushell, for the time to come, is revoked, & the price of corn is set at liberty.

Mr John Greene, of New Providence, having spoken against the magistrates contemptuously, stands bound in one hundred marks to appear at the next Quarter Court, to bee held the first Tewsday of the 7th in ensuing.

Cap't Jemison & Leifit Willi: Spencer were appointed to view Shaushin, & to consider whether it bee fit for a plantation, & if not, to certify with they thinke may bee fit for Cap't Patrick.

The Court consented that Cap't Vunderhill should have his maintenance continued for the three months with he was at Scabrooke.

Steven Greensmyth, being called 3 times, forfeited his recognisance for not appearing.

Mr Rich'd Browne & Goö Willi: Heathc have power to examine Swifts case, about his man.

The Court did intreat the magistrates to treat with the elders about a day of thanksgiving upon the returne of the souldiers, & the souldiers to bee feasted by their townes.

Steven Greensmyth, because hee had forfeited his recognisance, & paid not his fine, & for his neglect & contempt, was committed, until the Court take further order.

Mr Wheelwright deferred. The Court.

Ordered, that the Treasurer & Mr Duncan should take the last Treasurers account.
For the raising of a rate of foure hundred pounds, Mr Willi: A-spinwall, 16 3 7.
Goo: John Monsall, Mr Nathani: Duncan, Mr Samu: Apleton, Edward Wood-
man, Mr Willi: Hauhtorne, Mr Tymotho Tomlinus, Goo: John Johnson, Mr
Rich'd Browne, Goo: Willi: Smyth, & Goo: Joseph Andrews, for each town, Rate of 400.
did agree as followeth: for

<table>
<thead>
<tr>
<th>Town</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boston</td>
<td>$59 4th Salem</td>
</tr>
<tr>
<td>Newetowne</td>
<td>$29 12 Ipswich</td>
</tr>
<tr>
<td>Watertowne</td>
<td>$30 08 Newberry</td>
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<tr>
<td>Roxberry</td>
<td>$30 08 Medford</td>
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<tr>
<td></td>
<td>149 12</td>
</tr>
<tr>
<td></td>
<td>121 14</td>
</tr>
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<td></td>
<td>400 00sh</td>
</tr>
</tbody>
</table>

It was referd to the counsell to take order about the Indian squaws. Disposing of y* Indian squaws.
The Court did agree that the soldiers should bee called home as the Soul'dier's called Governo' & counsell, & such other of the magistrates as they should call to home.

The Court did expresse that the next ryver to Minotquid Ryver is that The Court did expresse that the next ryver to Minotquid Ryver is that wth goeth vp the same cove to the mouth of Minotquid, & that is the bounds between Mount Woolston & Weymouth.

*Webb Cowet, Squaw Sachem, Tahatawants, Natan quaticke, as Ohmans Y: the next
Caato, as Goodmans, did express their consent to the sale of the weire at分开
Concord over against the town, & all the planting ground wth hath bene
formerly planted by the Indians, to the inhabitants of Concord, of wth there
was a writing, wth their marks subscribed, given into the Court, exposing the
price given.

Squa Sachem & Webba Cowet did acknowledg in Court that they had
received of Mr Gibbons, for the towne of Charlestowne, thirtie sixe shillings
for the land between Charlestowne & Wenotomies Ryver, wth they acknowledg-
ed themselves to bee satisfied for.

Cutshamake did acknowledg to have received of Mr Woolrice ten shil-
lings for his planting ground within the bounds of Charlestowne, wth hee
acknowledged himselfe satisfied for.

It was questioned whether townes have liberty to restraing particular men
from sayle of their lands or houses.

That some course bee taken to cause men to record their lands, or to fine
them that neglect.

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1637. The Court is adiourned till the 5th day of the weeke after the Quarter Courte, & to bee held at Newetowne./

5 September. The 5th Day of this 7th Month, 1637.

Present, The Govno, Mr Rich: Saltonstal,
The Deputy Gov', Mr Israel Staughto, & Increase Nowell,
Mr Rich: Bellingha,
Mr John Winthrop, Is.

THE Quarter Court was adiourned till the 19th of this 7th month, because of the synode kept at Newetowne for the settling of things in difference amongst vs./

7 September. The 7th Day of the 7th Month, @ 1637.

THE Generall Courte, by the generall consent of all present, was adiourned to the 26th of this 7th month, & the particular Courts in the several places to be kept the last Tewsday of the 8th month./

Freemen, 2. Mr George Moxham & Mr Timothy Dalton were made free this 7th day./

19 September. The 19th of the 7th M., @ 1637. A Quarter Courte, held at Boston and Newetowne because of the Conference.

The Govno, Mr Israel Staughto,
The Deputy Gov', Mr Rog Herlakenden,
Col: John Endecot, Mr Rich: Saltonstall,
Mr John Humfrey, Increase Nowell.
Mr Rich: Bellingha,

Jno Wms, mord.

JOHN WILLIAMS, being indited about the death of John Hobbe, confessed that hee killed the said Hobbe; so the jury found him guilty of murther./

Wm Schooler, for mord.

William Schooler being indited for the death of Mary Scholce, the jury found him guilty of murthering the said Scholce./

Mary Osborn, mord.

Mary Osborne, the wife of Osborne, being indited about the death of her daughter, found the bill ignoramus./

Jn Hathaway, adult.

John Hathaway, being indited for adultery, was found guilty./

Robt Allen, adult.

Robt Allen confessed adultery, & was found guilty./
Margaret Scale, the wife of William Scale, confessed adultery, & was found guilty.

The Grandjury Men.


The Jury of Life & Death.


*William Brumfeild, being examined about theft, confessed that hee had stolen above 5s from his m', & about an elle of cloth, & for his stealing, plotting to run from his m', lying, drunkenness, & idleness, was censured to make double restitution, to bee branded, & bee severely whipped./

George Spencer, who received 6sh of the said Brumfeild, was censured to make double restitution, & bee whipped./

George Barlow, for his idleness, was censured to bee whipped./

John Hoggges, being accused of drunkenness, confessed it, & was fined 3s.

Jacob Smyth was discharged for want of evidence vpon his imprisonment./

Mathew Bridge appearing, & no evidence coming in against him, bee was quit by pelamation./

Mr John Greene, of New Providence, was fined 20s, & comitted vntill the fine of 20s bee paid, & enioyed not to come into this jurisdiction vpon paine of fine or imprisonment, at the pleasure of the Courte, for speaking contemtously of the magistrates./

Mr John Stretton was fined 1s for lending a gun to an Indian four dayes./

It was ordered, that Mr Joseph Weld & Mr John Benjamin (being autherished) should make sale of Mr Guiings land for satisfaction of the

\[201.\] Brumfeilds sent.

\[201.\] Brumfeilds sent.

\[201.\] Brumfeilds sent.

\[201.\] Brumfeilds sent.

\[201.\] Brumfeilds sent.

\[201.\] Brumfeilds sent.
THE RECORDS OF THE COLONY OF

1637.

20 September. Mr. Rob. Saltonstalls deed for his credito's in portion, if it come to short, & if an overplus bee, that to remaine in the hands of Mr. Beniamin.

The 23rd of this 7th mo, 1637, Mr. Hugh Peters delivered into the Court a deed of Mr. Robert Saltonstall, making over all the estate that hee hath, or shall have, to satisfy his credito's.

20 September. At the Generall Courte, holden at Newetowne, the 26th of the 7th mo, @ 1637.

P'sent, The Gov'nor, The Deputy Gov', Mr. John Humfrey, Mr. Rich'd Bellinga,

Deputies


Tobacco at liberty.

The law against buying & selling tobacco is repealed.

Mr. John Greene, of Newe Providence, is refered to the magistrates at Boston the 5th day of the weeke, (upon a new petition to satisfaction,) to bee dismissed.

The 12th of the 8th mo was ordered to bee kept a day of publike thanksgiving to God for his great mercies in subduing the Pecoits, bringing the soldiers in safety, the successse of the conference, & good news from Germany.

The account of the late Treasurer, Mr. Rich'd Dunner, was accepted & appoved, there resting dew to Mr. Dunner 23l 2sh, hee not having allowed the 50l with hee praised.
Mr. Wheeleright, appearing, was dismissed until he be sent for by the Courte, or Courts, where shall succeed.

The present Court was dissolved until he be called, & to be kept at Newe Towne after the next [i.e., present] Courte.

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*A Generall Court, held at Newetowne, the 2nd Day of the 9th Mr.,* 1637. [202]

2 November.

Governor,

Mr. Herlakonden,

The Deputy Gov'rs,

Mr. Stoughton,

Mr. John Endicott,

Mr. Bradstreete,

Mr. Humfrey,

& Iner: Nowell.

Mr. Bellingham,

Deputies,

† Capt. Dani: Denisô,

Leif Woodman,

Mr. John Woodbridge,

Mr. Bartholmew,

Mr. Hathorn,

Mr. Bishop,

Edm. Batter,

Leif Howe,

Tymothy Tomlins,

Capt. Ro: Sedgwi,

Leif Sprage,

Ensigne Palmer,

Mr. Cooke,

Rich'd Jackson,

John Bridge,

Mr. Rich: Browne,

Capt. Jeanison,

Mr. Tho: Mayhewe,

Leif Willard,

Samu: Ward,

Tho: Vnd'wood,

Tho: White,

Rich: Adams,

Mr. Duncom,

Mr. Rich: Collicott,

Mr. Glover,

Ensigne Weld,

Mr. George Alcock,

Willi: Parks,

Mr. Willi: Coddington,

Mr. Willi: Coleborn.

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Mr. William Aspinwall being questioned in regard his hand was to a petition or remonstrance, & he justified the same, maintaining it to be lawfull; the Court did discharge him from being a member thereof.

Mr. John Coggeshall affirming that Mr. Wheeleright is innocent, & that hee was prosecuted for the truth, was in like sort dismissed from being a member of the Courte, & order was given for two new deputies to bee chosen by the towne of Boston.

In regard of the great abuse in ordinaries, it is ordered, that no ordinary keeper shall sell either sack or strong water.
Nathaniell Wales, Edward Sale, Willi: Casely, Mr John Fiske, & Mr John Harvard were made free, & tooke the oath of freedome.
Robt Fletcher was chosen & sworne custable of Concord.
Mr John Winthrope, Junior, had leave to impoy an Indian to shoothe in a peece to foule for him.
Corne is set at 33sh the bushell for the payment of rates, being mar-
chantable.
All former lawes against tobacco are repealed, & tobacco is set at lib-
erty.
The order about takeing the $4 of the valore of wine, strong water, &
tobacco, of such as sell it againe, or $2 lef of oth'rs. Leift Howe is authoris-
ted to take the excise dewe by the sayle of wine, strong water, or tobacco, by the
order wth was formerly made 7th day 10th m, 1636.
The inhabitants of Newberry, having bene moved to leave their planta-
tion, they have graunted them Winnacummet, or any other plantation ypon
Merrimack, below the first falls, & to have sixe miles square; & those that are
now inhabitants, & shall remove wth in one yeare, shall have three years immu-
niy, (as Concord hath,) the three years begining the first of the first month
next.
Abraham Shave is graunted haule of the benefit of coles or yron stone,
wh shalbee found in any comon ground wth is in the countrys dispose-
ing.
Mr Dudley 1000 aces.
Mr Winthrope 1000 aces.
Mr Jn: Endicot gr of 50 acres of meadow.
[1203.]
Mr Oliver dismissed from Court.
Edw: Tredwell a lott.
We Holdroyd to have a lott.
Jn: Sandfords granted.
Water Towne 1500 acres meadow on Concord Rive.

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2 November.
Mr. Israel Stoughton hath liberty to take his 150 acres of meadow formerly granted him on both sides of Naponset River.

Mr. John Wheeleright, being formerly convicted of contempt & sedition, & now justifying himself & his former practice, being to the disturbance of the civil peace, he is by the Court disfranchized & banished, having 14 days to settle his affairs, & if within that time he depart not the patent, he is sentenced to render himselfe to Mr. Stoughton, at his house, to bee kept till hee bee disposed of; & Mr. Hof & ndrooke to satisfy any charge that hee, Mr. Stoughton, or the country should bee at.

Mr. John Coggeshall, being convicted for disturbing the publick peace, was disfranchized, & enjoyned not to speake any thing to disturb the publick peace, vpon paine of banishment.

Mr. Will. Aspinwall being convicted for having his hand to a petition & remonstrance, being a seditious libell, & justifying the same, for which & for his insolent & turbulent carriage, hee is disfranchized & banished, putting his sureties for his departure before the end of the first month next ensuing.

Mr. John Glover & Mr. Aspinwall are each of them bound in a 100£ a peece for Mr. Aspinwals deputation by the time limited.

Mr. Hutchinson, (the wife of Mr. William Hutchinson,) being convicted for traducation the mi of & their ministry in this country, she declared voluntarily her revelations for her ground, & that shee should bee delivred & the Court ruined, with their posterity, & thereupon was banished, & the meane while was comitted to Mr. Joseph Weld vntill the Court shall dispose of her.

Mr. Dunkan & Increase Nowell were appointed to take Mr. Peters his account between this & the next Courte.

Mr. Samuell Hutchinson, vpon his suit, had leave to stay vntill the first x x x after winter.

*The Courte is adjourned vntill the 15th preset.

Sargent Boston, being convicted for having his hand to the seditious libell called a remonstrance or petition, is disfranchized, fined 20£, & discharged from bearing any publicke office.

Sargent Hutchinson being convicted for having his hand to the seditious libell, justifying the same, & writing contemptuous speeches, the Court did disfranchise him, fine him in 40£, put him from office, & comit him during the pleasure of the Courte.

Rich'd Gridley being convicted for having his hand to the seditious writing, or libell, & not acknowledging a fault, is disfranchised.

Thomas Marshall being convicted for having his hand to the said seditious writing, & justifying the same, is also disfranchised.

Mr. Coggeshall sent.

Mr. Glovers bound for Mr. Aspinwall.

Mr. Hutchin.

Mr. M'Glouers bound for Mr. Aspinwall.

Mr. Balston sentenced, disfrainched, fined 20£.

Mr. Peters account to be taken.

Mr. Sam: Hutchinson leave to stay.

Mr. Glovers bound for Mr. Aspinwall.

Mr. Going's discharged, fined 20£.

Mr. Peters account to be taken.
1637.

15 November.

We Dyre, like sent.

Wm. Dinely discharge.

Cap. Patrick remove & discharge, &c.

Cap. Vnderhill discharged.

Persons disarmed freed from traying, &c.

Colledg to be at New Town.

345—Wampage to pass a 6 a penny.

Courts gratuity to Mr. Ames, 4th.

346—Boston ferry to be let.

Venison not to be bought without the leave of 7\textsuperscript{th} town.

347—Law prohibiting trading, repealed.

Cap. Vnderhill cease; discharge.

Samuel Cole fined 20\textsuperscript{st}.

Wm. Babston fined 15.

Willi: Dyre being convented, because his hand was to the said seditious writing, & defended the same, hee is disfranchized.

Willi: Dinely being convented, because his hand was to the said seditious writing, & hee would not acknowledge a fault, hee is likewise disfranchized.

The Court did give way to Cap\textsuperscript{t} Patrick's remove to Ipswich, discharging him from any further servise, & gave him a quarters pay for a gratuity.

The Court did discharge Cap\textsuperscript{t} Vnderhill from any further servise, & gave him a quarters pay for a gratuity.

It was ordered, that such as are disarmed should bee freed from carrying armes with them, & from trainings & watches.

The colledg is ordered to bee at Newetowne.

It was ordered, that wampapege should passe at 6 a penny for any same under 12\textsuperscript{th}.

The Court gave 40\textsuperscript{st} to Mr. Ames, the widow of Doctor Ames, of famous memory, who is deceased.

The ferry between Boston & Charlestowne is refered to the Gov\textsuperscript{n}or & Treasurer, to let at 40\textsuperscript{th} p @, beginning the first of the 10\textsuperscript{th} of March, & from thence for three years.

It is ordered, that no man shall have leave to buy venison in any town but by leave of the towne.

The last order that phlibited all from trading is repealed, & the former order of refering it to the counsell, in @ 1636, is reestablished.

Cap\textsuperscript{t} Vnderhill being convented for having his hand to the seditious writing, is disfranchized, & put from the captains place.

Samuell Cole being convented for having had much disorder in his house, selling wine contrary to order, & beare above the price ordered, his dew for wine was judged 10\textsuperscript{th}, & hee was further fined 20\textsuperscript{st}, with is together 30\textsuperscript{th}.

Goodman ten his dew was judged 5\textsuperscript{th}, & hee was further [fined 10\textsuperscript{th}], with is together 15\textsuperscript{th}.

*Mr. Robert Longe his dewe was judged 2.10sh, & hee was further fined 5\textsuperscript{th}, with is together 7\textsuperscript{th} 10sh.

Willi: Larnt acknowledged his fault in subscribing the seditious writing, & desiring his name to be crossed out, it was yelded him, & crossed.

Munings, of Watertowne, is put downe from keeping an ordinary, or house of entertainement. And it is refered to Watertowne to choose another.

Mr Nicholas Danfort, Mr George Alcock, & Mr John Allen are appointed to set out the purchased land belonging to Dedham.
And M't Danforth, M't Allen, & M't Collicot are to set out the bounds between Dedham & Dorchester.

Ralph Mousall acknowledged his sin in subscribing the seditious writing, & desired to have his hand crossed out, which was yielded him.

Ezechiel Rich'dson, Rich'd Sprage, Edw'd Carington, Thom: Eaton, Ben: Hubberd, Will: Baker, Edw: Mellows, & Will: Frothingham, did all acknowledge their sin, & desire the same, & it was yielded them that their hands should be crossed out.

It was ordered, that the Courts, both the Generall & the Quarter Court, should be kept at Newetowne, until this Courte do take further order.

It was ordered, that two sufficient men should be kept in armes to attend & guard the Governor at the charge of the country.

It was ordered, that M't Endecott should give power [to] seize the goods of the Indians near M't Hawthorns farm until they discover who shot his cowe, and procure satisfaction or deliver the partie.

It was ordered, that every towne should have power to keep away all strange Indians, & to restrain Indians by them from ppfanning the Lords day.

The Court is adjourned untill the 20th of next./

It was ordered, that so much of the order (made the 10th month, 1636) as concerned sugar, spice, & fruite should be repealed; the rest of the order to stand in force; [it] not to extend to newe comers, for what they bring for their owne provision./

It was ordered, that the powder & ammunition of the counties now at Boston should be delivered halfe to Newetowne & halfe to Roxberry, to bee appointed by M't Dudley & M't Herelakenden.

It was ordered, that 1000l should be levied to pay the counties debts, & M't Cooke, Leff Sprage, M't Browne, Will: Parks, M't Dunkan, M't Colburn, & M't Woodbridg, Sam: Warde, & Thom: White were appointed to order the pportion to each towne./

*The proportions agreed upon this Court:—

For Boston, . . . . . . . . . . 149
For Newetowne, . . . . . . . 571
For Roxberry, . . . . . . . . 578
For Watertowne, . . . . . . . 72
For Salem, . . . . . . . . . . 120
For Ipswich, . . . . . . . . . 120
For Newberry, . . . . . . . . 455
For Meadford, . . . . . . . . 255
For Waymmouth, . . . . . . . 17

For Dorchester, . . . . . . . 2095
For Hingham, . . . . . . . . 2024
For Charlestowne, . . . . . 2092
For Linn, . . . . . . . . . . . 2072

Mr Eaton, . . . . . . . . . . 20980

1637.

315 November, Ralph Mousall, on his acknowledgment, had his name cross'd out. So did general others of Chrs T.

318—

Gei & Quer Courts to be kept at New Town. 20th.

29 November, R. Order made yr, 10 mo., 36, as to sugar, spice, repealed.

319—

Indians to be restrayned. 27th.

330—

Powder & ammunition to be kept at New Towne & Roxbury. 1000l. A rate of
1637.

20 November.
Mr. Humphrey's rate remitted.
Mr. Eaton left out of ye rat.
Mr. Duncan to train Weymouth soundings.
Law bringing arms to ye meeting house repealed.

Mr. Hunfrey his rate for this 1000l is remitted by order of Court, because hee hath bene formerly much overrated.

Mr. Eaton is left out of this rate, leaving it to his discretion what hee will freely give towards these charges.

It was ordered, that trainings should bee kept 8 times in a yeare, at the discretion of the cheife officers. Magistrates & teaching elders are allowed each of them a man free from trainings, & the deacons of the several churches are freed in like manner.

It was ordered, that Mr. Duncan should traine at Waymoth, & have 3s a time, & to see if Hingham bee prided of officers, & if not, hee to supply.

The order for bringing arms to the meeting house is repealed.

Wheares a great part of the cheife inhabitants of Watertowne have petitioned this Court, that in regard of their straitnes of accomodation, & want of medowe, they might have leave to remove, & settle a plantation upon the ryver whb runs to Concord, this Court, having repect to their necessity, doth grant their petition, &

It is hereby ordered, that Leiff Willard, Mr. Spencer, Mr. Joseph Weld, & Mr. Jackson shall take viewe of the places upon the said ryver, & shall set out a place for them by marks & bounds sufficient for 50 or 60 families, taking care that it bee so set out as it may not hinder the setting of some other plantation upon the same ryver, if there bee medowe, & other accomodations sufficient for the same. And it is ordered, further, that if the said inhabitants of Watertowne, or any of them, shall not have removed their dwellings to their said newe plantation before one yeare after the plantation shalbee set out, that then the interest of all such persons not so removed to the said plantation shalbee vovede & cease, & it shalbee lawfull for such as are removed & settled there, or the greater number of them, being freemen, to receive other persons to inhabite in their roomes, in the said new plantation; provided, that if there shall not bee 50 families at least there settled before the said time limited, that then this Court, or the Court of Assistants, or two of the councell shall dispose of the said plantation to any other. And it is further ordered, that after the place of the said plantation shalbee set out, the said petitioners, & such other freemen as shall joyn with them, shall have power to order the situation of their town, & the proportioning of lots, & all other liberties as other towns have under the priso aforesaid.

And it is lastly ordered, that such of the said inhabitants of Watertowne as shalbee accomodated in their newe plantation may sell their houses & improved grounds in Watertowne; but all the rest of the land in Watertowne not improved shall remaine freely to the inhabitants wh shall remaine behind, & such others as shall come to them.
And the said persons appointed to set out the said plantation are directed so to set out the same as there may bee 1500 acres of medowe allowed to it, if it bee there to bee had with any convenience, for the use of the townes.

Those that are to veiwe the newe plantation of Watertowne are desired to veiwe the place with Mr. Spencer desireth, & if it bee convenient, to certify the Court.

Mr. Burstin, Goo: Robert Martin, & Sgent Anthony Eames were appointed to measure three miles southward from the southermost part of the bay, & to run the east line into the sea.

Capt. Turner, Goo: Rich'd Right, Mr. Conant, & Goo: Woodberry are appointed to certify with bee the bounds between Salem & Saugust, with they formerly did agree vpon.

Saugust is called Lin./

It is ordered, that every man shall, within three dayes, give notice to the custable of the townes of any strays taken vp, & for every dayes neglect, to forfeit three shillings four pence.

Whereas the opinions & revelations of Mr. Wheeleright & Mr. Hutchinson have seduced & led into dangerous errors many of the people heare in Newe England, insomuch as there is inst cause of suspicion that they, as others in Germany, in former times, may, vpon some revelation, make some sallaine irruption vpon those that differ from them in judgment, for invention whereof it is ordered, that all those whose names are underwritten shall vpon warning given or left at their dwelling houses) before the 30th day of this month of November, deliver in at Mr. Cane house, at Boston, all such guns, pistoles, swords, powder, shot, & match as they shalbee owners of, or have in their custody, vpon paine of ten pound for every default to bee made thereof: with armes are to bee kept by Mr. Cane till this Court shall take further order therein. Also, it is ordered, vpon like penaltie of £1, that no man who is to render his armes by this order shall buy or borrow any guns, swords, pistoles, powder, shot, or match, vntill this Court shall take further order therein.

*The Names of Boston Men to bee disarmed.

The like order is taken for other townes, changing the names of those who shall deliver their armes, & keep them,

The names of Salem men to bee disarmed: Mr. Scraggs, Mr. Alfoot, Mr. Comins, Goo: Robert Moulton, Goo: King; to deliver their armes to Leiff Damfort.

The names of Newberry men to bee disarmed are, Mr. Duimer, Mr. Eason, Mr. Spencer; to bee delivered to the constable of the town.

The names of Roxbury men to bee disarmed are, Mr. Edward Denison, Rich'd Morris, Rich'd Bulgar, & Willi: Denison, Philip Sherman; to bee delivered to Goo: Johnson.

The names of Ipswich men to bee disarmed are, Mr. Foster & Samu: Sherman, wherin are to deliver their armes to Mr. Bartholomewe.

The names of Charltowne men to bee disarmed are, Mr. George Bunker & James Browne, who are to deliver their armes to Goo: Thomas Line.

It was ordered, that if any that are to bee disarmed acknowledge their sin in subscribing the seditious libell, or do not justify it, but acknowledge it will to two magistrates, they shall bee thereby freed from delivering in their armes according to the former order.

Two magistrates have power given them to excuse & exempt wholly from trainings any with they shall thinke meete.

Any that are excused from trainings are to pay for the vse of the company as two magistrates shall thinke meete.

Leiff Howe, being enioyed to traie the company at Linn, is prouided to have the fines, with all odd araverages of fines behind there.

The town of Roxbury is required to take order for the safe custody of Mr. Hutchinson; & if any charge arise, to bee defrayed by her husband.

This Court, being sensible of the great disorders growing in this commonwealth through the contempts with have of late bene put upon the civill author-
ity, & intending to provide remedy for the same in time, doth order & decree,
that whosoever shall hearafter openly or willingly defame any court of jus-
tice, or the sentences or proceedings of the same, or any of the magistrates or
other judges of any such court, in respect of any act or sentence therein passed,
& being thereof lawfully convict in any Generall Court, or Court of Assist-
ants, shall be punished for the same by fine, imprisonment, or disfranchise-
ment, or banishment, as the quality & measure of the offence shall deserve;

And whereas it may fall out sometimes that some of the magistrates, or
other judges, or members of the Courts, may transgress the limits of their
liberty & authority, it is therefore ordered, that if any magistrate, or other
member, of any Court shall use any repedfull or unbecoming speaches, or
behaviour, towards any of his fellow magistrates, or other judge, or member of
the Court, in the face of the Court, hee shall be sharply reproofed by theGov-
erner, or other principal judge of the same Court for the time being; & if the
quality of the offence shalbe such as shall deserve a further censure, or if the
person so reped shall reply againe without leave, the same Court may proceed
to punish any such offender by fine or imprisonment, according to their best
discretion./

Provided, always, that seeing the best judges may erre through igno-
rance or misinformation, wth if none should have liberty to advertize them of
might bee very juditiall both to their owne peace & also to the publike
weale, it is not therefore the intent of this Court to restraine the free use of
any way of God, by petition, or other private advertisement, nor the free use
of any lawfull publike meane, where private shall not prevale, for the refor-
mation of any such failing in any Court, or member of the same/

Whereas it hath appeared unto this Court, upon many sad complaints,
that much drunkennes, wth of the good creatures of God, mis-pence of precious
time, & other disorders have frequently fallen out in the inns, & common vic-
tualing houses wth in this jurisdiction, whereby God is much dishonored, the
persion of religion repached, & the welfare of this commonwealth greatly im-
paired, & the true use of such houses (being the necessary recefe of travellers)
subverted; for redresse herof it is now ordered, that after the last day of
this present month, it shall not bee lawfull for any person that shall keepe any
such inne, or common victualing house, to sell or have in their houses any wine,
or strong waters, nor any beere, or other drinke other then such as may &
shall be sold for 1/4 the quart at the most; & for this end none of those persons
(others then in such townes as for want of a common breweare shalbe allowed by
this Court, or by the Court of Assistants, or by two of the counsell) shall brewe
any beere to sell, but shall take the same of some common breweare, upon paine

1637.

Penalties for
members of
Court.

Penalties for
magistrates to
be punished, if
deserving.

Law ag' drunk-
enes.

Rep. 117.

*210.*
THE RECORDS OF THE COLONY OF

1637.

29 November.
Co[n]ion brewers.

Idlers not to remain in taverns.

Const. a.

To prevent extravagant in diet, &c.

Rep. (2d) 18:42.
Capt. Sedgwick likewise a brewer.

Bakers to be licensed.

Cakes & buns forbid vanced burials or marriages.

...to forfeit for every offence against this order. So. And it is further ordered, that no such co[n]ion brewer shall sell or v[ert]er to any inn or co[n]ion Victualling house, weth in this jurisdiction, any beare, or other drinke of any stronger size then such as may & shalbe afforded at the rate of 8sh. the barrell, up[n] paine of 20l for every offence against this order.

And it is further ordered, that no single man, or other person, inhabiting in this jurisdiction, shall lodge or remain in any such inn or co[n]ion Victualling house longer then for their necessary occations, up[n] paine of 20sh for every offence, both for the housekeeper & the person there abiding contrary to this order.

And for the better discovery & punishing of the said offences, it is ordered, that the cunstables of every towne shall make diligent search & inquiry of all the said offences, & have the same to the next Court, & for this end they shalbe charged therewith in their oaths.

And whereas complaint hath been also made that diverse pore people, who would willingly content themselues with meane dyot, are forced to take such dyot as is tendered them at 12l the meale or more, it is now ordered, that every keeper of such inn or co[n]ion Victualling house shall sell & alowe unto every of their guests such victualls as they shall call for, & not force them to take more or other then they desire, bee it never so meane & small in quantity, & shall afford the same and all other dyot at reasonable prizes, upon paine of such fine as the Court shall inflict, according to the measure & quantity of the offence.

Provided, that it may bee lawful for any such inkeeper or victualler to have in their houses some small quantity of strong water for their owne private & necessary use.

And because the co[n]ion brewers may the better bee houlden to the observation of this order, it is likewise ordered, that no person shall brewe any beare or other drinke to sell in gross or by retaile, but only such as shall be licensed by this Court or by the Court of Assistants, upon paine of 100l; & whereas Captaine Sedgwick hath before this time set vp a brew house at his greate charge, & very conimodions for this part of the countrey, bee is freely licensed to brewe beare to sell according to the size before licensed during the pleasure of the Court.

It is ordered, also, that no person shall sell any cakes or buns, either in the markets or Victualling houses, or elswhere, upon paine of xl fine; provided that this order shall not extend to such cakes as shall bee made for any burial, or marriage, or such like speciall occasion.
All former orders against swine are repealed. Every town wth in this jurisdiction shall have power to make orders for the preventing of the harming wth may come by swine in corn, meadow, pasture, or gardens, & shall have power to impose penalties to any reasonable valewe by their best discretion; & if any damage bee done by any swine, the whole town & shall make satisfaction, & answer the fine; but if the swine bee well & yoked, then the town where the trespass is done, for want of sufficient fencing, shall bee liable to all,

Provided, alwaies, that upon any such occasion of trespass, where the town shall bee put to pay any satisfaction or fine, the town may lay it upon the party offending if they can know them.

No man shall recover any satisfaction for any damage done by greater cattle, except their fences bee sufficient, & so the damage come by the varulices of the cattle/ 503.

In all corn fields wth are inclosed in coyn, every party wth is interested shall make good his parte of the fence, & shall not put in any cattle so long as any corn shall bee upon any parte of it, vpon payne to answer all the damage wth shall come thereby/ 503.

It is ordered, that 15l, wth is dew from the present Govr, of Mr John sons legacy to the country, (together wth 25l more to bee paid him out of the treasury,) shall bee set of for the losse bee had in corne in former payments. And it is further ordered, that he shall bee allowed for his publike charges, this yeare of his govern, 100l, & the same alowance to bee given to the succeeding Govr as a setted stipend/

Mr Staughton is granted to bee freed from rates for this yeare for his servis against the Peoits, & the yeare to bee from May, 1637, to May, 1638/

It is ordered, that the Secretary shall have 18l for the entry of every action, & 2sh for the making of every execution, & that in every town there should bee a copper of the lawes, & the cunstable to pay for them, & for the copper of every private order to have 6l/

It was ordered, that Mr Wilson should have 20l given him for a gratuity for going wth the souldiers against the Peoits/
A Declaration, sent the Coppey to Connecitcut, about the Pecoits Country, &
Quaquapiack.

Whearas it hath pleased the Lord, of his great mercy, to deliver into his hands of his enemies, the Pecoits & their allies, & that thereby the lands & places where they possessed are by just title of conquest fallen to vs, & of friends & associates, upon the river of Connecitcut, & whereas, by subduing those of enemies, not only of selves & of said associates have obtained rest & safety, but opportunity is also given for peacable habitation to all such as shall hearafter inhabit the lands of of said enemies, both at Pecoit & Quaquapiack, & the parts beyond towards the Dutch, wee do hereby declare the just right & title wherein selves & of said associates upon Connecticut have to all the said lands & territories; & with all it is of desire that of said associates (according to the articles of confederation agreed upon betweene vs) will bee pleased to appoint 2 commities, "sufficiently authorized, to give of commities a meeting at Newtowne so soon as the season of the yeare will puit, to consult & determine of the disposing & planting the said lands, & of setting downe an equal & ratabl portion towards the charges expended in the said warrs, to bee paid by all such as shall bee admitted to plant & inhabit the same, & that they will please to give vs convenient notice of the time of their coming, & consent of joyninge with vs in this consultation."

17th 9th mo.  p I. N., Secret.

To the Elders & Brethren of the Church of God at

Whearas complaint hath bene made to this Court that a different course is houled in the churches of this jurisdiction for raising a treasury for maintenance of ministers, & whearvpon some minisits are not so comfortably provided as were fitting, —

It is desired, that the severall churches will speedily inquire hearinto, & if neede bee to conferr together about it, & send some to advise with this Court at the next session thereof, that some order may bee taken hearin according to the rule of the gospyle.  p Cn.  Inc: Nowell, Secet.

Whearas it appeareth unto this Court that the inhabitants of the town of Newberry are indebted to diverse psions neare the suime of 60l, with hath bene expended vpon publike & needfull occations for the benefit of all such as do or shall inhabit there, as building of houses for their ministers, & whereas such as are of the church there are not able to beare the whole charge, & the rest of the inhabitants there do or may enjoy equall benefit thereof with them, yet they do refuse, against all right & justice, to contribute with them, it is there-
fore ordered, that the freemen of the said town, or such of them as vpon pub-
like notice shall assemble for that end, or the greater number of them, shall
raise the said sume of 60\(^t\), by an equall & pportional rate of every inhabitant
there, havving respect both to lands & other personall estate, as well of such as are
absent as of those that are dwelling there f\sent, & for default of payment shall
have powr to levy the same by distres & sale thereof by such person as they
shall appoint; & the same, being so collected, shall satisfy their said debts, &
if any remainder bee, the same to bee implied vpon other occasions of the
towne/  

*For as much as this Court hath bene informed of great dissentions grown
in the town of Waymoth, through the procurement of some contentious poons,
for the speedy redresse thereof, it is ordered, that the Go\'nor or Deputy
Gove\'no\', being assisted wth some other of the magistrates, shall fourth wth call
before them such parties as they shall thinke fitt, & shall take such course for
the peace of the town & the well ordering of all affaires there, as to their wis-
domes shall scene most expedit/  

Edward Michelson, being appointed marshall of the Court, is appointed to
have for any execution 12\(^t\) in the pound for the first ten pounds, & 6\(^t\) in the
pound to 40\(^t\), & aft\(^t\); 3\(^t\) in the pound to a hundred pounds, & 1\(^t\) in the
pound for all above 100\(^t\), to bee paid out of the estate wth the execution is
served vpon. For every attachment of goods or persons the m\'shall is to have
2\(^t\) 6\(^t\); & if hee goeth any way, hee is to have 12\(^t\) a mile beside/  

And the marshall is to have 2. 6\(^t\) for every comitment in Court, & 10\(^t\)
stipend for this yeaere to come/  

Rich\'d Bracket is appointed to keepe the prison, & hee is to have 13\(^t\) 6\(^t\)
8\(^t\) stipend & his vales, & the house, (so soone as Goo : Pe\' can bee otherwise
provided for;) & if hee do not accept it, it is in the power of the counsell to
pride another, for wch hee is to bee at the commandment of the magistrates for
any special service/  

For the collidge, the Governo\', M\' Winthrope, the Deputy, M\' Dudley,
the Treasurer, M\' Bellingham, M\' Humfrey, M\' Herakeuden, M\' Staughton,
M\' Cotton, M\' Wilson, M\' Damport, M\' Wells, M\' Shepheard, & M\' Peters,
these, or the greater part of them, whereof M\' Winthrope, M\' Dudley, or M\' Bellingham, to bee alway one, to take order for a collidge at Newtowene/  

M\' Abraham Palmer, Rich\'d Wright, Capt\' Turner, & Capt\' Traske, or
three of them, are appointed to lay out the bounds of M\' Humfreys farmes/  

Mount Woollaston is to bee bounded by the Blew Hills, and the rest is
to bee to Dorchester, to go to the bounds of Plimoth/
218 THE RECORDS OF THE COLONY OF

1637. It is ordered, that there should bee 10sh a pece allowed for such wolves as are killed.

And it is ordered, that there should bee 2sh a pece allowed for such foxes as are killed.

[*214] At a Quarter Court, held at Newetowne, the 5th Day of the 10th M,
(© 1637.

I"sent, The Governo", Mr Herlaconden,
Deputy Gov"no, Mr Staughton,
Mr Bellingham, Increase Nowell.

WHEREAS there came into this Courte Rich'd Browne, of Watertowne, on the behalfe of John Woolcot, & William Curtis, of Roxberry, & by mediation of the Court the said Willi: Curtis was willing & did agree to pay unto the said Rich'd Browne 5. 10^, w^h hee was indebted to one John Jesop, now out of this jurisdiction, in satisfaction of 5. 10^ dewe by the said Jesop to the said John Woolcot, this Court doth order that vpon payment of the said 5^ 10^ by the said Curtis, the said John Woolcot, & the said Rich'd Browne, & their executor's shall bee alwaies lyable to save harmless the said Willi: Curtis against the said Jesop for the said 5^ 10sh till a sufficient discharge bee oth'wise had from him.

Luke Henberry, being convicted of theft, was censured to bee severely whipped, & for running away.

The inventory of Henry Harwood, of Charlstowne, was presented to this Court, being 46^ 17^ 8^, & the debts 4^.

Edw^d Conv^se, Rob^t Long, & Rob^t Hale were the appraisers.

The inventory of Joane Drake, w^h a coppy of her will, was presented to the Court, being 28^ 1^ 5^.

Willi: Chees-bro, James Penniman, & Willi: Huet were the appraisers. She gave 1/4 of her goods at Boston in N. E. to John Nott; to her sister Douglas 2^; to her nephew, to whom shee was a witnese, 20^, to buy him a Bible; the rest of her goods heare in Newe England to Samuell Bellingham, & all her goods in Ould England shee gave them equally between her two sisters there.

The disposing of these shee leveth to her m^, as executor.

There is 5sh damages granted George Woodward, to bee paid by Willi: Dinely, who summoned him to appear at this Court, and causing him to attend, did not psecute ag^ him.
There is 13s 4d damages granted Sam: Freeman, to bee paid by John Gay, who summoned him to appear at this Court, and causing him to attend with 2 witnesses, p:ecuted not against him.

*At a Quarter Court, held at Newetoun, the 6th of the First Month, @ 1637–1638.

Present, The Governor, Mr. Herlakenden, Mr. Bellingham, M' Stoughton, Increase Nowell, M' Humfrey,

JOSEPH FABER, being complained of for selling of wine without order, Jose Faber, was fined 10s for sel'g a gallon.

Angell Hollard, being p:ecuted for a libell, acknowledged his fault of himself volentarily, & was fined 20sh.

Clement Briggs is bound in £l for his wife's appearance at the next Quarter Court.

The presentment of Arthur Warren, for keeping company with Clement Briggs wife, was found to bee true.

Lawrence Waters is bound in £l for his wife's appearance at the next Quarter Court.

Leift Howe is bound in 20s to appear at the next Quarter Court.

The sale of Mr. Gurlings land by Mr. Benjamin & Mr. Joseph Weld to Mr Andrews, is confirmed, & appointed to bee laid out by Mr Damfort, Mr. Colebran, and Goodin Bridge.

John Woolridge, appearing vpon the indictment of the grandiury, confessed his fraude & drunkennes in Ould England, for with hee was sharply reproved & seriously admonished.

Christopher Grant, appearing vpon presentment for being in company, & drinking more then was convenient, was fined 5s.

Henry Bright, appearing, was dismissed.

Nicholas Bushey not appearing, an attachment was granted against him to appeare at Boston, the 22th presentment, at Boston.

John Smyth not appearing, attachment was granted against him to appear at Newetoune the 27th presentment.

Thomas Starr being accused for speaking against the order of Court about swine, & the same prcd that hee said the law was against Gods law,
1637-8. and hee would not obey it: so hee was comitted, & enjoyed to acknowledge his fault the 14th at the General Court, & was fined 20$, & to give security for his fine, or pay the same before his release.

Attachment was granted agst Nic. Theale to appear the 4th m.
Attachment was granted agst Edward Lambe to appear the 4th m.
Attachment was granted agst John Bennet.
Attachment was granted agst Philip Dcare.

Tho. Evar, constable of Charlestown, was chosen constable of Charlestowne, & took his oath to discharge the said office (God help!) the 24th, first m.

[*216.]*

* A General Court, held at Newelowne, the 12th Day of the First Month, 1637 or 1638.

Present, The Governor, The Deputy Gov', Mr. Israel Stoughton, Mr. John Winthrop, Jumi,
Mr. John Endecott, Mr. Rich: Saltonstall,
Mr. Rich: Bellingham, Mr. Symon Bradstreete,
Mr. John Humphrey, & Increase Nowell.

Deputies,
Mr. John Woodbridge, Mr. Natha: Duncan,
Mr. William Bartholomew, Mr. John Glover,
Rob't Lord, Mr. Thomas Joanes,
Mr. Edward Howe, Mr. Atherton Hoffe,
Mr. Tym: Tomlins, Mr. John Newgate,
Mr. Rich'd Browne, Mr. John Oliver,
Mr. Thom: Mayhewe, Capt. Ro: Sedgwick,
Mr. Bryan Pendleton, Leif: Ra: Sprage,
Mr. William Spencer, Ensigne Abr: Palmer,
Mr. Joseph Cooke, Steven French,
Mr. Rich'd Jackson, Rich'd Adams,
Mr. Joseph Isaack, Samu: Warde,
John Johnson, Anthony Eames,
Ensigne Weld, John Woodberry,
Willi: Parks,

The constables of Boston, Dorchester, & Hingham are fined ten shillings a piece for not returning their warrants with their deputies names under the constables hands.

It is refered to Mr. Caine, Capt. Sedgwick, Capt. Cooke, Mr. Duncan, & John Johnson, these, or any 4 or 3 of them, to take care to fetch the a\*m\-
nition from Castle Island, & dispose of it, & to do what else they think
meet about the settling of things there, by the last of the second month,
called April; & for the effecting of this, these aforementioned have power
granted them to possess men & boats for that business

The freemen of Concord, & those that were not free, wth had hand in
the vndew election of Mr. Flint, are fined 6.8  a pece

The order for allowance to bee made for losse in corne, formerly re-
ferred, is to bee voyde wthin 14 dayes, & no allowance is to bee made after 14
dayes for any damage sustained thereby

The lawe for impositions to bee paid vpon wine & strong water is
repealed; & it is ordered, that every towne shall present a man to bee allowed
to sell wine & strong water made in the country, & no other strong water
is to bee sold.

These under written are allowed to sell wine & strong wat':

For Boston,  Fairbanks ; for Charlestowne, Thom : Line
For Salem,  Gotte ; for Newetowne, Mr. Damport
For Roxberry, Willi: Parks ; for Concord, Leif Willard
For Ipswich, Mr Symonds ; for Watertowne, Loverell
For Neweberry, Edw  Woodman ; for Dorchester, Mr Natha : Duncan
For Hingham, Thomas Loringe. No man else is to sell by retail either
sack or strong water, without license from the counsell.

Mr John Russell was chosen, & sworn surveyor of the armes for New-
etowne, the 14th of the first month.

Concerning the remove of Watertowne, the Court thinketh meet they
should have libertie to sell their allotments in Watertowne, & they are to
give their full answear the next Court, whether they will remove to the newe
plantation, & John Oliver is put in the roome of Rich'd Jackson to lay out
the said plantation, wth they are to do before the next Court.

It is ordered, that all great cattle shall bee hearded, & they that plant are
to secure their corne in the day time; but if the cattle do hurt corne in the
night, the owners of the cattle shall make good the damages

The request of the militiar comission is refered to the counsell

Ralph Mousall & Rob't Hale were desired to valewe the house, & house
plot, wth James Penn hath lived in, what it is worth more then the 30
already paid, wth they valewde at 10l. wth, wth the byll of dyot, amounting to
20l. 10l, was ordered to bee allowed Ja: Peñ/

Ezechiel Holliman appearing upon suomons, because hee did not frequent
the publike assemblyes, & for seducing many, hee was refered by the Court to
the ministers for conviction
The fine of Thomas Starre was moderated to 5l. with is to bee discounted out of his wages for the voyage against the Peocots.

Mr. Henry Seawalls busines & difference with the towne of Neweberry is referred to Mr. John Winthrope, Junior, Mr. Rich'd Saltonstall, & Mr. Symon Bradstreete, to heare & to certify how they find the case to the Generall Courte.

The Court, upon Captaine Patricks petition, gave him 7l, to make his allowance equall with Captaine Trasks, for the time of three months, with hee was implied against the Peocots.

There is a grant of 1000 acres of land granted to Mr. Mathewe Cradock, where it may bee had without prejudice to any plantation or former grants, in the judgment of the Courte.

Also, there is granted to Mr. Cradock 500 acres of land more for such servants as hee shall appoint it vnto, twenty miles from any plantation, without prejudice to any plantation.

Also, there is 1000 acres of land granted to Sr. Rich'd Saltonstall, where it may not prejudice any plantation granted, nor to bee granted.

All grants of lands are to take place as they were granted.

For the well ordering of these plantations now in the beginning thereof, it happening been found by the little time of experience wee have heare had, that the want of written lawes have put the Court into many doubts & much trouble in many particular cases, this Court hath therefore ordered that the freemen of every towne (or some part thereof chosen by the rest) within this jurisdiction shall assemble together in their several towne, & collect the heads of such necessary & fundamentall lawes as may bee suitable to the times & places where God by his prudence hath cast vs, & the heads of such lawes to deliver in writing to the Governo for the time being before the 5th day of the 4th month, called June, next, to the intent that the same Governo, together with the rest of the standing counsell, & Rich'd Bellingham, Esq', Mr. Bulkley, Mr. Philips, Mr. Peters, & Mr. Sheopard, elders of several churches, Mr. Nathaniel Ward, Mr. Will: Spencer, & Mr. Will: Hauhorne, or the major part of them, may, upon the survey of such heads of lawes, make a comprehens abridgment of the same by the Generall Court in autumne next, adding yet to the same or detracting therefrom what in their wisdomes shall seeme meete, that so the whole worke being plocted to the best of their skill, it may bee sent to the Generall Court for confirmation or resection, as the Court shall adudge.

And it is also ordered, that the said persons shall survey all the lawes & orders already made, & reduce them into as fewe heads as they may, & sent them vnto the Generall Court for approbation or refusall, as aforesaid.
THE MASSACHUSETTS BAY IN NEW ENGLAND.

Whereas there hath been divers complaints made concerning oppression in wages, in prizes of commodities, in smiths worke, in excessive prizes for the worke of draughts & teames & the like, to the great dishonour of God, the seandoll of the gospell, & the greif of divers of Gods people, both heare in this land & in the land of of nativity, the Court, taking into consideration, hath ordered it, that it shall bee duly considered by Mr Endecott, Mr Bellingham, Mr Herlaenden, Mr Winthope, Junior, Mr Saltonstall, Mr Bradstreete, Mr Staughton, Mr Peters, Mr Noise, Mr Rogers, Mr Norton, Mr Colbette, Mr Simes, Mr Sheopard, Mr Philips, Mr Bulkley, Mr Wilson, Mr Elliott, Mr Mather, Mr Hubberd, Mr Hall, Mr Woodman, Mr Edward Howe, Leift Sprage, Mr Rich'd Browne, Mr Willi: Spencer, Isaack Heathie, Willi: Smythe, & Sam'l: Ward, whom the Court hath desired in that particular, & to bring into the next Generall Court their thoughts for the remedying of the same/

It is ordered, that at every Generall Court (the Court being called) there shall bee a commite first chosen out to hear & determine of all particular petitions & suites, & of other private business, rules the commite so chosen shall see it mee to bring the cause to the whole Court.

*Mr Willi: Coddington, Mr John Coggeshall, Geo: William Bankston, Edward Hutchinson, Samuell Wilbore, John Porter, John Compton, Henry Bull, Philip Shearman, Willi: Freeborne, & Rich'd Carder, these having licence to dep't, sumons is to go out for them to appear (if they bee not gone befo're) at the next Court, the third month, to answear such things as shall bee objected."

The Forme of the Sumons or Warrants.

Whearas yo have desired & obtained licence to remove yo'selues & yo families out of this jurisdiction, & for that information hath bee given to the Court that yo intent is onely to withdraw yo'selues for a season, that yo may avoyde the censure of the Court in some things wh may bee objected against yo, the Court doth therefore order that yo may depart according to the licence given yo, so as yo families bee removed before the next Generall Court; but if yo families bee not so removed, then yo are to appear at the next Court, to abide the further order of the Court hearin'/

Of Mount Wulfalstone A: Randoll, Henry A: & John Johnson, Mr Coddingtons men, of Newberry Mr Nico: Eason, of Salem Francis Weston, Rich'd Waterman, Thon: One, & Stewkely Waskote, are to appear also, if they bee not removed before the next Courte/

The m'shall, taking with him a cowper, shall, with convenient speede, give notice to the custable of every towne to require all the inhabitants there to be tried.
1637-8. bring their measures & weights to a certaine place, & at a certaine day; & then, with the assistance of the said constable, hee shall try all the said measures & weights, & make them even, & so set a scale vpon them; & for his paines hee shall have of the owner of the weight or measure two pence for evry measure, & a penny for every weight or yard, that is defective or too great; & if any weight or measure bee so defective as hee cannot amend it, hee is to breake or defeace it; & whatsoever shall sell by any other weight or measure, hee shall bee punished by the discretion of the Court where it shall bee complained of/

Wheareas a letter was sent to this Court, subscribed by John Greene, dated from Newe Prvidence, & brought by one of that company, wherein the Court is charged with surpising the power of Christ over the churches & mens conscienties, now standing hee had formerly acknowledged his fault in such speaches by him before used, it is now ordered, that the said John Green shall not come into this jurisdiction vpon paine of imprisonment & further censure; & because it appears to this Courte that some other of the same place are confident in the same corrupt judgment & practice, it is ordered, that if any other of the inhabitants of the said plantation of Prvidence shall come within this jurisdiction, they shall be apphended & brought before some of the magistrates; & if they will not disclaim the said corrupt opinion & censure, they shall be commanded presently to depart ; & if such person shall after bee found within this jurisdiction, they shall be imprisoned & punished as the Court shall see cause.

It is ordered, that Mr. Treasurer, Mr. Saltonstall, Mr. Duncan, Mr. Mayhowe, & John Oliver should bee comitteds to consider of a levy, petitions, & other trivall matters.

*Ensigne Cakebread, appearing, satisfied the Court, & was discharged.*

Jane Hawkins, the wife of Rich'd Hawkins, had liberty till the beginning of the third in, called May, & the magistrates (if shee did not depart before) to dispose of her; & in the mean time shee is not to meddle in surgery, or phisick, drinks, plaisters, or oyles, nor to question matters of religion, except with the elders for satisfaction.

Robt Potter, appearing, had liberty till the next Court, in the beginning of the 3rd month, called May, being bound in 20l to appear then, & referd the meane while to the church of Roxberry.

There is due from Mr. Blackleach to the country, for wine bought & sold by him, four pounds, three shillings, & 4l.

There is due from Mr. Holgrave to the country, for wine bought & sold by him, thirtie three shillings & four pence.
There is due from Mr. Pester to the country, for wine bought & sold, fortie one shillings & eight pence.

Henry Kingman, the ferrierman of Weymuth, is granted for this year to take two pence a piece for transportation of people.

Capt. Sedgwick, John Johnson, & Mr. Rob't Kayne are desired to speake wth Mr. Peters & Mr. Peirse about theprices of the coates & armes wth the country had the last summer.

It was ordered, that a levy of 1500l should bee levied wth convenient speede. To raise the said levy, these are the proportions agreed upon: —

<table>
<thead>
<tr>
<th>Town</th>
<th>Levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boston</td>
<td>619 00 00</td>
</tr>
<tr>
<td>Dorchester</td>
<td>140 00 00</td>
</tr>
<tr>
<td>Hingham</td>
<td>138 00 00</td>
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<tr>
<td>Ipswich</td>
<td>180 00 00</td>
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<tr>
<td>Lynn</td>
<td>105 00 00</td>
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<tr>
<td>Charlestown</td>
<td>138 00 00</td>
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<tr>
<td>Mr. Theophi Eaton</td>
<td>20 00 00</td>
</tr>
<tr>
<td>Salem</td>
<td>172 10 00</td>
</tr>
<tr>
<td>Weymouth</td>
<td>927 00 00</td>
</tr>
</tbody>
</table>

The total is, 1500 10 00

This was agreed upon by Mr. Mayhew, Mr. Cooke, Leiff Sprage, Mr. Newe-gate, John Johnson, Mr. Duncan, John Woodberry, Anthony Eanes, Rich: Adams, Mr. Edward Howe, Rob't Lord, & Mr. Woodbridg, who were appointed a committee for that end.

Leiff Edward Gibons, appearing, satisfied the Court, & was discharged.

Edward Hutchinson, Junior, is bound in 40l that none but such as the counsell shall give leave to shall come to Mr. Hutchinson; & she to remaine at Mr. Cottons vntill further order.

Thom: Hawkins, acknowledging his fault in his vvereverent speaches in the Court to a member of the Court, was discharged.

It is ordered, that the 3 adulterers, John Hathaway, Rob't Allen, & Margaret Scale, shalbee severely whipped, & banished, never to returne againe, vpon paine of death.

The law against adultery made by the particular Court in October, 1631, is confirmed, that whosoever lyeth wth another mans wife, both shall bee punished by death; & this is to bee promulgated.

It was ordered, that a committee should bee chosen to supply men that want land, & have deserved it.
About Mrs. Hutchinson. It is ordered, that she shall be gone by the last of this month; & if she be not gone before, she is to be sent away by the counsell, without delay, by the first opportunity; & for the charges of keeping Mrs. Hutchinson, order is to be given by the counsell (if it be not satisfied) to levy it by distress of her husband's goods./

*The Court desired that the 12th day of the 2d month, called April, being the 5th day of the week, should be kept a day of humiliation in the several churches, to intreat the help of God in the weighty matters where are in hand, & to divert any evil plots which may be intended, & to prepare the way of freinds which we hope may be upon coming to vs./

Capt. Gennison, appearing, satisfied the Court, & was discharged./

Mr. Roberte Longe had the 7d. 10s. remitted him which was put upon him the last Court./

It is ordered, that the marshall shall have 3s. 6d. for any execution that is under 3d./

James Pemberton is referred to the comitie of the next Court about the ground which he had at Nantascot./

Mr. Samn: Coales fine is respited till the next Court, & he hath liberty to sell his house for an inne./

Ensign Harding had liberty granted him till the next Court, the third month, called May./

It is agreed, that Mr. Humfrey shall enjoy the whole plain on the east side of the pond, & the plain also at the north end, to the length of a half a mile full, or more if the said plains stretch further, not exceeding a mile that we intend; also, three quarters of a mile on the westerly side of the pond, because the medowes there lying may bee within the said Mr. Humfrees his owne ground, and on the south side of the pond to enjoy the upland & medowes, which that meadow which is called by the name of Stones Meadow, & the said upland, which is a hill, not very broad, beyond Stones Meadow, so called, to part the said ground of Mr. Humfrees from Linn townes medowes, layd out to the inhabitants thereof, all which said ground to bee his owne, as plains, rocky ground, meadows, or swamps./

WILL: TRASKE.
NATHA: TURNER.
RICH'd WRIGHT,
ABRAH: PALMER.

It is agreed, that Mr. Humfrey his ground shall begin at the cliff in the way to Marble Head, which is the bound betwixt Salem & Linn, & so along the line between the said townes to the rocks, one mile, by estimation, to a great
red oake marked, from w'h the said marked tree, all vnder & over theise rocks 
upon a straignt line to the ruing brooke by Thomas Smyths house, all the 
wh said ground wee allow him for his owne, & so from Thomas Smyths to the 
sea, in case the ground appears to bee Mr Humfreys w'h Thomas Smyth & Willi: Wytters houses stands, w'h the ground w'h they have broken vp by 
their houses. By the ioynt agreement of  
WILLI: TRASKE,  
NATHA: TURNER,  
RICH'D WRIGHT,  
ABRAH: PALMER.

* A Generall Court, held at Newcounve, the 2d Day of the 3d M, 1638,  
for Elections.

Present,  
The Governo',  
The Deputy Gov',  
Mr Endecot,  
Mr Bellingham,  
Mr Herlakondon.

Deputies,

Mr Atherton Hoff;  
Mr Robt Kayne;  
Mr John Olyver;  
Capt Robt Sedgwick;  
Leift Ralph Sprage;  
Ens: Abr Palmer,  
Mr Rich Browne,  
Mr Thom Mayhewe,  
Mr Bryan Pendleton,  
Isack Heathc,  
John Johnson,  
Willi: Parks,  
Joseph Cooke,  
Rich'd Jackson,  
John Bridge,  
Mr Samu: Symonds,

Mr Saltonstall,  
Mr Bradstreete,  
Mr Staughton,  
Iner: Nowell.

Mr Willi: Bartholme",  
Mr Natha: Duncan,  
Mr John Glover,  
Willi: Gayler,  
John Vpham,  
Henry Kingman,  
Mr Willi: Hawthorne,  
Edmond Bater,  
Mr Edw: Howe,  
Tymo: Tomlins,  
Mr Thom: Flint,  
Leift Willard,  
Mr John Woodbridge,  
Mr Edw: Rawson,  
Mr Joseph Andrews,  
Nich: Baker.

Mr JOHN WINTHROPE, Senior, was chosen Governo' for the yeare 
ensuing, & did take the oathe to his place belonging/

Mr Thomas Dudley was chosen deputy for the yeare ensuing, & did 
take the oathe to his place belonging/
Mr Rich'd Bellingham, Mr Roger Herlakenden, Mr Rich'd Saltonstall, Mr Symon Bradstreete, Mr Israel Stoughton, & Increase Nowell were chosen Assistants for the yeare ensuing, & each of them tooke the oath to their place belonging;

Mr John Humphrey & Mr John Winthrop Junior, were chosen Assistants, but being absent could not take their oaths.

Mr John Oliver was appointed, instead of Mr Danford, who is dead, to set out the bounds between Dedham & Dorchester the 14th 3d m. 1638, & to set out the 300 acres for the farme wth Dedham men did purchase.

Mr John Oliver, Mr Abraham Pahner, & Gooden John Bridge were appointed to set out the bounds betwene Watertowne & Concord, & between Watertowne & Dedham, & to marke the bounds betwene Watertowne & Newetowne, & to lay out Watertowne, their 8 miles granted them, or if they cannot enjoy their 8 miles, to allow them satisfaction, wth wh they peace to rest fully satisfied, & never to meddle more about the difference between them & Newetowne.

Mr John Humphrey is remitted his rate to the last 1500$ levy.

Mr Willi: Spencer is granted 300 acres of ground beyond Concord, by the Alewife Ryver.

The order made the 10 m. 1636, 321, about watches & a ward on the Lords day, is renewed, & confirmed to bee for continuance 15o year to year, all but the last clause, about carrying armes to the meeting houses, wth is refered to the pitcular townes.

The order against entertaining any above 3 weeks without licence (made the 3d m. 1637) is confirmed from henceforward for a constant lawe.

The 500$ debt to c° brethren of Newetowne is appointed to bee paid by the rates of Ipswich & Salem, so far as they will go.

It is ordered, that evy town shall bee the charges of their owne magistrates & deputies, & to allow for a magistrate 3° 6d a day, & for a deputy 2° 6d a day, from the time of their going out to the Court untill their returne, for their dyot & lodging.

It is ordered, that Newetowne shall henceforward be called Cambrige.

It is ordered, that all fines wth stand upon record, attachments to bee granted, & given to the marshall to distraine for them.

Samuell Cole, Rob'd Louge, & Willi: Baulston are fined 20$ a piece for selling beeze at 2d a quart.

Whereas the major part of this Court hath exp'sd themselves unwilling to charge the country further wth the finishing & maintaining of the fort at Castle Haund, & yet understanding that there are many in the country are
willing & desires that the said fort should bee yet vpheled & manned, it is therefore ordered, that if the aforesaid pieces that are so willing & desires that the said fort should bee yet vpheled, shall saffe the counsell within 8 dayes that they will bee at such charges for the manning & maintaining of the said fort till the next Generall Court as shalbee disbursed thereupon, & as the counsell shall see cause to appoint, that then the said fort shall bee so disposed of. And if the next Generall Court shall see cause to maintaine & vpheled the said fort longer, then this charges & that wch shalbee after shalbee borne by the publicke. *But if particular men will not undertake the defraying of the charges of the said fort, upon the consideration before expressed, then the order of the last Court for the fetching away ordinances, &c, shall immediately be executed by Mr Stoughton, Capt Cooke, Ensigne Palmer, John Johnson, & Mr Glover."

It was ordered, by this present Court, that John Winthrop, Esq, the present Governo", shall have 1200 acres of land, whereof 1000 was formerly granted him, & Thomas Dudley, Esq, the Deputy Governo", his 1000 acres granted to him by a former Court, both of them about 6 miles from Concord northwards; the said Governo" to have his 1200 acres on the southerly side of two great stones standing near together close by the ryver side that comes from Concord, & the Deputie Governo" to have his thousand acres on the northerly side of the said two great stones, (wth stones were lately named the Two Brothers.) The Deputie Governo" is to run a line easterly from the said stones, so that hee may take in a meadowe on the other side of a hill, & so to extend his thousand acres as far as hee will & as the thousand acres will beare, & the Governo" to ioyne in the said line running easterly, & to extend his lot as far as hee may, & as his twelve hundred acres will beare, wth 2200 acres are by this Court established to the said pieces severally, & their severall heires/

There is ten acres of land granted to James Pemberton, part of it the land formerly planted by him, & the rest ioyning to it at Nantascot./

The towne of Roxberry is granted four thousand acres of land where it may bee layde out wthout prejudice to any plantation or former grannts, beca Dedam doth shorten them."

Robt Potter, appearing, was enjoyned to appear at the next session of this Court, vales hee bee wth his family removed out of the plantation before/

The Court is adjourned to the 7th of the 4th mo, being the 5th day of the same weeke in wth the Quarter Court is."

The 19th 31 month, 1638, Mr George Bunker, being chosen one of the constables of Charlestowne, tooke his oath to that place belonging, before me, Increase Nowell/
The 20th 6th, 1638, Will.: Brandenborow being chosen constable of Charle-towne, in the roome of Thoma: Ewar, did take his oath to that place belonging, before me, In.: Nowell.

*The 8th 4th Month, at 1638.*

These 4 gentlemen after named, Mr. John Humfrey, Mr. John Winthrop, Junior, Mr. Atherton Hoffe, & Mr. Edw. Rawson, were fined 5sh a piece for their absence when the Court was called,

Mary Joanes was sentenced to be taken care of by the country, & at the countryes charge.

The 100' 16' 3' expended about furthering the fishing, the Court in curtesy consented to heare it.

Those that had their bills signed in Ipswich & Salem, before the last order, may stop their rates in theire owne hands.

Edward Converse, appearing, was admonished to bee more carefull of the fishing, & enioyed to man two boates, one to lye on the one side, & the other on the other side, except the wind were so high that they were forced to put foure men to man one boate, & then one boate to serve; onely hee is enioyed to pay Mr. Rauns sons fine, & so is discharged.

For a full end of all difference betweene Watertowne, Concord, & Dedham concerning the bounds betweene the said townes, it is ordered, that Watertoune 8 miles shalbee extended vpon the line betweene them & Cambridge so far as Concord bounds will give leave, & that theirs bounds by the ryver shall run 8 miles into the countrey in a straight line, also as the ryver doth for the most part run, & so to take in all the land of that side of the ryver w'th will not fall into the square of 5 miles granted to Dedham, & that the neck on the same side of the ryver neare to Dedham towne shalbee cast into the said square of 5 miles to make vp the same, so as the said square is to bee accounted by the quantity, & not by the section, because the place will not heare it, & that their 8 miles from Watertowne meeting-house shalbee by a line betweene both the other lines.

The 16th of the 3th Month, 1638.

Wee, whose names are underwritten, being appointed by this Court to rectify the bounds betweene Roxberry & Dedham, (together w'th the lands purchased by Dedham,) have fully agreed concerning them by drawing an equall line of division by marked trees & stakes, w'th is corrected from the southeast side of Roxberry bounds by a straight northwest line running till it touch vpon Charles Ryver. Furthermore, in consideration of some straightnes at the westemost end of Roxberry bounds, by reason of the course of the
rivers, it is mutually agreed, that a portion of meadow shall belong unto Roxberry, \( \text{w}^* \) is to extend northwards towards the northeast upon Roxberry, & is bounded towards the southeast by certain trees from the line of division aforesaid, (comprehending a narrow slip of upland,) unto a point of upland on the brows of the marsh, & from thence by the northernmost point of a little hill of upland in the marsh straight on to the river.

EDW: ALLEYN,
GEO: ALCOCK,
JHN OLIVER.

* 385 The 17th of the 3d M°, @ 1638.

Wec, whose names are underwritten, being appointed by this Court to rectify the bounds between Dedham & Dorchester, have agreed to strike the head line of Dorchester from a marked tree by a fresh brooke, (now commonly called Huggins Brooke,) to a certain stake upon Dorchester plain towards the top of the great Blew Hill,

& to run from the stake aforesaid upon a straight line southwest to another stake at the entrance of the great ragged plain, & there set off toward the southeast 10 rods upon another stake, from whence it runsth again, upon a straight southeast line, to a small tree marked, standing about the middle of the plain aforesaid; & from thence the line is varied one point southerly to a certaine stake upon the brow of a little hill in sight, & so to run as the line of partition between the said townes of Dorchester & Dedham, to extend to Plimoth bounds.

EDW: ALLEYN,
RICH LD COLLECOTT,
JHN OLIVER.

The Court agreed to allow 100\(^{1}\) p ann of the maintaining of the fort; but not to exceed, to bee ordered by the counsell & the magistrates of the Bay.

The military company of Boston may present 2 or 3 to the counsell, to choose a captain out of them, if the counsel like it.

It is ordered, that the magistrates of Ipswich shall have power to discharge Mr Eason & Mr Geoffry from building at Winneconnet, & if they will not take warning, to clear the place of them.

The counsell have power to dispose some small quantity of powder to such townes as need.

Capt Keayne & the military comp. have power to exercise whear they please, & to make use of so many of the common arms as they need. And a warrant from any of the counsell is sufficient for the delivery of them unto Capt Keayne, or such as he shall appoint.
1 6 3 8.

Salem is to keep their peculiar Courts with the magistrates, & such as were before appointed, only Mr. Ballard is chosen in the room of Captaine Turner.

Ipswich to have, with the magistrates, Mr. Symonds, Mr. Woodbridge, & Mr. Hubberde.

It was ordered, that there should bee 200l levied out of the severall plantations, & this according to the proportion of the last rate, to bee paid within a month, & the Secretary to ha' pow'r to send out warrants, & take the accounts.

Rob't Potter appeared.

It was agreed, that the measures should bee made according to the water measure, that is, according to the bottom of the notch in the brasse standard.

The Courts are transferred to Boston.

[†225.] *At a Courte of Assistants, held at Cambridge, the 5th Day of the 4th M', @ 1638, being a Q'ter Courte.

P'sent, The Governor, Mr. Stoughton,
Deputy Governor, Mr. Bradstreete,
Mr. Endecott, Mr. Herlakonden,
Mr. Bellingham, Incer: Nowell,
Mr. Saltonstall,

Mr. Skeltons estat. set.

It was ordered, with the consent of Mrs. Baggerly, that the increase of Mr. Skeltons cattle should bee divided according to Mr. Skeltons will, & that the goods & household stufte with belongs to the 3 eldest childr'n should bee divided by some of the church of Salem, & committ to the church of Salem.

Rich'd Collicot & John Buslin were fined 6l 8s a peece for absence when the Court sat in the afternoon, being jurymen.

Mr. Willard & Mr. Spencer are ioyned with others, formerly appointed about Mr. Gurlins land.

Difference between Mr. Whit & Mr. Woodcot referred.

Mr. Rich'd Bellingham, Increase Nowell, & Mr. Mayhew are appointed, they or any two of them, to examine witnesses vpon oathe, & to heare & examine all things concerning Mr. White & Mr. Woolcot, & to do it within 14 days, & Mrs. Woolcot is to bring in a perfect inventory, & distinguish the goods inventoried between his & the childrens, leaving to the Court to give order about them.

Samuell Jackson & Edith Pitts did appear, & give in their evidence ag' John Emerson, of Scituate, about his abusing the said Edith.
Henry Seawall, being sentenced by the grand jury for beating his wife, is refered to the Court of Ipswich to examine, & hee to appear without any new summons.

Robt Bartlet, being sentenced for cursing & swearing, was censured to have his tongue put in a cleft stick.

John Smyth, of Medford, for swearing, being penitent, was set in the bilboes.

Katherin, wxeor Rich: Cornish, was found suspiscions of incontinency, & was seriously admonished to take heed.

Clement Briggs his wife is enjoyned not to come into the company of Arthur Warren.

Willi: Busbey being sentenced for drunkenness, it was found the falling sickness.

Laurence Waters wife was enjoyned to give John Finch 18s, & Nich: Theale to give Jn" Finch 18s, & Edw: Lambe to give him 2s, & Lambe was fined 15s 6d for his contempt, & all of them were admonished to avoyde dancing.

John Benet & Philip Deare were refered to Salem for their drunkeness.

The towne of Newberry was fined 6s 8d, & enjoyned to repair ye defects before the Court in Septemb'/

The towne of Ipswich is fined 6s 8d, & hath lib'ty till the 7th in to Ips find 6s. 8. repair their defects./

The towne of Linn is fined 20s, & enjoyned to mend their wayes before Lin find 20s. the next Court./

The towne of Charlestowne is fined 6s 8d, & hath lib'ty till the 7th Charl To find 6s. 8.

Thomas Ewar is fined 40s for the leaving his pit or well open, in wh child was drowned.

The towne of Cambridge was fined 5sh, & to prepare before the next Court.

The towne of Boston travers their sentence.

Edmond Hubberd, Senior, was fined 40s for leaving a pit open, in wh child was drowned.

Francis Westons wife was censured to bee set 2 hours in the bilboes hear, & 2 hours at Salem, vpon a lecture day.

The towne of Dorchester was fined 6s 8d, & hath liberty till Septemb next.

The towne of Roxbery was fined 6s 8d, & hath liberty till the 7th month. The towne of Waymoth was fined 6s 8d, & hath liberty till the 7th month next.
1638.

3 June.

The towne of Hingham was fined 6. 8s, & hath a months liberty./

John Holgrave is refered to Salem./

Thomas Gray was censured to bee severely whipped, & the former execution of banishment to bee inflicted./

Jn Leg bound in 40s, & Willi: Edmonds bound in 40s, to carry their wives to Salem Court, & Robt Keyes bound in 20s to appear./

Robert Cole was enjoyned to pay the witnesses 10s, & so was discharged./

John Emerson is bound to the good behaviou for twelve months, & bound in 40s to appere at the Quarter Court in this jurisdiction the 4th m., 1639./

George Pye, a More, was to remaine wth Mr Cradock vntill advise from England, & advise to bee sent to Rye./

Robt Morgan, Edw Hall, & Rich: Lambert are referd to Salem./

[226.]

4 September.

*A Courte of Assistants, held at Boston, the 4th of the 7th Month, @ 1638.

Present, The Governor, Mr Bradstreete,

The Deputie Governor, Mr Stoughton,

Mr Endecott, Mr John Winthrop,

Mr Bellingham, & Increase Nowell.

Mr Herlakondon,

Henry Collens is fined 5s for not appearing when hee was called to serve upon the grand iury./

Katherine, the wife of Samuell Finch, being accused for speaking against the magistrates, agaist the churches, & against the elders, was censured to bee whipped, & committed till the General Court./

Holloway is bound in 20s to appear at the next Courte./

John Crosse being warned to appear about his servant Clement Manning, who miscarried, the said Crosse was discharged./

George Horne is fined 10s for distemper wth drinke, wth his Mr, Willi: Denne, vndertook to see satisfied./

John Smyth bound in 20s to appear at the next Courte./

William South is censured to bee severely whipped, & kept to the Generall Courte. By whom hee was banished, to returne no more vpon paine of death./

Mr John Winthrope, Junior, tooke the oath of Assistant./
The business of Capt Lovells is referred to Mr Roger Herlakenden & Increase Nowell, to examine all things about it, both estate & debts.

The inventory of Edward Wilson, amounting to 48l 2s 00l, was delivered into the Court this 4th day of the 7th m, by Thom: Wilson, executor of the aforesaid Edward, & was received de bene esse.

It was ordered, wth the consent of Mr Rich'd Bellingham, that the said Mr Bellingham should deliver Willi: Cheesbro, for John Nott, 6l, in satisfaction for his 1/2 pt of all the goods & chattels given him by his aunt, Joane Drake, this to bee d'd presently, & the said Mr Bellingham to bee discharged thereof upon delivery of the same.

The agreement betweene Mr John Fiske & his brother William, made by Mr John Endecott, Willi: Hathorne, John Woodberry, & Jeffrey Massey, was approved in Court, wth the consent of parties, that the said Jn shall receive 200l of the estate in his hands to his brother Willi:, & Willi: shall be bound to give unto his said brother John, if hee dies unmarried before hee comes to the age of 24 yeares, the sume of 100l; & the said Willi: did release to the said John in Court all his interest in the land.

John Knowles (having married the widow of Ephraim Davies, who was sister to Rob't Bills) was granted administration of the estate of Rob't Bills.

The will of Silvester Bauldwin was presented into the Court, & his wife Sarah & sonne Rich'd were allowed executors according to the will.

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*At a Generall Court, held at Boston, the 6th Day of the 7th Month, at 1638.*

PRESENT, The Governor,
Mr John Winthrop, In, The Deputie Governo', Mr Bradstreete, Mr Endecott, Mr Stoughton, Mr Bellingham, Increase Nowell;

M' Herlakenden, Deputies,

Mr Joseph Hull, John Johnson,
Antho: Eames, Willi: Parke,
Steven French, Atherton Haugh,
Willi: Reade, Rob't Kewayne,
Natha: Duncan, John Newegate,
John Glover, Ralph Sprage,
Hum: Atherton, Abrah: Palmer,
Isaack Heathie, Joseph Cooke,
THE Records of the Colony of

1638.

6 September.

John Bridge, John Woodberry,
Grego: Stone, Jacob Barney,
Rich: Browne, Willi: Barney,
Thom: Mahewe, Samu: Symonds,
Willi: Jeannison, Rich'd Lankins,
Thom: Flint, Edw'd Rawson,
Symon Willard, Ralph Mousall,
Edw'1 Howe, Court.

Mr. Downing free at Ipswich, by taking his oath there before

Ralph Mousall, being questioned about speaches formerly spoken by him
in approbation of Mr Wheelereight, was dismissed from being a member of the

Whereas Emanuell Downing, Esq', hath brought over, at his great
charges, all things fitting for taking wild foule by way of duck coy, this
Court, being desiroes to encourage them, & others, in such designs as tend to
publike good, do give him full liberty to place the same duck coy in some
convenient place within the bounds of Salem, as the town & hee can agree, &
that it shall not bee lawfull for any pson to shoote in any gun within a
mile of the pond where such duck coy shall bee placed, nor shall use any other
means for disturbance of the foule there; & if any man shall offend against
this order, hee shall bee fined, or otherwise punished by the discretion of such
court as shall have hearing of the cause; & if any pson shall bee taken shoot-
ing, or going about to shoote, within the said limits, & beeinge not knowne to
the said Emanuell Downing, or his servants, within shall attend the said duck
coy, it shall bee lawfull for them to make seizure of his pece, & detaine the
same till the cause be heard & determined.

The same order shall extend to all other places wherein any duck coy
shall bee erected by like licence from the Court.

The Court grants that the petitioners, Mr Steven Bachiler, Christo:
Hussey, Mary Hussey, vidua, Thom: Crumwell, Samuell Skullard, John
Osgood, John Crosse, Samu: Greenfield, John Molton, Tho: Molton, Willi:
Tucke, within diverse others, shall have liberty to begin a plantation at Winna-
cunnet; & Mr Bradstrete, Mr Winthrop, Iunior, & Mr Rawson, or some
two of them, are to assist in setting out the place of the town, & apportioning
the several quantity of land to each man, so as nothing shall bee done therein
without allowance from them, or 2 of them.
Mr. Bradstreete, Mr. Dudley, Junior, Capt. Dennison, Mr. Clarke, of Newbery, Mr. Woodbridge, Mr. Battye, Mr. Batter, Mr. Winsley, Hen. Blyye, Giles Firman, Rich'd Kent, & John Sanders are allowed (upon their petition) to begin a plantation at Merrimack, & shall have liberty to associate to them such others as they can agree upon; & if any difference fall out amongst the planters about the scale of their towne, or receiving of other associates, or allotment of lands, that then this Court or the counsell shall set order in it/ 391.

Mr. John Vnderhill was comitted for abusing the Court by his gross & palpable dissimulation & equivocation, or mentall reservation, in his petition, & after saying his failing was onely in the manner./

Leutenant Morris had leave to depart, (having offended in subscribing the petition, or remonstrance,) being advised to forbear medling with of people in the matters of opinion, least they bee further dealt with, & was advised not to sit downe within our limits, & was wished to warne the rest not to sit downe within our limits./

*Leiff Davenport, for his paines & attendance about restoring each man his armes since the returne of the soldiery from the Pecoits & before, had granted him 10s.***

Mr. John Vnderhill is banished, to go out of this jurisdiction within 14 dayes, & not to returne any more, except it bee to take his passage in the ship of Salem, now bound for England./

Mr. John Vnderhill had pmise of his 200 acres of ground, beside what hee hath had before/ 392-

Leiff Rich'd Morris had pmise of his 100 acres of ground, beside what hee hath had before./

Moses Maverick is permitted to sell a tun of wine at Marble Head, & not to exceede this yeare./

The town of Dedham is desired to spare 2 that are most fit to go with Goodman Woodward, & Goo. Johnson, (if hee can spare time,) or another to bee got in his room, to lay out the most southermost part of Charls Ryver, & to have 5s a day a pece./

Goodman Woodward, Mr. John Stretton, with an Indian, & 2 others appointed by the magistrates of Ipswich, are to lay out the line 3 mile northward of the most northermost part of Merrimack, for within they are to have 5s a day a pece./

Mr. Treasurer, the Secretary, with Mr. Kecayne & Mr. Duncan, they, or any 3 of them, were appointed a comittee to examine the accounts of Mr. Mathew, Cradock, Mr. John Humfrey, & Leiff Gardner./
To remember to provide barks the second month for the tanning of diverse hides to come.

The inkeepers or ordinary keepers have liberty to brewe the beare with they sell in their houses, or to agree with the brewer as they can.

Rich'd Turner had granted him 38s for losse with hee sustained formerly in receiving corne at 5s a bushell.

Letters were appointed to bee written to Mr George Harwood, to desire him to send his account.

Mr Robert Browne, Mr William Colebrook, & John Bridge are appointed to lay out Mr Gurlings land at Cambridge.

Mr William Foster, appearing, was informed that wee conceive him not fit to live with vs; therefore hee was wished to depart before the Generall Court in Mech next.

Thom: Cornhill was licensed, vpon tryall, to keepe an inn, in the roome of Will: Baulston, till the next Generall Court.

Mr Cornhill was ordered to keepe 11 10s of the estate of Will: Baulstons.

The petitioners, Mr Pendleton, Mr Noyse, Mr Brown, & Comp, are allowed to go on in their plantation, & such as are associated to them; & Leif Willard, Thomas Bro, & Mr John Oliver are to set out the bounds of the said plantation, & they are allowed 4s a day, each of them, & Mr John Oliver 5sh a day, to bee borne by the newe plantation. And the petitioners are to take care that in their allotments of lands they have respect as well to mens estates & abilities to improve their land, as to their number of persons; & if any difference fall out, the Court or the counsell shall order it.

Peter Presgrave, Mr Samuel Mavericks man, was censured to bee severely whipped.

It is ordered, that whatsoever swine shall bee found with in two miles of any meeting house, (except with in a mans owne land,) without a sufficient keeper, or else bee found with in any cornefield, garden, or pasture, being any other mans ppruity or medowe, shall bee forfeited; & whatsoever pson of the same towne where such swine shall bee taken shall take vp any such swine alive, or kill them, shall, by two freemen of the same towne, prize the same, & the damages being first satisfied, the remaining part of all swine taken shall go the one haffe to the pone, & the other haffe to bee delivered to the constable, (or to some man chosen by the towne,) to bee employed as a common stock, for the good of the towne whear it is taken; provided, that no swine shall bee forfeited till the first of April next, vuoesse they bee found in cornefields, gardens, meadows, or pasture, being any other mans ppruity.
And this Court doth intend that all men shalbee carefuly to see to the execution of this order; & whosoever shall reproach or find fault with any for seizing or killing any swine, according to this law, shalbee liable to punishment. Provided, also, that till April next it shalbee lawful for swine to go & feede upon such lots or pasture grounds, being not inclosed, as lyce in or adioyning to the coinions of any town.

This order to bee of force within one weeke after the end of the Court.

All former lawes against swine are repealed.

*Whereas diverse persons who are indebted to the countrye for their parts to publike rates, & others for fines, who, for avoyding the payment thereof, have sould away their houses & lands, & sent away their goods, intending to remove to other plantations, it is therefore ordered, that the Treasurer shall grant warrant to the m’shall to attach the bodies of such persons, & keepe them, till they make satisfaction for their rates or fines; & all such persons as are to pay any fines, if they have not any lands or goods to bee distrained, shall have their bodies attached, to make satisfaction, provided that any Court or the commissell may discharge any such person from imprisonment if they shall find them indeed vnable to make satisfaction./

For avoyding of the countryes charge by bringing small causes to the Court of Assistants, it is ordered, that any magistrate, in the town where hee dwelleth, may heare & determine by his discretion all causes wherein the debt, or trespass, or damage, &c, doth not exceede 20s; & in such town where no magistrate dwells, the Generall Court shall from time to time nominate 3 men, two whereof shall have like power to heare & determine all such actions under 20s; & if any of the parties shall find themselves grieved with any such end or sentence, they may appeale to the next Quarter Courte, or Courte of Assistants, &c. And if any person shall bring any such action to the Court of Assistants before hee hath endeavoured to have it ended at home, (as in this order is appointed,) hee shall lose his action, & pay the defendant costs.

If no appeale bee put in the day of the sentence vpon such small actions, the magistrate or the said 2 chosen men shall grant execution.

For Watertowne, Mr Thom: Mayhewe, Capt Willi: Jeanison, & Mr Rich’d Browne are chosen.

For Waymoth, Willi: Smyth, Rich’d Adams, & Steven French are chosen.

For Hingham, Mr Joseph Hull, Edmond Hubberd, Seni.; & Antho: Eames were chosen.

For Neweberry, Mr Edward Rawson, Mr John Woodbridg, & Mr Edw Woodman were chosen.
The Court granted these proportions of land,—

To Goodfri John Johnson, . . . . . 250 acres.
To Maj Rich’d Browne, . . . . . 200 acres.
To Capt Willi: Jeannison, . . . . . 200 acres.
To Maj Willi: Hubberd, . . . . . 300 acres.
To Maj Geo: Bunker, . . . . . 650 acres.
*To Maj Abraham Palmer, . . . . . 200 acres.
To Maj Abraham M‘lows, . . . . . 200 acres.
To Rich’d Bellingham, Esq, . . . . 700 acres, to be considered of by Maj Hathorne, Leiff Damfort, Leiff Ilowe, & Maj Ballard, or any 2 of them, being one of each town, & to informe the Court;

For avoiding the trouble of this Court about granting of lands, & the more equall preceding therein,—

It is ordered, that Maj Bellingham, the Treasurer, Maj Israel Staughton, Maj Rich’d Browne, John Johnson, & Abraham Palmer, or any 4 or 3 of them, shall have power to take the names of all such as will demand allowance of lands, & shall consider of the ground & reasons of their demands, & thereupon shall set down the names of all such as they shall find fit to have lands granted them, & what quantities of land they shall see fit to bee allowed to them, having regard to their adventures in the common or joint stock, & their abilities to improve lands, & also to such lands as have bene already granted them, either by the town or by the Court, & that the country at large bee not burdened to pride lands for the inhabitants of such townes as have land enough to supply them, except other considerations require it; & that they consider that, though the first planters were allowed 50 acres for each person, yet this benefit is not to bee allowed to all others, & what they shall do hearin to make certificate thereof to the next Court; they are with all to consider that men cannot have their full proportions at the present.

This Court taking into consideration the necessity of an equall contribution to all common charges in townes, & observing that the cheife occasion of the defect hearin ariseth from hence, that many of those who are not freemen, nor members of any church, do take advantage thereby to withdraw their helpe in such voluntary contributions as are in vse,—

It is therefore hereby declared, that ev’ry inhabitant in any town is lyable to contribute to all charges, both in church & common welth, whereof hee doth or may receive benefit; & withall it is also ordered, that every such inhabitant who shall not volenterily contribute, proportionably to his ability, with other freemen of the same town, to all common charges, as well for upholding the ordinances in the churches as otherwise, shalbee compelled thereto by assessment.
**THE MASSACHUSETTS BAY IN NEW ENGLAND.**

& distres to bee levied by the constable, or other officer of the towne, as in other cases.

It is ordered, that there should bee two faires at *Salem in the yeare, the one the last Wednesday in the 3d month, called May, the other the last Wednesday of the 7th month, called September.\(^1\)

Also, it is ordered, that there shall bee 2 faires at Watertowne, the one the first Fryday of the 4th month, the other the first Fryday of the 7th month.\(^2\)

Lastly, it is ordered, that there shallbee 2 faires at Dorchester, the one the first Wednesday of the 3rd month, the other the last Wednesday of the 7th month.\(^3\)

Bray Wilkin hath liberty to set vp a house \& keepe a ferry over Naponset Ryver, \& to have a penny a pson, to bee directed by Mr. Stoughton \& Mr. Glover.\(^4\)

Mr. John Haule bound himselfe in 20\(^6\) for his servant John Burrows, that bee shall not seduce any man, nor move questions to that end, nor question with any other, except with the magistrates or teaching elders.\(^5\)

An attachment is to go out to the constable of Hingham to attach Adam Mott, \& to bring him before the Governo\(^6\) or some one of the counsell.\(^6\)

Intimation to bee given to the elders of each church of the desire of the Court to keepe the last Thursday of the 8th month a day of thanksgiving for the safe coming of so many ships this yeare, \& the seasonable weather in the spring, \& now to ripen the harve\(^t\).\(^7\)

It was ordered, that the constables should informe of newe comers, if any bee admitted without license ; \& to that end warrant to bee sent out to the constables of each towne, to informe the Court of Assistants, \& is to consider of the fines, whether to take them or to mitigate them. Oney Willi : Kingsbury \& Abraham Shawe are appointed for Dedham, there being yet no constable chosen there.\(^8\)

There is a ferry appointed from Boston to Winnetsemet, Noddles Iland, \& the ships ; the pson to bee appointed by the magistrates of Boston.\(^9\)

It was ordered, that the townsme in each towne should see corne bee well ground, \& to see weights \& measures in mills \& shops, \& the corne at mills to bee weighed both to \& from the mills, if men desire it.\(^10\)

George Morrell, for stealing, was enjoyned to give double restitution.\(^11\)

Luke Hanberry was ensured to bee severely whipped, \& kept in prison till the counsell can dispose of him, or else to bee banished, vpon paine of death.\(^12\)

This Court, finding that since the repealing of the former laws against tobacco, the same is more abused then before, it hath therefore ordered, that no man shall take any tobacco in the feilds, except in his journey, or at meals.\(^13\)

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1. 6 3 8.
6 September.

2. 4 0 0—

3. Water Towne faires.

4. Dorchester faires.

5. Bray Wilkins liberty for a ferr, our Naponset.

6. Adam Mot to be attach'd.

7. Day of thanksgiving.

8. Law as to new comers.

9. Ferry between Boston \& Winnetsemet, who to choose.

10. Weights \& measures to be prived in each.

11. Georg Morrells sent, for theft.


13. For the tobacco must to be taken in street for 415, &c.
times, vpon paine of 12\textsuperscript{4} for every offence; nor shall take any tobacco in (or so near) any dwelling house, barne, corne, or hay rick, as may likely indanger the fireing thereof, vpon paine of x\textsuperscript{4} for every offence; nor shall take any tobacco in any inne, or common victualing house, except in a private roome there, so as neither the master of the same house, nor any other guests there, shall take offence thereat; \textit{wth} if they do, then suchpson is fourthw'th to forbear, vpon paine of 2\textsuperscript{4} 6\textsuperscript{4} for every offence./

Noo man shall kindle fyre by gunpowder, for taking tobacco, except in his journey, vpon paine of 12\textsuperscript{4} for every offence./

And if any servant or workman taking wages shall offend in any of the premises, his master shall stop so much of his wages as the penalty amounteth to/

All the said forfeitures, \textit{wth} the charges of persecution, shalbe levied by any of the magistrates, vpon conviction of the pson by oathe of one sufficient witnes by distressse, &c, and imployed for the benefit of the towne where the offence was committyd./

Whereas it is found, by sad experience, that diverse psions, who have bene justly cast out of some of the churches, do pphanely contemne the same sacred \& dreadfull ordinance, by \textit{presenting} themselves overboyledly in other assemblies, \& speaking lightly of their censures, to the great offence \& griefe of Gods people, \& incragement of evill minded psions to contemne the said ordinance, it is therefore ordered, that whosoever shall stand excomunicate for the space of 6 months, \textit{wth} out laboring what in him or her lyeth to bee restored, such pson shallbee \textit{presented} to the Court of Assistants, \& there proceeded \textit{wth} by fine, imprisonement, banishment, or further, for the good behaviour, as their contempt \& obstinacy, vpon full hearing, shall deserve./

It is ordered, that the new plantation to bee setled vpon Concord Ryver shall ioyne to Concord, \& have 4 miles vpon the ryver, according to the plot given in; \& if any difference arise betweene the inhabitants there, the Court or the counsell shall order the same./

There is a rate of 400\textsuperscript{4} granted, but the warrants not to bee sent out vntill the other accounts bee cleared; \& that to bee done \textit{wthin} 8 weeks; \& these afternamed are to meete the first Tewsday in November, \& to take the Treasurers account, \& then to appoint the warrants to bee sent out./

The comittee are, Mr Hathorne, Capt Jeanison, Mr Cooke, Leiff Sprage, John Johnson, Mr Keayne, Mr Duncan, Mr Hubberd, Mr Rawson, Mr Hull, Mr Ballard, \& Willi: Reade./
It was agreed, that the Court of Assistants should take order for the Indians, that they may have satisfaction for their right at Linn & at Watertowne.

*The Court did discharge the fines underwritten, which do stand recorded before in this book.

30th Novemb', 1630, S't Rich'd Saltonstall, being then fined 5l, is discharged of the said 5l.

1 M'ch, 1630, Tho: Staughton, being fined 5l, is discharged of the said 5l.

7th 7 m, Mr: Ludlow, Mr: Pinchen, & Mr: Rossiter are discharged of 6s 8d a peccce.

S't Rich'd Saltonstall is discharged of 4 bushels of mault.

Nicho: Knop, being fined 5l, pt was paid, & the rest was remitted.

3d May, 1631, Thomas Walford being fined 2l, hee it by kitting a wolf.

Dicto, John Norman, Senior, was fined 10l, with this Court remitted him.

18th May, Daniell Abbot was fined 5l, with was remitted him by this Court.

16th August, M'r Sheopard, Rob't Coles, & Edw'd Gibbons were discharged of those fines by this Court.

Die, Edward Gibbons & Alexand' Wignall were discharged by this Court.

6th Sept., Alexand' Wignall, being fined 2l, is discharged by this Court.

27 Sept., Josias Plastow, being fined 5l, is discharged by this Court.

6 M'ch, Rob't Coles, being fined 1l, is discharged by this Court.

3 July, 1632, James Parker being fined 2l, it was remitted him by this Court.

Dicto, Thom: Dudley being fined 2l, it was remitted him by this Court.

4th Septemb', John Stickland being fined 3l, hee is discharged of the same.

3d Octob', Edward Burton, being fined at twice 7l, is discharged of the same.

Dicto, Nicholas Frost, being fined 5l, is discharged of the same.

4 M'ch, Thom: Dexter being fined 40l, there was 30l of it remitted him.
1638. 2 July, 1633, James White being fined 30s, hee was discharged of it by
this Court/
6 August, John Woolrich being fined 50s, this Court remitted 40s of
the said fine/
3 Septem., John Shotchwell being fined 2l, the Court remitted 20s of it./
Dicto, Rob't Coles, being fined 10s, is discharged of the same/
Capt John Stone, being fined 100l, is discharged of the same/
Mr Abraham Palmer, being fined 10s, is discharged of the same/
Alexander Wignall, being fined 10l, is discharged of the same/
4th March, Rich'd Williams, being fined 2l, is discharged of the same/
Tymothy Hawkins, being fined 20s, is discharged of the same/
John Vaughan, being fined 20s, is discharged of the same/
Many fines remitted.
1634. 1st Apr. & 6th Oct., John Lee being fined at twice 40l, hee is dis-
charged of all to 5l/
First Apr., Thom: Foxe, being fined 10s, is discharged of the same/
First July, Willi: Almy, being fined 10s, is discharged/
5th August, James Rawlins, being fined 50s, is discharged of the same/
6th Octob', Ensigne Jeanison being fined 20l, the Court did remit the same/
Dicto, Clement Brigs, being fined 10shs, is discharged by the Court/
Samuell Hall, being fined 5s, is discharged by the Court/
Rich'd Lambert, forfeting 10l, twenty pound of it is remitted him/
Francis Toby being fined 10l, hee is discharged of the same/
1635. 2nd June, Mr John Humfrey, being fined 10l, is discharged of
the same/
4th August, Arthur Holbage forfeting 7l 10s, it was remitted to 30shs/
Dicto, Rich'd Bulgar forfeting 30l, it was remitted him to 5l/
Dicto, Thom: Munt forfeting 2l 5s, it was remitted to 7l 6l/
Dicto, James Hawkins forfeting 11l 5shs, it was remitted him to 50shs/
First Sept., Willi: Dixon, forfeting 20l/
Dicto, Edward Converse forfeting 10l, it was remitted him to 2l/
Dicto, James Browne forfeting 10l, it was remitted him to 2l/
3rd November, Samn: Cole forfeting 1l, it was remitted to 10s/
Increase Newell being fined 3l 4s, it was remitted him by this Courte/
First Mch, Rich'd Phelps being fined 2l, hee is discharged of the same/
Anthony Coop forfeting his recognisance of 40l, hee is /
Griffin Montague forfeting 20l, it was remitted him to 20l/
1636. 7th 4th m, John Jobson, undertaking for Tobies 10l, is discharged
of it/
6th, 7th, in Peter Bussaker, being fined 5l, it is remitted to 20s/
1636. 7th 10th, Christopher Davies being bound in 5 for John Robinson's appearance,
Thos: Robinson bound in like sort in 5,
9th first ib, Steven Greensmyth being fined 40, payment was acknowledged, and hee is discharged,
John Trumble being fined 20, it was remitted to 20sh,
6th 4th ib, John Sweete being fined 5, it was remitted him,
Rob't Anderson being fined 50, it was remitted,
George Munnings being fined 20, it was remitted to 10,
James Browne being fined 2, it was remitted to 2,
19th 7th ib, John Hogg, being fined 3, is remitted to 2,
John Greene being fined 20, hee is 
John Stretton, being fined 20, if hee go to Merrimack,
9th 9th ib, Willi: Baulston being fined 20, it was remitted him,
Edward Hutchinson being fined 40, it was remitted him,
Samuell Coles being fined 30, & owing 10 more, it was remitted him to 15,
Willi: Baulston being fined 10, & owing 5 more, it re leased, binding himself in 20, wch was remitted him,
*Thomas Starr being fined 20, that was remitted to 05, & that to bee discounted of his wages,
1638. 5th 4th ib, Thomas Ewar being fined 2, it was remitted to 10,
Edmond Hubbard, Senior, being fined 2, it was remitted to 10sh,

A Quarter Courte, houlden at Boston, the 4th Day of the 10th
Month, of 1638.

Present, The Governor, Mr Symon Bradstreete,
The Deputie Governor, Mr John Winthrop, Junr,
Mr John Endecot, Mr Israel Stoughton,
Mr Rich'd Saltonstall, Increase Nowell.

GEORGE WALTON was fined 10sh for swearing, & paid it in Court,
John Kinke, Willi: Reeves, & John Davies, appearing, were discharged till further information bee given about the martherer they tooke from the island,
Rob't Shorthose was committed for saying, if the magistrate had any thing to say to him, hee might come to him. Hee was released, binding himselfe in 20 to appear at the next Court, & to bee of good behavior in the meantime,
James Luxford & Benjamin Hubberd are bound in 10 a piece for the appearance & good behavior of Rob't Shorthose.
1638. The Indian was released, being required to send or bring satisfaction for the cow, or else satisfaction should be taken from Navigan.

December 4.

Thomas Hollaway, appearing, was discharged.

John Holgrave, being presented by the grand jury for drawing wine, against an order of Court, was declared to have forfeited x4; & for causing his daughter to deliver a paper to a jury man out of Court, he was fined x5; he was also by the jury found guilty of contempt, & to have broken the rule of hospitality & the peace, were remitted him.

Thomas Wilson, for taking above double tole, was fined x4, & being presented for standing above six months excommunicate, was enjoined to appear at the next Court.

Samuell Basse, for his contempt, was fined 5l.

Richard Turner, for being notoriously drunk, was fined 2l.

William Blanton, appearing, was enjoined to appear at the next Court, with all the men that were in the canoe with him, & Aplegate, owned the canoe out of the 3 psons were drowned; & it was ordered, that no canoe should bee used at any ferry upon paine of 5l, nor no canoe to bee made in any jurisdiction before the next Generall Court, upon paine of 10l.

Also, order was appointed to bee given to Richard Right to stave that canoe, out of these psons were drowned.

Dorothy, the wife of John Talbye, being, by her owne confession, guilty of the unnatural & untimely death of her daughter, Difficult Talbye, was by the jury found guilty, & so was condemned to bee hanged.

William Andrews, having made assault upon his master, Henry Coggan, struck him diverse blows, & wickedly conspired against the life of his said master, & not onely so, but did conspire also against the peace & welfare of this whole common wealth, was censured to bee severely whiped, & delivered vp as a slave to whom the Court shall appoint.

*John Haslewoud, being found guilty of several thefts, & breaking into several houses, was censured to bee severely whiped, & delivered vp a slave to whom the Court shall appoint.

Gyles Player, being found guilty of several thefts, & breaking into houses, was censured to bee severely whiped, & delivered vp for a slave to whom the Court shall appoint.

John Bickerstaffe was censured to bee severely whiped for committing fornication with Ales Burwoode.

Ales Burwoode was censured to bee whiped for yelding to Bickerstaffe without crying out, & concealing it 9 or 10 dayes.
Katherine Cornish is respited vntill the Court the first day,
Attachment to bee sent out for Ibrooke, & Ralph Smythe,
Rob't Abell, for want of sufficient witnes, was discharged,
Clement Brigs was not found guilty of extortion, & so was discharged.
The town of Waymoth was fined 10sh for defect in their high ways, &
day was given them vntill the next Courte,
The town of Dorchester, for a defective high way, was fined 5sh, & had
day given them vntill the next Courte,
The town of Boston were fined 10sh for their defective high ways, &
want of a watch house, & day was given till the next Courte,
Attachment was to bee sent out for Edward Fuller,
Henry Webb was discharged, for want of sufficient witnes,
The town of Concord was fined 5sh for want of a paire of stocks & a
watch house,
The town of Watertowne, for want of a paire of stocks, was fined x,
& had day till the next Courte,
Isaack Sternes & John Page were fined 5sh for turning the way about,
& day was given till the next Courte,
Thomas Cornehill appearing, & being licensed, was discharged,
The wife of Josua Veriu was referd to Salem,
An attachment to bee sent out for George Richards,
Willi: Ballard, huiring no other but such as had lots, was discharged,
John Coggan was in like sort discharged, because those w'ch hee huired
were other mens servants,
The town of Cambridge was fined 10sh for want of a watch house, pound, & stocks, & time was given them till the next Courte,
John Bets appeared, & was discharged, there being not evidence sufficient
to pve his overselling,
The town of Charlestowne was fined 5sh for want of a watch house,
& time was given till the next Courte,
John Poole, for abusing his servant, was fined 5t,
John Cooper, Junior, was comitted to his father for correction,
Francis Felmingham & Willi: Pester, appearing, for want of witnes were
discharged,
Mr. Willi: Goose is respited vntill his returne,
Mary, the wife of Thomas Oliver, for disturbing the church of Salem,
was comitted to prison vntill shee should find sureties for her good behaviour
& appearance at the
The town of Ipswich was fined $10 for defective highways, & time was given them till the next Court to repair them.

Anthony Emery was fined $20 for a pound breach, & enjoined to give Thomas Coleman $13 for his charges.

Thomas Savory, for his grosse lying, was referred to the Court at Ipswich.

The town of Newberry was fined $5 for want of a pair of stocks, & time was given them till the next Court to make them.

Thomas Terry was enjoined to appear at the next Court to answer further.

An attachment was granted for Jarvice Mudge to appear at the next Court.

John Haward, being chosen constable for the town of Dedham, did take his oath the 5th 10th m, 1638.

Thom: Brooke, being chosen constable for the town of Concord, did take his oath the 8th 10th m, 1638.

Ewar was allowed executrix of her husband, Thom: Ewar, deceased.

An attachment was granted for John Harrison, gent.

1638-9. *A Quarter Court, held at Boston, the 5th Day of the First Month, @ 1638 or 1639.

* John Davies, for grosse offences in attempting lewdnes wth divers women, was censured to bee severely whipped, both here & at Ipswich, & to wear the letter V vpon his breast vpon his uppermost garment untill the Court do discharge him.

John Greene dying in the house of Daniel Brewar, administration was granted to the said Brewar.
Willi : Blanton, Willi : Potter, Rob't Thorpe, Henry Neale, John Fitch, & Thomas Aplegate, appearing, were discharged, wth an admonition not to adventure too many into any boate/

Thomas Boyse, having attempted a rape wth Sara Jusall, was censured to give the mayde 5t, & to bee whipped & imprisoned a time/
Willi: Judson, appearing, was discharged.
Isaack Deesbury was comitted & fined 5t for stealing at Pecoit, out of wth the 3 witnesses are to have 5e a peece, & the prosecuto 10sh.
Ralph Smyth, appearing, was discharged.

Ralph Ibrooke, for tempting 2 or more maydes to vnclannes, was fined 5t to the country, & 20sh a peece to the 2 maydes, Rebecca Phippen & Mary Marsh.

Isaack Deesbury was committe & fined 5 for stealing at Pecoit, out of wth the 3 witnesses are to have a peece, & the prosecuto 10sh.
Ralph Smyth, appearing, was discharged.

An attachment was granted for John Harrison.
Robert Shorthose was set in the bilboes for sleiting the magistrates in his speaches.
James Ludden had granted his 10sh against Cutshamache, who warned him to appear, & did not come to prosecute.
Edmond Audeley is granted administration of the goods of Francis Dent, deceased, vpon the testimony of John Winge & Sergeant Davies, vpon oath.
An attachment was granted for John Harrison.

Chaulkley, the wife of Rob't Chaulkley.
1638-9. *A Generall Courte, houlden at Boston, the 13th of the First Month, @ 1638.

15 March. [*239.] Present, The Governo, The Deputy Gov, Mr Endecott, Mr Saltonstall.

Deputies,


Mr JOHN ENDECOTT & Mr John Winthrope, Juniour, had order to give Mr Emanuell Downeing the oath of freedome at Salem/

Orders for the Millitary Company, made by the Governo & Counsell, & confirmed by the Gen'all Court.

Whereas divers gentlemen & others, out of their care of the publike weale & safety by the advancement of the millitary arte, & exercise of armes, have desired licence of the Courte to ioyne themselves in one company, & to have liberty to exercise themselves at such times as their occasions will best permit, & that such other liberties & priviledges might bee granted them as the Court should think fitte for their better incuagement & furtherance in so usefull imployment, with request of theirs being referred by the Court to vs of the standing counsell, wee have thought fitt, vpon serious consideration, & conference with diverse of the principall of them, to set downe order herein, as followeth: —

Inprimis, wee do order, that Robert Keayne, Nathaniell Duncan, Robert
Sedgwick, Willi: Spencer, gentlemen, & such other as are already joyned with them, & such as they shall from time to time take into their company, shall be called the Millitary Company of the Massachusetts./

2. They, or the greater number of them, shall have liberty to choose their captaine, lieutenant, & all other officers, (their captaine & lieutenant to bee always such as the Court or counsell shall allow of,) & no officer to bee put vpon them but of their owne choyce./

3. The first Monday in every month is appointed for their meeting & exercise; & to the end they may not bee hindered from coming together, wee do hereby order, that no other trainings in the particular townes, nor other ordinary towne meetings, shall be appointed on that day; & if that day vse vnseasonable for exercise of their armes, then the sixth of the same wecke is appointed for supply; this not to extend to Salem, or the townes beyond, nor to Hingham, Weimoth, Dedham, nor Concord./

4. They have liberty & power to make orders amongst themselves for the better mannaging of their millitary affaires, (wth orders are to bee of force when they shall be allowed by the Court or counsell,) & they may appoint an officer to levy any fines or forfeitures wth they shall impose vpon any of their owne company, for the breach of any such order, so as the same exceede not twenty shillings for any one offence./

5. The said millitary company are to have one thousand acres of land in some such place as may not bee prjudicial to any plantation, to bee granted by the Court to some of the said company, for the use of the present company, & such as shall succeede in the same, to bee improved by them wthin a time convenient for providing of necessaries for their millitary exercises, & defraying of other charges wth may arise by occation thereof./

6. The said company shall have liberty, at the times before appointed, to assemble themselves for their millitary exercises in any towne wthin this jurisdiction, at their owne pleasures./

*Provided, always, that this order or grant, or any thing therein contained, shall not extend to free the said company, or any of them, their pensions or estates, from the civil government & jurisdiction heare established./

JO: WINTHROP, Gov',
THO: DUDLEY, Depu.

Capt John Vnderhill had granted him safe conduct to come to answer the church of Boston between this & the Generall Court, the 22th of the 3th month next./
1638-9.  
13 March.

410—
Constables oath.

Law for money for killing woolues & foxes repealed.
Jr Smith ven. for disturbing y r ch.
Weymouth præf.

Rich'd Silvester disenfranchised.

Ambrose Martyns censor, find.

Mr Makepeace adjudged to reform.
Agawam peace to be mended.

Mr Thomas Makepeace, because of his novile disposition, was informed wee were weary of him vntill hee reforme.

Lyberty was granted to mend the piece of the sagamore of Agawam, wth the Govern. man brake.

The Governor had leave to give the said sagamore some small quantity of gunpowder, to kill foule & deare.

Maschanomet, the sagamore of Agawam, acknowledged that hee had received 20$ of Mr. John Winthorpe, Junior, for all his land in Ipswich, for wth hee acknowledged himselfe fully satisfied.

William Curtis had leave to build vpon his lot, his other dwelling being seate so inconveniently.

Plum Island is to remaine in the Courts power onely for the presente, Ipswich, Neweberry, & the newe plantation, between them, may make use of it till the Court shall see cause otherwise to dispose of it.

An Oath to bee administered to every Cunstable, by Order of this Court.

Wheares ye are chosen cunstable wth in the towne of A, for one yeare now following, & untill other becorne in the place, you do heare swear, by the great name of Almighty God, that ye will carefully intend the preservation of the peace, the discovery & preventing all attempts against the same; ye shall dulye execute all warrants wth shalbee sent vnto yo from lawfull authority heare established, & shall faithfully execute all such orders of Court as are committted to yo care, & in all these things yo shall deale seriously & faithfully while yo shalbee in office, wthout any synister respect of favor or displeasure: so help yo God.

The laws for money to bee given for the killing of wolves & foxes are repealed.

John Smyth, for disturbing the publiske peace by combincing wth others to hinder the orderly gathering of a church at Waymoth, & to set vp another there, contrary to the orders heare established & the constant practise of all our churches, & for vndevre purcing the hands of many to a blanke for that purpose, is fined 20$, & committed during the pleasure of Court or the counsell.

Rich'd Silvester, for going wth Smyth to get hands to a blanke, was disfranchised & fined 21$.

Mr Ambros Marten, for calling the church covenant a stinking carryon & a humane invention, & saying hee wondered at Gods patience, feared it would end in the sharpe, & said the ministers did dethrone Christ, & set vp themselves; hee was fined 10$, & counselled to go to Mr. Mather to bee instructed by him.

Mr Thomas Makepeace, because of his novile disposition, was informed wee were weary of him vntill hee reforme.

Lyberty was granted to mend the piece of the sagamore of Agawam, wth the Govern. man brake.

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William Curtis had leave to build vpon his lot, his other dwelling being seate so inconveniently.

Plum Island is to remaine in the Courts power onely for the presente, Ipswich, Neweberry, & the newe plantation, between them, may make use of it till the Court shall see cause otherwise to dispose of it.
Mr. Tuttle & Sergent Howlet are desired to viewe by the bounds of Neweberry whether 2 mile square may not bee granted more to Newberry without hinderance to any newe plantation./

Garret Spencer is granted the ferry at Linn for 2 yeares, taking 2d for a single pson to the furthest place, & but a 3d a pson for more to the furthest place, & but a 2d for a single pson to the nearest place./

*It is ordered, that the bounds betwixt Salem & Linn shall begin at the cliffe by the sea where the water runs, as the way lyeth from Linn to Marble Head, & run vpon a straight line to the long pond, by the old path that goeth to Linn, at the south end thereof next to Linn, & the whole pond to bee in Salem bounds; & from that pond to run vpon a straight line to the island in Mr. Humfrey's pond, & from that island to run vpon a straight line to 6 great pine trees marked, called by those 6 men that layd out the bounds, the 6 Mens Bounds; & from those trees to run vpon a straight line unto another little pine tree marked, by the side of a little hill beyond the trees, to run vpon the same line, so far as of bounds shall reach, into the country:/

NATHA: TURNER,
WILLI: BALLARD,
RICH'D WALKER,
JOHN WOODBERRY.

The 4th of the 2d month was thought meete for a day of humiliation, to seeke the face of God, & reconciliation with him by our Lord Jesus Christ, in all the churches/

Novelties, oppression, athisme, excess, superfluity, idlenes, contempt of authority, & troubles in other parts to bee remembred./

It is ordered, that the collledge agreed vpon formerly to bee built at Cambridge shall bee called Harvard Collidge./

Mr. Ezechiel Rogers, Mr. John Philips, & their company had granted them 8 miles every way into the countrey, where it may not trench vpon other plantations already setled./

Mr. Endecott was willed to send 3 to viewe Cape Ann, whether it may not bee cut thorow, & to certify how they find it./

It was ordered, that a shalop should bee sent to the eastward to get coales, with if they get, the smiths are to beare the charge & take the coales; if they get not coales, the countrey to bear the charge./

It was ordered, that 3d 8sh should bee paid Leiften Davenport for the present, for charge disbursed for the slaves, when they have earned it, bee to repay it back againe./
1638-9. Mr Edward Holliock had power given him to manage the estate of the Lord Brooke, until the Lord Brooke do otherwise dispose of it.

James Britaine, for his not appearing, was omitted, & for his grossly laying, dissimulation, & contempt of ministers, churches, & covenant, was censured to bee whipped.

Mr Robt Lenthall, vpon his free acknowledgment vnder his hand given into the Court, was appointed to appeare at the next court, & enjoyed to acknowledge his fault, & give satisfaction to the church at Waymoth, & to give a coppey (of that bee gave into the Court) to the church of Waymoth.

Linn was granted 6 miles into the country, & Mr Hauithorne & Leiff Davenport to view, & informe how the land beyond lyeth,—whether it may bee fit for another plantation or no.

It was ordered, that the bounds betwene Watertowne & Cambridge shall stand as they were marked by Mr Beacher, so far as bee marked, & from the last marked tree to bee run out by Mr John Olyver, according to the order agreed vpon by John Johnson, Abraham Palmer, & Will: Colebraun, norwest & by west by a meridian compas in a straight line.

*Goodman Marten & Goodman Androwes are appointed to run the lines betwene Waymoth & Hingham formerly agreed vpon.

Henry Faine was omitted for his abstrichall carriage on shipboarde.

Mr John Oliver, Mr Robert Keayne, & Rich'd Sadler are appointed to run the bounds betwenee Boston & Linn.

Mount Woollastone is to bee bounded as formerly to the top of the greate Blew Hill next Naponset, by a line running south west & by west, halfe a point westerly, & from thence by a square line extending to the other side of Mount Woollastone bounds.

Mr Gibbons was desired to agree with the Indians for the land within the bounds of Watertowne, Cambridge, & Boston.

The Courte at Ipswich had order to examine & settle all things belonging to the estate of Hamfrey Wiffe, & also for the land, soil'd & vnsould.

John Smyth & John Spur are bound in 40l to pay 20l the first day of the next Courte, being the 22th of the 3rd m next.

It was ordered, that no towne should send more then 2 deputys.

Mr Endecott & Mr Stoughton were appointed to meete with brethren of Plimoth, & to agree with them about the bounds, if they see cause.

It was ordered, that letters should be written to Captain Wiggen, Capt Champernoone, Mr Williams, Mr Wannerton, Mr Edward Hilton, Mr Treworthy, & their neighbors, & Mr Bartholomew to carry the same, & have instructions.
It is ordered, that Salem & Ipswich shall have each of them two bar-rells of gunpowder; Newberry, Lynn, Hingham, & Waymoth each of them shall have one barrell of gunpowder, wth shalbee sould out to those that find muskets, at 2$ the pound, wth money shalbee returned to the Treasurer, & for want thereof, the Treasurer shall levy it of the towne; & Mr Keayne shall have 3 or 4 barrells of the wet powder to sell out as before, at 16$ the pound, the money to bee returned to the Treasurer: all this is to bee of the ouldest & most decayed powder, & every towne is to see that there bee always, that there shalbee so much powder in the towne, either in the store or in the severall houses, & if the default bee in the severall houses, the surveyor of the armes shall answear for all that are defective.

The powder is to bee delivered by order from Mr Keayne; & if the money for the powder bee once paid into the Treasurer, the towne shalbee then discharged thereof.

It is ordered, that in such towne where no magistrate is, the clarke of the band hath a months liberty in such cases as hee judgeth weighty before hee distraine.

The order for the forfecture of swine is repealed.

Thomas Carter, by order of Courte, was granted a lott upon his petition, his master testifying of his good servise.

John Cliffe, vpon his petition, was granted a lott, wth his masters allowance & consent, having served 4 years already.

Nicolas Stower, being chosen one of the cunstables of Charlestowne, did take his oathe the 9th of the 3rd m, 1639, before me, Increase Nowell.

At the Generall Courte, houlden at Boston, the 22nd of the 3rd M, called May, 1639.

P'sent, The Governo', Mr Rich'd Saltonstall,
Mr John Endecott,
Mr John Humfrey,
Mr Rich'd Bellinghâ, Increase Nowell;
Mr Joseph Peck,
Edmond Hubberd, Seni,
Edward Baytes,
James Parker,
John Glover,
Humfrey Atherton,
John Stowe,
Willi : Heath,
JOHN WINTHROPE, Senior, Esq., was chosen Governo' for this yeare ensuing, & in the presence of the Court did take his oathe to that place belonginge.

Thomas Dudley, Esq., was chosen Deputie Governo', & did take his oathe to that place appertaining.

John Endecott, Esq., was chosen an Assistant for this yeare, & tooke an oathe to that place belonging.

Rich'd Bellingham, Esq., was chosen an Assistant, & tooke his oathe.

John Humfrey, Esq., was chosen an Assistant, & tooke his oathe.

Mr' John Winthrope, Junior, was chosen an Assistant for this year, & tooke his oathe.

Mr' Symon Bradstreete was chosen an Assistant for this year, & tooke his oathe.

Mr' Israel Stoughton was chosen an Assistant for this year, & tooke his oathe.

Mr' Rich'd Saltonstall was chosen an Assistant for this year, & did take his oathe.

Increase Nowell was chosen an Assistant for this year, & did take his oathe.

George Foule was allowed, & sworn surveyor of the armes for Concord.

For encouragement of Mr' Morrice Tomson, merchant, & others, who intend to promote the fishing trade, —

It is ordered, that a fishing plantation shalbee begun at Cape Anne, & that the said Mr' Tompson shall have place assigned for building of houses, & stages, & other necessaries for that vse, & shall have sufficient land allowed for their occasions, both for their fishing, & for keepeing of cattle, & for corne, &c; and that such other fishermen as will ioyne in that way of fishing, & inhabite there, shall have such land, & other liberties there, as shalbee needful & fit for their occasions; & for this ende this Court doth give power to Mr' Endecott, Mr' Humfrey, Mr' Winthrope, Junior, Mr' Will: Peirce, & Joseph Grafton, or any 3 of them, to set out the said plantation, & all lands & other...
accomodations to such as shall bee planted there, & none to bee setled there but by their allowance./

For explanation of a former order made the 8th of the 4th Mo, 1638, —

It is now declared, that the southerly line of Watertowne shall run to Petition Poynt, & so vpon the same point still till it bee from their meeting house 8 miles; & that from thence their westerly bounds towards the newe plantation shall bee by a right line drawn to the furthest point of their middle line, wch is in or by Concord bounds, & from the said middle line by a line drawn to a pointe vpon their northerly line 8 miles from their meeting house; & that the said southerly line shall bee the bounds between Dedham & Watertowne, & Dedham line to run on vpon the same point till they have taken in their 5 mile square, so as it shall not run wch in two miles of Coijchawicke Ponds, & so to bee set out by Mr Oliver, who hath already begun.

Jasper Gun, Robert Seaver, Abraham Howe, John Tatman, & Ralph Sary, vpon their petition, had leave granted them to continue in the houses wch they have built, & do dwell in, though they bee above halfe a mile from their meeting house.

John Elford, appearing, had further respite for further tryall,

Mr John Oliver & Robert Marten were appointed to set out the bounds between Mount Woollaston & Weymouth, wch is to bee run from the high water marke in the ryver mentioned in the last order, in an ordinary tide, & so to run south halfe a point westerly.

"Mr Mathew Craddock is freed of rates to the countrey by agreement of the Court for the year ensuing from this day in regard of his charge in building the bridge, & the country is to finish it at the charge of the publike, Mr Davison & Leiften Sprage to see it done, & to bring in their bill of charges/

Whereas this Court did take order for a meeting to bee had betwenee the commissione's & theire neighbours of Plymouth, for seting out the bounds between vs, & that nothing hath bene done therein, in regard that their commisioners had not power to conclude any thing, and for that it appeareth vnto this Court, that theire people of Hingham stand in great neede of hay, it is ordered, that they may make vs of so much of the ground neare Cominhasset as lye on this side the ryver wherevpon the bridge is, (wch lands are undoubtedly within the limits of the grant,) vntill some further order bee taken for a final determination of the difference betwenee vs, & till the Court shall make other disposition thereof.

For further incurragement of men to set vpon fishinge, it is ordered, that such ships, vessels, & other stock, as shall bee properly imployed & adventured in taking, making, & transporting of fish, according to the course
of fishing voyages, & the fish it selfe, shall bee exempt for 7 yeares from henceforth from all countrey charges, provided, that this order shall not extend to any other ships, vessels, or other stock, but only such as shall bee ordinarily implied in the usuall & safe seasons for fishing through the yeare; provided, also, that this order shall not extend to such merchandize & commodities (not pperly belonging to the fishing trade) as shall bee returned vpon the sale of any such fishe.

Fi. And it is forbidden to all men, after the 20th of the next month, to imploy any cold or base fish for manuring of ground, vpon paine that every person, being a fisherman, that shall sell or imploy any such fish for that end, shall loose the said priviledg of exemption from publike charges, & that both all fishermen, or others who shall vse any of the said fish for that purpose, shall forfeit for every hundred of such fish so imployed for manuring of ground twenty shillings, & so pportionally for a lesser or greater number; provided, that it shall bee lawfull to vse the heads & offal of such fish for corne, this order notwithstanding.

M. All fishermen, while they are abroad during fishing seasons, shipcarpenters, wth follow that calling, & millers shall bee exempted from training, yet they are to bee furnished wth armes.

Mrs Jupe being intertained by Mr Bartholomewe freely for a year to Ipswich wthout charge, if she hae health; but if she prove sick, the charge to bee borne by the publike.

The orders about restraint of bear are repealed, both in respect of the brewer & ordinaries, & the ordinaries are permitted to sell beare at 2s a quart.

It was ordered, that those that are permitted to retaile wines should not sell any to bee drunk in their houses.

Rep. 440.

Thomas Cowper, of Hingham, is permitted to sell wine & strong water, not suffering it to bee drunk in his house.

*M* Joseph Welde, of Roxberry, is permitted to draw wine.

Edmond Greenlyf, of Neweberry, is permitted to keepe a house of entertainment.

John Smyth, for contempt, is fined five pounds, & censured to bee imprisoned till hee have paid both his fines.

John Smyth, vpon his submission, & bringing in of his money, had ten pounds remitted him, & so 15s only was taken, & hee wth his surety are discharged. *Mr* Mr Bellingham.

The 50s wth Mr Rich'd Duuner was to pay is remitted to Mr Ezechiel Rogers & his company.
Elisabeth, the wife of Mr Edward Howe, (of Linn, deceased,) is granted
administration of her husband's estate.

Mr Israel Stoughton is granted administration of the estate of his sister,
Judith Smeade, for the good of her children, according to the will of the said
Judith.

Rich'd Gridley, upon his acknowledgment of his fault, & giving satisfac-
tion to the Court, was readmitted againe to the freedom of this body.

Mr Nathaniel Sparhawke was permitted to drawe wine & strong water for
Cambridge.

Mr John Holgrave was remitted nyue pounds three shillings & four
pence, out of 2l 10sh: remaining to bee paid by him.

The Court was adjourned to the 6th of the 4th month.

Mr Rich'd Browne, being gone to Conectoco without leave, is fined five
pounds, his nether acquainting the Court nor couneill.

The 13th day of the 4th month was desired might bee kept a day of humili-
ation in all churches for the want of mine, & help of brethren in distress.

It was ordered, care should bee taken to prevent damage to the Indians,
& procure them satisfaction for any damage done them.

Mr Edward Mellows his rate of 50sh: was remitted him, in regard of his
losse sustained by fire.

Captain Mason had granted him ten pounds, for his good service against
the Pechoits & otherwise.

Mr Joseph Peck, Edmond Hubbard, Senior, & Anthon: Eames were au-
thorized to end small businesses under 20sh: at Hingham.

Winnaucumnet is allowed to bee a towe, & hath power to choose a com-
stable & other officers, & make orders for the well ordering of their towe,
& to send a deputy to the Court, & Christo: Hussey, Willi: Palmer, & Rich'd
Swaine to end all businesses under 20sh: for this yeare; the laying out of
land to bee by those expressed in the former order.

Mr Peters is desired to write to Holland for 500l worth of petter, & 40l
worth of match, & to give order upon the receit of the salt petter & match
therein in good condition, to charge bylls upon the Governo: & the country
doth promise to save the Gov'no's hameless.

Mr Harding is respited till the next Court, the mean while to bee dealt
with by Mr Cotton, Mr Wilson, & the church, to see if shee may bee convinced,
& give satisfaction; if not, witnesses to bee then produced against her.

(There are no pages 246, 247, 248, and 249 of the original record.)

*Martin Saunders is allowed to kepe a house of intertainment at Mount
Woollaston.*
Mr. Thom: Mayhew, Leifl Ralph Sprage, & John Johnson are desired to waive the difference between Dorchester & Boston, by Mr. Rosseters farne, whether is marsh ground belonging to Dorchester, & to give their advise, whether, if it satisfy not, may be returned to the Court, & if either party be grieved to prosecute his suite, & have it tryed by a jewrye, & this comitie to give evidence. Int. 438: B.

Rate for 1000.

It was ordered, there should bee a levy of 1000<sup>1</sup> raised fourtenth: —

| Boston         | 144 10 01<sup>1</sup> | Cambridge, | 91 19 91<sup>4</sup> |
| Roxberry       | 074 12 06              | Watertowne, | 81 17 14<sup>4</sup> |
| Salem          | 111 13 11              | Newberry, | 67 08 31<sup>4</sup> |
| Waymoth        | 023 02 00              | Dorchester, | 93 07 91<sup>4</sup> |
| Hingham        | 033 14 05              | Ipswich, | 111 18 11<sup>4</sup> |
| Linn           | 079 19 06              | Charlestown, | 85 15 10<sup>4</sup> |
| **Total**      | **467 12 05<sup>4</sup>** |           | **532 07 07<sup>4</sup>** |
|                |                        |           | **467 12 05<sup>4</sup>** |
|                |                        |           | **1000 00 00<sup>4</sup>** |

Of this 1000<sup>1</sup> there is 250<sup>1</sup> appointed & allowed to build a house, & repair the batteries at Castle Island.

The Governor, the Deputie Governor, & Mr. Israell Stoughton are appointed to agree with Capt. Gibons, how to bestow this 250, & what men to keepe at the fort for the 100<sup>1</sup> p at after it is repaired.

Capt. Robert Keayne, Leifl Sprage, Mr. Hauorthoe, Mr. Joseph Cooke, Willi: Heathie, Humfrey Atherton, Rich'd Lampkin, Mr. Mayhew, Mr. Holiock, Mr. Rauon, Edmond Hubberd, Senior, & Edward Baytes are appointed a comitie to levy the 1000<sup>1</sup>.

Edward Palmer, for his extortion, taking 1<sup>1</sup> 13<sup>1</sup> 7<sup>1</sup> for the plank & woodwork of Boston stocks, is fined 5<sup>1</sup>, & censured to bee set an hour in the stocks. This was remitted to 10<sup>1</sup>.

It was ordered, that if the salt peter come not, Mr. Rauon shallbee considered according to such damage as hee shall sustaine.

Rich'd Bracket his stipend was granted to bee 20<sup>1</sup> p @ vpon his petition.

Thomas Cornchill is abated 10<sup>1</sup> of his fine, & allowed a month to sell of his beare, whether is vpon his hand, & then to cease from keeping entertainment, & the towne to provide another.

Tho: Cornhill abates of his fine.

Tho: Painter, vpon his petition, was ordered to have a lot at Mr. Rogers plantation, & the charge at Charlestowne to bee borne by the publike.
Mr Mark Peirce & Willi: Parks are appointed, instead of Mr Alcock & Mr Danforth, to go, wth Mr Alleyn & Mr John Oliver, to lay out the farmes neare Dedham, & to settle the bounds between Dedham & Boston.

The Court granted to John Winthrop, Esq., the present Governor, a p-cell of meadow containing about sixetic acres, more or lesse, by estimation, lying wthin a mile or two of his farme, beneath Concord, towards the southeast of the said farme, to have to him & his heires, prived that it lye not wthin the bounds of any towne formerly granted.

For Salem particular Court, Mr Emanuell Downing, M' Willi: Hathorne, Mr Edward Hollock, & Mr Thom: Willis, wth the magistrates,

*For Ipswich particular Court, Mr William Hubberd, Mr Samu: Symonds, & Mr Jn Clarke, wth the magistrates.*

It is ordered, that those of Linn should have 50* from the country toward the building of a cart bridge over the ryver there, when the bridge is finished to bee allowed them.

It is ordered, that the charge of dyot of the magistrates & deputies should, after this Court, bee borne by the fines.

Christopher Gibson, constable of Dorchester in the yeare 1637, had the fine of ten shillings remitted him.

It was ordered, that all wees shall bee set open from the last day of the wecke, at noone, till the second day in the morning.

It was ordered, that one of the deputies of each towne shall set vp a note upon the meeting house dore, that all whom the country is indebted vnto do come in, & make demand of their debts (wthin 6 weeks after this is set vp) of the constable of the towne.

Mr Willi: Bartholomew was granted to have fourty shillings for his journey to Pascataque.

Goodn Nathaniell Woodward was ordered to have three pounds for his journey to discover the mining vp of Merrimack; 10* more was added by order of the Governor & Deputie.

And they wth went with him, Tho: Howlet, Sergent Jacob, Tho: Clarke, & John Manning, to have 50* a peece for their 10 dayes apeece, spent according to the former order, 392; and John Clarke to have * for going wth them, & staying for them till their returne.

Thomas Witherley was fined ten pounds for his contempt, & threatening the marshall; but vpon his submission five pounds was remitted, & hee paid in the other 5*, & was discharged.

Henry Fane, appearing, having beene imprisoned 10 dayes for his reproach-
full speaches of the ministers, was dismissed, with an admonition to take heede of the like practise, & his athisticall expessions/

All the lands in the bay, indisposed of, are granted to them that keepe the castle, to take wood & make use of during the pleasure of the Courte./

It is ordered, that the marshall shall give notice to the coomite about the body of lawes, to send unto the next Generall Court such drafts of lawes as they have prepaid, for the Court to take order about them what to settle./

John Haydennes fine, for intertaining a servant unlicensd, being done igno-

rantly, is remitted him./

The: Bushrode
10th for ye yeare
added to ye marshall.

Thomas Bushrode was to bee sent for by an attachment./

The Court gave the marshall ten pounds more allowance for this yeare, in regard of his great trouble./

The Court granted Mr Hugh Peters, . . . 500 acres of land.
To Mr Symon Bradstreete, . . . . 300 acres of land.
To Mr John Endecott, Esq., . . . . 500 acres of land.
To Mr Thomas Welde, . . . . 200 acres of land.
To Mr Jonathan Wade, . . . . 200 acres of land.
To Mr Willi : Hauthouse, . . . . 250 acres of land.
To John Tod, for Mr Yong, . . . . 100 acres of land.
To Mr Thom: Allen, . . . . 500 acres of land, in regard of Mr Harvards gift.

"To Mrs " Glover, . . . . 600 acres of land.
To Leif Ra: Sprague, . . . . 100 acres, having borne difficultries in the beginning.
To Cap: Wm Traske, . . . . 200 acres, in regard of much service.
To Cap: Edw: Gibons, . . . . 300 acres, in regard of old & long service.
To Cap: Robert Sedgwick, . . . . 200 acres.
To Increase Nowell, . . . . 500 acres.
To Cap: Robert Keayn, . . . . 400 acres.
To Mr Peter Bulkeley, . . . . 300 acres.
To Mr Willi: Peirce, . . . . 200 acres.
To Leif: Rich: Davenport, . . . . 150 acres.
To Mr Natha: Eaton, . . . . 500 acres, if hee continue his imployement with vs for his life, to bee to him & his heires./

Mr Robert Harding, upon his submission & acknowledgment to Mr Wilson, is discharged, the Court being satisfied./

It is ordered, that estates in England should pay as they are valued worth for the f'sent, & if there bee losse, the next Court to abate what may bee thought fit. / Altered, 472.
Mr. John Wilson, pasto\ of Boston, is granted 1000 acres of land at Pecoit, in any place so as it may not hinder a plantation/

Mr. Edward Ranson is granted 500 acres, at Pecoit, so as hee go on with the business of powder, if the salt peter come./

It is ordered, that Mr. Mayhewe & Mr. Flint shall set out Mrs. Glovers 600 acres, where it may not pindice any plantation, on the west side of the ryver of Concord./

Increase Nowell is chosen Secretary for this ycharge. The Secretary is ordered to receive all fines toward paying for the dyot of the magistrates & deputys/ Rep: 444.

Mr. John Oliver, Mr. Abraham Palmer, & Mr. Tymotho Tomlins are appointed a comitie to settle the bounds betweene Charlstowne, Boston, & Lia\, above Rumney M'sh, if they can, & if they cannot agree, to certify the Court how they find it./

It is ordered, that the battery at Charlstowne should bee repaired at the generall charge, so as it exceede not 30\, & not to bee paid out of this rate vnesse it bee left after the debts are paid, & the 250\ allowed for Castle Island/

Mr. Mathewe Cradocke is remitted his fine of four pounds/

Mr. Edward Howe is remitted his fine of twentie shillings/

Mr. Hauthorne & Mr. Tomlins are appointed to veiwe the place by Lia, to see if it bee fit for a plantation/

In Dedham, to order small businesses vnder 20\, Mr. Edward Alleyn, John Kingsbury, & John Lason are authorised/

In Waymoth, Edward Baytes, Mr. James Parker, & Willi: Smyth are authorised to end small businesses/

In Watertowne, Mr. Thom: Mayhewe, Capt. Jeanson, & Mr. Rich'd Browne are authorised to end businesses vndr 20\./

Mr Tymo: Tomlins, instead of Mr. Ballard, with Mr. Hauthorne./

Leiff Davenport & Leiff Howe are to set out Mr Bellinghams farme, & certify the Courte thereof.

It was ordered, that a letter should bee sent to Mr. Humphrey to send in the 100\ we\ is in his hand to further the colledge/

Mr. Endecot, Mr. Downing, & Mr. Hauthorne are to dispose of the house wth Mr. Peters bought as they can, & returne the money for the colledge/

*Ipswich hath liberty to authorish Go: Lampkin, Good\ Firmian, or Good\ Tredwell to drawe wine & strong water./

The towne of Waymoth have liberty to build a weere where it may not pindice any mans propriety.
It is ordered, that the Court, or any two magistrates out of Court, shall have power to determine all differences about a lawfull settling & providing for pore psions, & shall have power to dispose of all unsettled psions into such townes as they shall judge to bee most fit for the maintenance of such psions & families & the most case of the countrey./

Whereas, at the Generall Courte houlden at Newetowne, the 3th of the first month, 1635, it was ordered, that a certeine number of magistrates should from time to time bee elected for tearn of their lives as a standing coucell, &c. wherepon it hath bene taken by some as if the Court had erected a new order of magistrates contrary to the sence & intent of his matics grant, this Court doth now declare, that the intent of the said order was not to make any such order of magistrates not warrented by o't patent, but that such coucellers were to bee chosen out of those who had formerly bene cheife magistrates ; & accordingly wee do now order, that no such coucellen so chosen, or hearafter to bee chosen, shall bee accounted a magistrate, nor that any acts of power to bee done by any such shalbee of force & warrantable, except bee or they shalbee chosen to some place of magistracy heare by annuall election, according to the tenure of the patent, & that no coucellen shall have power of judicature as a coucellen, but as a magistrate, & that all orders wth appoint any of the coucell to do any act shalbee intended that they shall do such thing as magistrates, & not as coucellen.

For the more speedy dispatch of all causes, wth shall concerne strangers, who cannot stay to attend the ordinary courts of justice, it is ordered, that the Governo', or Deputie, being assisted, wth any two of the magistrates, (whom bee may call to him to that end,) shall have power to heare & determine (by a jowie of 12 men, or otherwise, as is vsed in other courts) all causes wth shall arise betwene such strangers, or wherein any such stranger shalbee a partie, & all records of such proceedings shalbee transmitted to the Secretary, (except himselfe bee one of the said magistrates, who shall assist in hearing such causes,) to bee entered as tryalls in other courtes at the charge of the parties. This order to continue till the Generall Courte in the 7th month, come twelve month, & no longer.

It is ordered, that ten barrels of powder shalbee brought back to Boston from Cambridg or Roxberry.

For Concord, Mr Flint, Leiff Willard, & Rich'd Griffin to have the ending of small matters for this yeare.

Mr Rich'd Bellingham is now chosen to continuw Treasurer for the yeare ensuing.

Increase Newell is chosen Secretary for the yeare ensuing.

[On part of page 254 is the list of persons made free in May and September, 1639.]
RICH'D SILVESTER, for speaking against the law about hogs, & against a particular magistrate, was fined ten pounds, whereof the three witnesses to have 6s 8d a piece.

Henry Laurence was for the present discharged about Capt. Bonito his servant.

Mr. Samuell Maverick, being bound in ten pounds for the appearing of James Meadclafe, forfeited his recognisance.

Mr. Nicho: Davison, being bound in ten pounds for the appearing of Edward Saunders, forfeited his recognisance.

John Stretton, upon evidence of his repentance, was freed from his bond to the good behavior, with an admonition.

John Emerson, appearing, was discharged of his recognisance.

Thomas Bushrode having warned David Phippen, Joseph Andrews, & Henry Coggan to appear at this Court, & himselfe not appearing to prosecute, the Court gave judgment for 10s a piece to be allowed them; & if payment bee not made, execution to be granted them.

Samuell Norman was committed, for want of security, & was censured to bee whipped, for saying if ministers w'e come will but raile against England, some would receive them.

*Katherine, the wife of Samu: Finch, promised to go to the ordinances, & to carry herselfe dutifully to her husband.

Mr. John Harrison, appearing, was fined 10sh for his former not appearing, & admonished not to use gaming.

John Palffin, for , was fined 20sh, & upon his submission, hee was remitted 10s, & paid in the other 10s. I. N.

John Gibbons, for , was fined 10s by the Governo', Deputy, & Treasurer, & paid it (to the Treasurer, opii.)

William Bartlet, for distempersed in drinking, & lying, was fined 20s by the Governo', Treasurer, & Secretary.

Ellen Peirce was fined 40sh for cursing & wicked imprecations, & to pay the 2 witnesses 2s a piece.
Elisabeth Chaulkley, of Charlestowne, was enjoyned to give double resti-
tution for the eggs & things wth shee stoale.

All townes had respit to bring in the transcripts of their lands vntill the
next Courte.

Mrs Goouch Newbery, for selling strong water wthout leave, was fined
10sh.

John Bayly was fined 5s for buying land of the Indians wthout leave, wth
condition, if hee yeld vp the land, to be remitted.

Edmond Greenliffe was refered to Ipswich Courte.

Thomas Hale was also referd to the Court at Ipswich.

The presentment of Ipswich for defective high wayes was avoyded, for
want of witnes, & for vncerteinty.

Goodman Foster & Henry Archer are referd to Ipswich Court.

Daniell Clarke is refered to Ipswich Courte also.

Francis Perry is refered to the Court at Salem.

John Elford & Willi: James had respite till the next Courte.

The wife of Hugh Burt was fined 40s for cursing & swearing.

Adam Haukes is refered to the Court at Salem.

Edmond Audeley is referd also to Salem.

John Haule, about correcting his boy, was discharged.

Linn was fined 10s for their bad wayes, & to mend them by the next
Court, & to lay the ferry in a convenient place.

Rob't Longe was discharged for want of prufe.

Mr John Woolrich & William Bachler had respite till the next Co't.

Charlestowne was discharged about Rich'd Lowdens lot.

Thomas Cornhill was fined 30s for several offences, selling wine wthout
licence, & beare at 2d a quart. Hec had warning the 10th 4th M.

Robert Turner was discharged for want of proof.

Boston was fined 20sh for defective high wayes, & enjoyned to repair
them, vpon the penalty of 5l: the stocks were ready compleate.

The widow Hudson was discharged, her husband being dead.

Roxberry was fined 10s for daming vp the nearest way from Boston to
Dorchester, & had liberty till the next Court to make the way so as a loaden
horse carrying a sack of corn may passe.

Roxberry was fined 2s 6d for the defectivenes of the bridge at Muddy
Ryver, & had liberty to amend it till the next Courte.

The presentment of the bridge at Dorchester Brooke is discharged for
want of proof.

Willi: Dennison & Thomas Wilson had liberty till the next Courte.
Dorchester had liberty to use Sergent Collicots house for a watch house. The presentments of Dorchester high ways & bridges were discharged for want of proofe.

Nichol: Ellen was fined 40sh for idlenes & disorderly living, & had liberty till the next Court to settle himselfe.

Captaine Stoughton was fined 40 for releasing his man before the expiration of his time.

Waymoth was fined 10sh for their bad way at the stepping stones, & were enioyned to amend it by the next Court, vpon paine of 5.

Thom: White had 10sh granted him, being a witness.

Mr Waltham & Mr Rich'ds were fined 5 for want of scales & weights in their mill, & to provide them by the next Court.

Mr Waltham was fined 3 for taking too much tole, in some abow double what was dew, whereof 20 to be given the witnesses.

Ralph Allen was fined 10 for releasing a servant before the expiration of his time.

Hingham had liberty to use their meeting house for a watch house.

Hingham was acquited from the presentment about Thom: Turners lot, it being but reserved for him.

Dedham was fined 2 6 for want of a pair of stocks.

Ferdinando Adams was discharged, the presentment not being found oppression.

Willi: Fuller, who kept the mill at Concord, was fined 3 for grosse abuse in overtaking.

The town of Concord was discharged the lot to Robert Edwards, being but reserved for him.

Robt Fletcher was discharged, being not found faulty.

Concord was fined 5 for want of a watch house.

Watertowne was fined 5sh for want of a pair of stocks, & enioyned to prepare them by the next Court, vpon paine of 40sh.

John Gosse, for common railing, was dis-franchised, fined 20, & committed to prison.

Willi: Hafion not appearing, attachment was granted for him.

Watertowne was discharged of the presentment for the high way to the mill, for want of proofe.

Watertowne is fined 10sh for the bad way at John Pages, & enioyned to make good the way, vpon paine of 5.

Danieil Abbot is departed to New Providence.

Cambridg is fined 5sh for want of a pound.
Cambridg is discharged from the sentment about stoping fish, it being sently reformed.

John Masters, having licence, was discharged.

Cambridg was fined 10' for defective high wayes, & enjoyned to repair them by the next Court, vpon paine of 40sh/.

Cambrige was enjoyned to repair their wayes at Long Swampe & Vine Brooke, leading to Concord, vpon paine of 5t/.

The sentment of John Chairyes wife was mistaken.

The will of Joseph Harvy, w"his inventoiy, was delivered into the Court, amounting to forty eight pounds 2" & 9/.

The will of M' Abraham Mellows was delivered in.

M' John Beniamin gave in the account of Rich'd Gurling, whereby onely 4' appeareth remaining dew to widow Gurling.

[257.]

*A Quarter Court, held at Boston, the 3rd Day of the 7th Month, @ 1639.

Present, The Governo', The Deputy Gov', M' Endecott, M' Humfrey, M' Bellingham, Mr Saltonstall, Mr Winthrope, Juni, Mr Bradstreete, Mr Stoughton, Incr Nowell.

JOHN STACY, Junior, for being distempered with drinke, was set in the stocks/

Rafe Warriner was fined 10' for being at excessive drinking at Thom: Grayes at Marble Heade.

Nicholas Merry was fined 40sh' for seling strong water.

John Neale, for ruuing away & stealing, was censured to bee severely whipped, & committ to his master to bee kept chained.

Richard Wilson, for stealing 8' of money & diverse small things from his m', Samuell Wade, was censured to bee put fourth to servise for 3 or 4 yeares, except bee can procure 10'; also bee is to have a T set vpon his vpmost garment; the servise is to bee w'th his m', if his m' will have him, or else to bee put out by the countrey.

Rich'd Turner, for being drunke, was fined 20sh'/

Willi: Davies, for sondry drinkings at his house, was fined 3'/

Robert Penyer is bound in 10' to appear at the next Court. Thom: Turner & John White are bound in 5' a peece for Peniars appearance.
Thom: Bushrode, being accused of defaming the government, was committed, & fined 6.13' 4', with paying, to be discharged.

Hugh Burt had 20' of his fine remitted, & paid in 20sh', & is discharged.

Marmaduke Peirce being accused of suspicion of murder, & the matter not appearing clear, it was referred until the next Quarter Court, and the jury was enjoined then to appear.

Daniell Clarke, being found by the jury to be an improper drinker, was fined 2', whereof 3sh' was paid the jury, and the other 37' 1' I. N.

John Simpson was enjoined to pay Capt. Jeanison 8', and Mr. Browne 5sh', having warned them to appear, and not prosecuting.

John Wedgwood, for being in the company of drunkards, was to be set in the stocks at Ipswich.

Rich'd Cooke is granted 20sh' against Thomas Robinson, for unjust molestation.

Jarvise Mudge appearing

John Pemberton being warned by John Baker to appear at the Court at Boston. Baker not appearing to prosecute, the Court granted John Pemberton 50sh' damage.

John Kempe, for filthy, uncleane attempts with 3 young girls, was censured to be whipped both here, at Roxbury, and at Salem, very severely, and was omitted for a slave to Leift Davenport.

Willi: Andrews, who was formerly committed to slavery for his ill & insolent carriage, is released (upon his good carriage) from his slavery, and put to Mr. Endecott, hee promising to pay Henry Coggan 8'; and so Andrews is to serve Mr. Endecott the rest of his time.

Mathew Edwards, for putting his hand under a girls coates, was censured to be whipped.

Thom: Knore, for selling a pot full of strong water without license, was fined 5sh'/

Nicholas Davison, for swearing an oath, was ordered to pay 20sh', with hee consented unto.

John Hogg, for his drunkenness, was fined 10sh'/

John Kitchen, for shewing books with hee was commanded to bring to the Governor, & forbidden to shew them to any other, and yet shewed them to other, was fined 10sh'/

*John Joanes, for defiling his wife before marriage, was fined 20sh'/

John Davies, upon his good carriage, was discharged from wearing the V with was formerly enjoined him/
Rich'd Silvester had 6s of his fine respited upon his good behaviour, & hee paid in the other 6s.
Thom: Gray, for being drunke, prophaning of the name of God, keeping a tipling house, & drawing his knife in the Courte, was censured to bee severely whipped & fined 5s.
Rich'd Redman & Thom: Warner, for quarelling, were fined 5s a piece, & paid it in.
John Lee is discharged of his fine, having paid 5s formerly.
Rich'd Perry, Junior, was granted 5s damages for the long wanting of the 27s, with should have bene formerly p., & was deferred vntill the weake past, & the trouble about it.
Mr Thomas Lechford, for going to the iewry & pleading with them out of Court, is debarred from pleading any mans cause heaerafter, vnlesse his owne, & admonished not to presume to meddle beyond what hee shalbee called to by the Courte. Ordered.
William Gutridge was enioned to take care of Ales Burwood vntill hee may bee lawfully discharged of her.
Thomas Millard, Ephraim Pope, Francis Gold, & Thom: Burkbee, being watchmen, drinking several times strong water, were imprisoned, & Burkbee & were set in the stocks for being drunke.
Edward Fuller & Edward Converse were bound in 20s a piece for the appearing of Edward Fuller at the next Courte.

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*A Generall Court, holden at Boston, the 4th Day of the 7th Month, 1639.

P*SENT, The Governor, Mr Saltonstall,
The Deputy Gov', Mr Winthrop, Iuni.;
Mr Endecott, Mr Stoughton,
Mr Humphrey, Mr Bradstreete,
Mr Bellingham, Incr Nowell;

Deputies present:
Mr Edmund: Downing, 
Mr Willi: Hauhtorne, 
Mr Edw: Rawson, 
Mr John Clarke, 
Mr John Moulton, 
Mr Samu: Symonds, 
Mr Rich'd Lumpkinn, 
Mr Edw: Holliock, 
Mr Edw: Tomlins, 
Capś Rob: Sedgwick, 
Leifś Rał: Sprage, 
Mr Thom: Flint, 
Mr Rich'd Griffin, 
Mr Edw: Allen, 
Mr Rał: Wheelocke, 
Capś Willi: Jennison,
Mr. John Glover,
Mr. Tho. Hawkins,
Mr. Edw. Bates,
Mr. John Vpham,
Mr. Joseph Peck,
Mr. Edw. Hubberd, Seni.

Mr. JOHN HAULE is discharged of the 20th bond wth hee gave for his servant John Burrows, having put him away.  
It was ordered, that the newe plantation by Concord shall bee called Sudbury.  

Winnacummet shall bee called Hampton.  
Mr. Ezechiel Rogers plantation shall bee called Rowley.  
The other plantation beyond Merrimack shall bee called Colechester.  

Vide p. 287 & 290.

The order of the Court, vpon the petition of the inhabitants of Sudbury, is, that Peter Noyes, Bryan Pendleton, J. Parman, Edmond B., Walter Hayne, George Moning, & Edmond Rise have comission to lay out lands to the present inhabitants, according to their estates & persons, & that Capt. Jemison, Mr. Mayhew, Mr. Flint, Mr. Samuel Shepard, & John Bridge, or any 3 of them, shall, in convenient time, repair to the said towne, & set out such land & accommodations, both for houselots & otherwise, both for Mr. Pelham & Mr. Walgrave, as they shall thinke suitable to their estates, to bee reserved for them if they shall come to inhabit there in convenient time, as the Court shall think fit.  

The Court was adjourned vntill the 9th, at 3 a clock.  

Mr. John Endecott & Mr. Israell Stoughton were desired againe to meeke wth their brethren of Plimoth, & have new comission to settle the bounds betwenee vs & Plimoth, & have full power given them so to do.  

It was agreed, that the order N. 406 (that excommunicate psions wth have stood excommunicate aboue 6 months should bee presented) shall bee repealed.  

Forasmuch as it is evident vnto this Court, that the common custom of drinking one to another is a meare vselose ceremony, & draweth [on] that abominable practice of drinking healths, & is also an occasion of much waste of the good creatures, & of many other sins, as drunkennes, quarrelling, bloodshed, vselamus, mispense of precious time, &c. wth as they ought in all places & times to bee prevented, carefully [prevented]; so especially in plantations, of churches, & common weales, wherein the least knowne evills are not to bee toller-
THE RECORDS OF THE COLONY OF

1639. 9 September.

432-

Hearing of cattle repealed.

433-

Lynn. New plantation 4 mile & 4 miles.

Linclauserep. 8: 7: 49.

Colchertereferrd, &c.

Mr. Purchase court, as to Pagiscott.

*260.*

It is therefore ordered, that (after the publication of this order) no person of this jurisdiction, nor any other person who shall hereafter come into this jurisdiction, (after one weekes residence heare,) shall, directly or indirectly, by any colo'r or circumstance, drinke to any other, contrary to the intent of this order, vpon paine of xij', to bee forfeited for every offence, to bee levyed by the constable, by order from any magistrate, or such as are appointed in townes to determine small causes, vpon conviction by confession of the party, or other sufficiently testimony vpon oath, to bee to the use of the town, where the offence shall bee committd, & of the party complaining, by equall portion/

*The order No. 372, about hearding of great cattle, & keeping vp cattle by night, or allowing damages, is repealed after the end of the 8th mouth next ensuing, & the order to fence against great cattle formerly made to stand in force/ 361, 362.

The petition of the inhabitants of Lynn for place for an inland plantation at the head of their bounds is granted them 4 mile square, as the place will afford, vpon condition that the petitioners shall within 2 years make some good proceeding in planting, so as it may bee a village fit to containe a convenient number of inhabitants, may in dewe time have a church there, & so as such as shall remove to inhabite there shall not all keepe their accomodations in Lynn aboue 2 yeares after their removal to the said village, vpon paine to forfet their interest in one of them, at their owne election, except this Court shall see just cause to displace farther with them; & this village is to bee 4 mile square at least by just content/

The business vpon the petition of the freemen of Cole Chester is refered to the magistrates of Salem, or any 2 of them.

The covenant of Mr. Thomas Purchase, being ordered to be recorded, hear followeth:

This indenture, made the 22d day of the 5th m., @ 1639, betwene Thomas Purchase, of Pagiscott, gentleman, of the one parte, and John Winthrope, Esq'r, Governo'r of the Massachusets, on the behalfe of himselfe, the Governo'r & Company of the Massachusets, on the other parte, witnessth, that the said Thomas, for divers good causes & considerations him thereunto moving, hath given & granted, & by these presents doth give & grant, vnto the said John Winthrope & his successors, the Governo'r & Company of the Massachusets, forever, all that tract of land at Pagiscott aforesaid, vpon both sides of the ryver of Androscoggin, being four miles square towards the sea, with all liber-
ties & priviledges thereunto belonging; so as they may plant the same with an English colony when they shall see fit, and shall have as full power forever to exercise jurisdiction there as they have in the Massachusetts; provided, that the interest & possession of such lands as the said Thomas now vseth, or shall make use of, for his owne stock, & improvement within seaven yeares next ensuing the datehearof, shall bee & remaine to the said Thomas, & his heires & assigns forever, under the jurisdiction aforesaid; and as well the said Thomas himselfe, & his family, & his heires & assigns, as all other the inhabitants upon the said lands, are forever to bee unders the due praction of the said Governor & Company, by order of the Generall Court, as other inhabitants of the same jurisdiction are: This grant by approbation of the said Generall Court to bee recorded & exemplified under the common scale, or otherwise to bee voyde. In wittese whereof the parties aforesaid have hearrunto interchangably set their hands & scales the day & yeare first above written.

THOMAS PURCHES.

Signed, sealed, & deliv'd, in the presence of

STEPHENVINTHROPE,
THOM:LECHFORD,
AMOSRICHARDSON.

*Cap't Keayne delivered into the Court a bond of Mr Simkins for 30l, wth Mr Simkins oweth wth a more some vnto the countrey: the bond was delivered the Treasurer./

Also, Cap't Keayne delivered in a bond of 15l of Rich: Parks, wth also was delivered to the Treasurer/

Cap't Keayne was ordered to pay the 12l 10s, wth hee receivd of Mr Salton-stall for p of Mr Bloros, to the Treasurer/

Cap't Keayne was will'd to returne Sara Kinge her necessary cloaths againe/

Mr Rich'd Browne, being formerly fined 5l for going away when hee should have bene at the Court, had 1l 15s remitd him/

The freemen of the towne of Watertowne are fined 3l for sending Mr Browne away, being to have attended the Court/

The petition for the sale of Abraham Shaws land was granted vpon the condition inserted.

The hyll of 7. 10sh for Cap't Traske is granted,

Mr Palsgrave is granted 200 acres of land, wth Cap't Jeason & Mr Browne/
Whereas there is much complaint of the excessive wearing of lace, & other superfluities tending to little vse or benefit, but to the nourishing of pride & exhausting of mens estates, & also of evill example to others, it is therefore ordered by this Court, & decreed, that henceforward no person whatsoever shall presume to buy or sell, within this jurisdiction, any manner of lace, to bee worne or vsed within or limits.

And that no taylo\r, or any other person whatsoever, shall hereafter set any lace or points vpon any garments, either linnen, wollen, or any other wearing cloathes whatsoever, & that no psone hearafter shallbee employed in making of any manner of lace, but such as they shall sell to such persons as shall & will transport the same out of this jurisdiction, who, in such case, shall have liberty to buy the same: And that hearafter no garment shall bee made with short sleeves, whereby the nakedness of the arme may bee discovered in the wearing thereof; & such as have garments already made with short sleeves shall not hearafter were the same, unless they cover their armes to the wrist with linnen, or otherwise: And that hearafter no person whatsoever shall make any garment for weomen, or any of their sex, with sleeves more then halfe an elle wide in the widest place thereof, & so proportionable for biger or smaller persons.

And for present reformation of immoderate great sleeves, & some other superfluities, with may easily bee redressed without much piudice, or the spoile of garments, as immoderate great breches, knots of rylan, broad shoulder bands, & rayles, silk rases, double ruffles, & cufies, &c;——

And whereas some have beeene greived that such excesses were presented to the Courte, with concerned the members of churches, before the parties had bene dealt with at home, intimating therby that the churches would (vpon notice of those abuses in apparell) have taken such course as would have reformed their members, & so have prevented the trouble of the Courte;——

*This Court hath, therefore, thought fitt (in the great confidence it hath of the care & faithfulness of the churches) to stay all proceedings vpon the said resentments, in expectation that the officers & members of all the churches, haveing now cleare knowledge, both of the said disorders in apparell, & the resolution of the Court to attain a generall reformation, will speedily & effectually proceed against all offenders in this kind, & that they will also (from observation of so" pruiness to follow new fashions, & to fall to excessive costlines in attire) keepe the more strict watch over all sorts for time to come; & this Court doth hereby intimate to all whom it may concerne, (of what quality or estate soever they may bee,) that all such persons as, after all these admonitions & forbearances, shall obstinately persist in their excesses in this kind,
shall bee looked at as contemners of authority, & regardless of the publike waule, & must expect to bee proceeded against by the strictest course of justice, as their offences shall deserve./

It is referred to the care of all those of the late grandiuryn men, & others who shall succeed, or any of them, to admonish all offenders in their severall townes, as they shall have occasion & opportunity./

For preventing of all unlawful marriages, Q. it is ordered, that, after due publication of this order, noe psons shall bee joyned in marriage before the intenction of the pties sceeding therein hath bene 3 times published at some time of publike lecture or towne meeting, in both the townes where the pties, or either of them, do ordinarily reside; & in such townes where no lectures are, then the same intenction to bee set vp in writing, vpon some post standing in publike veiwe, & vsed for such purposes only, & there to stand, so as it may easily bee read, by the space of 14 dayes./

And all townes wth have no weekly lecture shall fourthwth appoint or set vp a post in some publike place, to bee vsed for that purpose only, vpon paine of xsh the month for default thereof./

The ferry between Mount Woolaston & Waymuth is ordered to bee F. removed to the nearest & most convenient place, & to take but 1d a pson, according to the other N° 240./

Mr Nathaniell Eaton, being accused for cruell & barbarous beating of Mr Naza: Briscoe, & for other neglecting & misseving of his schollers, it was ordered, that Mr Eaton should bee discharged from keeping of schoale wth vs without licence; & Mr Eaton is fined to the countrey 66° 13° 4°, wth fine is respited till the next Court, vales bee remove the meane while. The Court agreed Mr Eaton should give Mr Naza: Briscoe 30° for satisfaction for the wrong done him, & to bee paid presently./

*Capt Jeunson & Mr Mayhew were appointed to call Mr Nathaniell Eaton to account the beginning of the next weeke, & to desire Mr Samm: Sheppard & Mr Joseph Cooke to help them the best they can./

The house at Salem wth was belonging to the countrey is left to Salem for 100°, to bee paid between this & the next Quarter Court./

Whereas many judgments have bene given in other Courts, whereof no records are kept of the evidence & reasons whereupon the verdit & judgment did passe, the records whereof being duely entered & kept would bee of good use for president to posterity, & a reliefe to such as shall have just cause to have their causes reheard & reviewed, it is therefore by this Court ordered & decreed that henceforward every judgment, wth all the evidence, bee recorded in a booke, to bee kept to posterity.
Item: That there bee records kept of all wills, administrations, & inventories, as also of the dayes of every marriage, birth, & death of every person within this jurisdiction.

It: To record all mens houses & lands, being certified under the hands of the men of every town, deputed for the ordering of their affairs.

Imprimis, for every judgment at the Court at Boston, 6d.

It: The entry of every will, administration, or inventory, if it exceede not a page, 6d.

For receiving the booke of mens houses & lands from the townes, 2d 6d.

For every death, 1d, for every birth, a 1d; the same to bee certified once every yeare, at the time of the Generall Courte, the same party bringing the certificates to pay the fees vnto the recorder for entry of the same, and such townes to bee fined 40s as shall faile to send vp their certificates.

Item: To record all the purchases of the natives.

Mr. Steven Winthrope was chosen to record things.

Mr. Emanuel Downing is granted 600 acres of land.

Forasmuch as the businesses of the ordinary Court of Assistants are so much increased as they cannot bee dispatched in such season as were fit, it is therefore ordered, that such of the magistrats as shall reside in or near to Boston, or any 5, 4, or 3 of them, the Governor or Deputie to bee one, shall have power to assemble together vpon the last 5th day of the 8th, 11th, 20th, & 5th months, every yeare, & then & there to heare & determine all civil causes wherof the debt or trespass & damages shall not exceed 20l, & all criminal causes not extending to life, or member, or banishment, according to the course of the Court of Assistants, & to summon iuries out of the neighbor townes; & the marshall & other necessary officers are to give their attendance, as at other Courts.

Mr. Thomas Hawkins had leave to goe for England, & the towne of Dorchester to choose another deputie.

The Court is adiourned vntill the 5th of the 9th m. next, being the 3rd day of the weeke.

*The 5th Day of the 9th Mr., 1639.*

The Generall Court met at Boston: & Mr. Nathani: Duncan was sent in the roome of Mr. Thom: Hawkins.

The Deputy Governor, Mr. Emanuel Downing, & Capt. Edward Gibons were appointed to treate with the three comittees from the towne of Dover vpon Pascataque, with whom they did agree, & certified the same.
Increase Nowell, Capt Willi: Jeanison, & John Bridge are appointed to take account of the estate of Mr Natha: Eaton, to dispose of the cattle, receive the money, take proofe of the debts, & bee accountable to the Court:/

It was ordered, that the 28th of this present month should bee kept a day of publike thanksgiving through the churches. Those churches that have kept a day already are left to their liberty;/

It is solemnly & unanimously decreed & established, that henceforth, vpon the day or days appointed by our patent to hold of yearly Court for the electing of our Governo's, Deputy Governo's, Assistants, & other generall officers, being the last Wednesday of every Easter term, that the freemen of this jurisdiction shall, either in person or by proxie, w'thout any saumons, attend & consume the elections; & at w'th time also they shall send their deputies w'th full power to consult of & determine such matters as concerne the welfare of this coimon wealth, from w'th Generall Court no magistrate or deputy shall depart the Court, or bee discharged, w'thout the consent of the major part of the Court, vnder the penalty of one hundred pounds;/

As for the place of publike assembling, it shalbee wher the preceding Court of Elections was held, unless then & there some other place shalbee assigned. This acte of o's wee conceive so nearly to concerne the good of this country that wee earnestly intreate it may never bee repeale by any future Court;/

The petition of the inhabitants of Colechester is granted for Mr Samuell Dudley, Mr Worster, Christo Batt, Samuell Winsley, John Saunders, & Henry Monday to order all businesses of the towne, so as this Court doth expect & reserve power to that end, that such as have indirectly obtained greater lotts then of dewe belongs to them, the same should bee reformed, & that care bee taken for preventing such inconveniences hearat;/

For explanation of an order made the third of the first month, 1635, concerning publike rates, it is now declared, that by publike rates is intended only such rates as are asseased by order of the publike Court for the countries occasions, & no other;/

*To Mr John Endecot is granted his 550 acres vpon Ipswich Ryver, (if it bee not w'th in Rowley bounds,) vpon the north of Salem bounds; but if it should bee w'th in Rowley bounds, then hee is to have the next convenient farme vpon the said ryver;/

The place desired by Mr Bellingham for his farme is on the head of Salem, to the north west from the towne, there being in it a hill, w'th an Indian plantation, & a pond, & about a hundred or 150 acres of meadow,
1639.

5 November.

Granted to Mr Symon Bradstrete to take his farme of 500 acres in the next convenient place that is fit for a farme to that wth is granted this Court to Mr Endecott.

B. Mr Thomas Mayhew, Ralph Sprage, & John Johnson did make returne, according to order of Court, that by ioynt agreement they had set out to the towne of Dorchester what they did judge to bee marsh ground: where there was any difficulty they have set stakes; & where no stakes are, they conclude it all marsh.

17th 4th mo, 1639.

The petition of Rich'd Browne for his 200 acres, Capt Willi: Jeannison for his 200 acres, & John Johnson for his 250 acres is granted to bee layd out at the farthest end of Watertowne bounds, & neare to Dedham bounds, to bee set out by Mr Edward Allen & Mr John Oliver, & they to see if there bee roome to set out acres for Mr Willi: Payne. If there bee not roome for Mr Paine, Mr Paine is to get two, that the court will credit to certify where may bee place convenient for Mr Paine, & not to hinder a plantation.

John Stone & his wife were admonished to make bigger bread, & to take heede of offending by making too little bread hearafter.

The Treasurer was ordered to allow 8t to Roxberry for Henry Burts losse by fyer.

It was ordered, that all that were disarmed, remaining amongst vs, carrying themselves peaceably, shall have their armes restored to them.

Mr Bulkeley is granted his 300 acres vpon Concord bounds, on the cast side toward Cambridge.

The Court granted Increase Nowell his 500 acres on the north side of the bounds of Concord, beyond the ryver over against the Governor 1200 acres, ioyning to the bounds of Concord.

Mr Thom: Allen is granted his 500 acres, to ioyne to Increase Nowell, on the north side of the said Increase Nowell his grant.

Mr John Norton is granted 200 acres of land.

The Court agreed to buy Mr Hansard Knowles his purchase for thirteye pounds, as hee tendereth it.

John Woodward was admonished to take heede of drinking strong water againe, & so was dismissed.

The administration of the goods of Thomas French, decessoed, is committ to his wife, & the land wth hee left is to bee disposed of by sale, or otherwise, by advise of the magistrates of Ipswich, for the maintenance of his wife &
education of his children, wth are not yet able to provide for themselves, nor were disposed of in their fathers life.

It is ordered, that the Governo, Deputy Governo, Treasurer, & Mr. Stoughton, or any three of them, wth two or more of the deputies of Boston, Charles town, or Roxberry shall pervers all those models, wth have bene, or shall be further present to this Court, or themselves, concerning a forme of government, & lawes to be established, & shall drawe them vp into one body, (altering, adding, or omitting what they shall thinke fit,) & shall take order that the same shall bee copied out & sent to the severall townes, that the elders of the churches & freemen may consider of them against the next Generall Court, & the charges thereof to be defrayed by the Treasurer.

Mr Willi: Hautherne & Mr Edward Tomlins are appointed to measure B. the bounds of Linn, & to certify how it lyeth for the setting of their bounds, & the bounds of the village.

Mr Samuel Cole was granted 10th to clear his account, his fine being discounted.

Edmond Grenliffe was ordered to be ensigne for the company at Newberry.

Capt Sedgwick was admonished to take heede of oppression, & vpon his acknowledgment of his failieng was discharged.

It was ordered, that Ipswich should satisfy Mr Winthrope for the 20th paid the Indian for his right.

It was ordered, that Capt Gibons should trayne the band at Waymoth, & have satisfaction for the same.

Whereas the inhabitants of Salem have agreed to plant a village neare B. the ryver wth runs to Ipswich, it is ordered, that all the land neare their bounds, between Salem & the said ryver, not belonging to any other towne, or person, by any former grant, shall belong to the said village.

Mr Edw Tomlins & Mr Willi: Hautherne are to set out the bounds of Salem, next Ipswich.

The Treasurer was ordered to pay John Gardner 20sh for witnesses charge, & carrying Goodm Woodward his instrument to Ipswich.

*In regard of the great inconvenience that is found for want of fit places of entertainment of people vpon occasion of great assemblies, & arrival of ships wth passengers, it is declared, that vpon such occasions it is lawfull for any person, in any towne where such great resort of people shall happen to bee, to give entertainment to such people, & to afford them lodging & dyot at reasonable rates, though they bee not allowed to kepe common ordinaries. And it is further ordered, that every towne shall have liberty, from time to
time, to choose a fitt man to sell wine, the same to bee allowed by license from this Court, or the Court of Assistance, & that it shalbee lawfull for such persons allowed to retaile wine to let wine bee drunke in his house; provided, that if any person shalbee made drunke in any such house, or any immoderate drinking suffered there, the master of the family shall pay for every such offence five pounds./

And it is further declared & ordered, that such as are allowed to keepe coiion ordinarie & inns shall provide stables & hay for horses, & inclosures for pasturing, where neede is; & it is further declared, that if any shall take excessive prices for their wines or dycting, they shalbee deeply fined for the same./

Whereas the high wayes in this jurisdiccion have not bene layd out wth such conueniency for travellours as were fit, nor as was intended by this Court, but that in some places they are felt too straitte, & in other places travellers are forced to goe farr about, it is therefore ordered, that all high wayes shall bee layd out before the next Generall Court, so as may bee wth most ease & safety for travellours; & for this end, every town shall choose 2 or 3 men, who shall ioyne wth 2 or 3 of the next town, & these shall have power to lay out the high wayes in each town where they may bee most convenient; & those wth are so deputed shall have power to lay out the high wayes where they may bee most convenient, notwithstanding any mans propriety, or any corne ground, so as it occasion not the puling downe of any mans house, or laying open any garden, or orchard; & in coiion grounds, or where the soyle is wet or mirye, they shall lay out the wayes the wider, as 6, or 8, or 10 rods, or more, in coiion grounds; provided, that if any man shall suffer any extraordinaire dammage in his improved grounds, by execution of this order, the town shall make him some reasonable satisfaction; provided, also, that if any case shall fall out wherein those that are deputed cannot agree, it shalbee referred to the determination of this Court; & if any person shall finde himselfe unjustly greived wth any thing wth the said persons deputed shall doe, hee may appeale to this Court, or the Court of Assistants, who shall have power to determine the cause; but if the party shalbee found to have complained wthout just cause, hee shall pay all charges, & bee fined by the discretion of the Court; and they shall pceede in this order: Newberry & Rowley, Rowley & Ipswich, Ipswich & Salem, C6; Hingham & Waymoth, Waymoth & Mount Woullaston, C6; and all townes are enioyed to have this order pformed before the next Generall Court, vpon paine of 5l for every town making default. And it is not intended that any person shalbee charged wth the repairing of the high wayes in his owne land./
Whereas many goods are lost, for want of due care taken of them, it is ordered, that before the first month next evry twnce shall appoint a house to wth all goods shalbee brought wherof the owner is not knowne, or is not in this jurisdiction, to take care of them; a psone shalbee appointed to keepe them safe, & the same pty shall, wthin one month after hee receives them, deliver a note of them to the marshall, who shall cause them to bee^{2} placed in the open market at Boston; & if the owner come, hee shall pay all reasonable charges; if hee bee not found wthin a yeare after such pclamation, the Court of Assistants shall dispose of them. Every twnce not providing such house wthin the said time shall forfeit 40sh for every default; & the m' shall, or keeper of such goods, being found in default in the trust committed to them, shalbee punished according as their default & the damage of the goods shall deserve./

For the further preventing of the damage wth may come by the burning of ground at vnseasonable times, it is ordered, that whosoever shall kindle any fyer in other mens grounds, or in any common grounds, for the gathering of akrons, or for taking of tobacco, or for any other occasion, except the party shall piously put out the same before it spreade, shall (besides full satisfaction for all damages, according to the former order) bee fined 40sh; & if the party offending bee not able to pay the fine, or satisfy the damages, hee or shee shalbee punished by whiping, or other corporall punishment. (as the Court wth shall have cognisance of the cause shall adjudge;) pvided, that this order shall not extend to any person that shall burne any ground for any needfull or fit occasion, in the first & second months; pvided also, that it shall bee lawfull for any man to kindle a fyer in his owne ground at any time of the yeare, so as no damage come thereby./

For preventing the miscarriage of letters; & it is ordered, that notice bee given that Richd Fairbanks his house in Boston is the place appointed for all letters which are brought from beyond the seas, or are to bee sent thither, are to bee brought vnto; & hee is to take care that they be delivered or sent according to their directions; & hee is allowed for every such letter a 14, & must answeer all mistakes through his owne neglect in this kind; pvided, that no man shalbee compelled to bring his letters thither, except hee please./

*The judgment of the Court is, that Mr Robt Keyne shalbee fined 200, of 100 to bee paid before the first month next, & the other 100 respited till the next Generall Court, whereby the Court may have liberty to shewe favours to him if they see cause./

John Vpham is appointed to bee in the place of Mr Parker, who is gone for England to order small businesses in the twnce of Waymoth./
Mr. Palgrave is appointed to have his 200 acres of land, with Capt. Jeani-
son, Mr. Browne, & John Johnson.

[270.] The 31st of the 8th M., 1639. A Court, held at Boston, for small
Causes not exceeding 20$, except for Strangers.

Present, The Governor,

The Deputy Govr,

Mr. Stoughton, & Inc: Nowell.

Mr. Bellingham,

JoHN WOOLRIGE, for his drunkennes, was fined ten pounds, whereof
8$ was paid mee, In: Nowell, & 2$ is in the hands of Mr. Coddington.

Rich'd Joanes, for his cheating, was censured to bee whipped, & put to
the assigne of the party wronged, to make satisfaction for the money wth hee
did receive, & hath spent./

Edward Conuers brought in Edward Fuller, & stands bound againe for
him to appear at the next Court./

John Johnson is, by order of Court, freed from training, paying ten shil-
lings p annum to the company./

Thomas Marriner (servant formerly to Robert Smyth) is for the present
discharged, vnlesse his master hearafter can shew sufficient cause to the contrary./

Willi: Powell, for resisting the surveyar, is fined 40sh:/

John Clois is admonished to use his servant Peter Tylls well, or else the
said Peter to bee discharged, & to take course that hee may bee taught his
trade of a seaman by himselfe or others./

Mr. Israel Stoughton, being formerly fined 40sh$, is discharged of the same,
it being remitted because hee could not hould his servant, having no covenant/

Robert Penyar appearing, his surety was discharged ; but an attachment
was granted against Penyar for going away undischarged.

Edward Fuller & Thomas Shoppe, for being distempered with wine, were
enioyued to appear at the next Court./

Richard Penne, not appearing, forfected his recognizance of ten pounds/

8 November.

The 8th Day of the 9th Month, @ 1639.

THOMAS SYMONDS was enjoyned to appear at the Quarter Court about
Mr. Eatons house & the collidge./

Robt Driver was enjoyned to appear at the Quarter Court./
Abraham Morell was enjoyned to appear at the Quarter Court.

Tacye, for swearing, was fined 10sh, with Mr Trerice undertooke.

A Court of Assistants, or Quarter Court, held at Boston, the 3rd of the 10th M, 1639.

Present, The Governo, Mr Sultonstall,
The Deputy Governo, Mr Winthrope, Lu:
Mr Endecott, Mr Stoughton,
Mr Bellingham, & Iner: Nowell.
Mr Humfrey,

Mr JOHN HOGGES was remitted three pounds of his fine of five pounds.

An attachment was granted against the wife of Sam: Finch for her appearance at the next Court.

Richard Pepper, for his extortion, was fined 5l.

The towne of Roxberry, for neglect of their order about swine, was fined ten pounds; but they are to bee exempted with did endeavoured to execute the order.

James Luxford being presented for having two wives, his last marriage was declared void, or a nullity thereof, & to bee divorced, not to come to the sight of her whom hee last tooke, & hee to bee sent away for England by the first opportunity; all that hee hath is appointed to her whom hee last married, for her & her children; hee is also fined 100l, & to bee set in the stocks an houre vpon a market day after the lecture, the next lecture day if the weather permit, or else the next lecture day after.

Mr Samu: Maverick paid in 5l of his recognisance of 10l; the other was respited till it appear whether it may bee recovered from James Meadealfe.

Marmaduke Peirce, being indited vpon suspicion of murther, was found not guilty, but was bound to the good behavio, & to appear at the next Court, & to pay the witnesses, & Nico: Davies was bound in 20l for his appearance.

The Jury which went vpon Peirce:—

Nicholas Willis, James Garret,
Robert Scot, Robt Cutler,
John Button, Willi: French,
Griffin Bowen, Thom: Brigham,
Willi: Dade, Robt Saunders,
Steven Fosditch, Rogt Shawe.
The Records of the Colony of

Elnor Peirce her husband was bound in 10‡ for her good behavior, & to bring her to stand in the market place the next market day with a paper for her light behavior.

Quick was appointed to stand in the market place with a paper, for her light behavior the next 5th day.

Lewes Hewlet, for his extortion, was fined 20sh, & was bound over in 10‡ to the first month for his contemptuous speeches.

Jane Robinson, for disorder in her house, drunkenness, & light behavior was censured to be severely whipped.

Margaret Hindsam was censured to stand in the market place with a paper the next market day, for her ill behavior, & her husband was bound in 5‡ for her good behavior, & to bring her to the market place at the time appointed for her to stand there.

Thomas Dickerson was censured to be severely whipped, & condemned to slavery.

Robert Penyar, for his unclean attempt, & his flying when he should have appeared, was censured to be whipped.

John Vaughan is to appear at the next Court.

Isaac Deesbro is bound in 10‡ to appear at the next Court at Salem, & at the next Quarter Court at Boston.

John Farrington is bound with Deesbro in 10‡ for his appearance.

Mr Thomas Allen, appearing, was discharged, the painting being before his time, & disliked of him.

The town of Salem, for not keeping constant watch this summer, was fined 10sh.

An attachment was granted against Ipswich, because none appeared to answer for their defective ways, & 10sh costs.

Concord, for not giving in a transcript of their lands, was fined 5sh, & for neglecting their watch 10sh.

Dedham, for want of weights & measures, was fined 5sh.

Cambridge, for defect of the way at Vine Brooke & Long Swampe, are refered to the former fine of 5‡.

And for want of stocks are fined 5sh.

And for neglect of a constant watch are fined 10sh.

Charlestowne meeting house is allowed for a watchhouse.

Lynn, for not keeping constant watch, is fined 10sh.

And for want of sealed weights is fined 5sh.

And for not giving in a transcript of their lands, 5‡.
Boston, for defect of their ways between Powder Horn Hill & the
written tree, is fined 20sh./ & enjoyned to mend them./
Dorchester, for not bringing in a transcript of their lands, are fined 5sh./
Waymoth, for want of a sufficient watch house, is fined 5c./
And for neglect of keeping constant watch is fined 10c./
And for not delivering in a transcript of their lands is fined 5sh./
And Waymoth, for not looking to the execution of their order about
swine, Waymoth is fined 3!/  
Hingham, for not making sufficient fences, is fined 5sh., & hath time to
mend their fences till the 4th month./
And for defect in their high ways are fined 10sh./
And for not keeping constant watch, Hingham is fined 10sh./
Leiff Duncan is appointed to take an inventory of the goods of Sarah
Lisse, to pay the legacies, & to keepe the rest till further order./
The Governo' had leave to keepe a Naviganset Indian & his wife./

*A Courte, held at Boston, the 30th of the 11th M', 1639. 1639-40.

Present, The Governo', Mr Humfrey,
Mr Bellingham, & Increase Nowell.

WILLIAM WALTHAM, for being drunke aboard the ship called the
Bristowe Marchant, wth hee confessed, was fined twenty shillings, it
being the first time that hee was knowne to bee drunke, & so was seriously
admonished, & dismissed. This 20s. was paid in/  
John Vaughan, havinge defiled & refused to marry her, was
comitted to prison till hee should give sufficient security to provide both for the
mother & the child, or marry her whom hee hath defiled./

A Court of Assistants, held at Boston, a Quarter Court, the 3rd
Day of the First Month, 1639-1640. 3 March.

Present, The Governo', Mr Saltonstall,
The Deputy Govr, Mr Bradstreete,
Mr Bellingham, Mr Stoughton,
Mr Humfrey, & Inc'r: Newell,
Mr Winthope, Iuni.,
RICHARD PEPPER his fine of 5 pounds is remitted to 6s 8d, with hee paid.
Thom: Davenport, for hiring John Parish to cast bales of paste, with copperas in them, & cast it into a mans yard, was admonished seriously to take heed of doing the like.
There is ten pounds delivered the Governor by one that had failed by taking too great prizes for his commodities. Hee hath satisfied the parties whom hee sould the commodities unto.
Thom: Blumfield is appointed administrator to his father, John Blumfield, deceased, & to have the house & ground; & the lame daughter to have the overplus of the goods not disposed of.
The will & inventory to bee recorded.
Samuell Basse his fine of 5s, upon his petition, was remitted to him.
Micha: Iver, being called, & not appearing, forfected his recognisance.
This Court gave way to the Governor to free his servant, Thom: Philips, so far as they have power.
Hester Ketcham is freed from her servise with her m', John Woolrige, & the said m' enjoyned to give .
Ketcham 20sh charges; & the said m', John Woolrige, is bound to his good behavio', & enjoyned to appear at the Court the 7th in next, & to put in sufficient caution for the good behavio' & appearance.
Mr John Coggan had authority given him to receive of Mr Will: Tyng 9. 8sh, for with Mr Coggan is to free Mr Ting as the Court shall direct, & bee responsall for the same.
John Knight is bound in 5s to appear at the Court at Boston, the 24th month.
John Dunward bound his land, & 20l more, to appear at the next Court.
Lewes Hewlet, not appearing, forfected his recognisance of 10l.
Isaack Desbro & John Farrington forfected their recognisance.
Marmaduke Peirce, appearing, was discharged, being enjoyned to pay the witnesses as hee should bee able.
Mr Henry Seawall, for his contumacious speach & carriage to Mr Saltonstall, was enjoyned to acknowledg his fault publikely at Ipswich Court, & to bee of good behavio', & was enjoyned to appear at the next Quarter Court, vntles the Court of Ipswich do release him from the good behavio' & from his appearance at the Quarter Court; hee bound him selfe in 66s 13l 4d for his appearance & good behavio'.
• The 30th of the 2d Month, @ 1640. A Particular Court, held at Boston, 1640.

P^sent, The Governor, Mr Stoughton, & Increase Nowell.
The Deputy Govr, &
The Treasurer, Mr Bel.;

THOMAS BUCKMASTER, being in distress, is granted thirty bushells of corne, & money to make it vp ten pounds, w^th was appointed to be paid him by the Treasurer./

John Clare is fined 20sh. for being drunke, w^th Christofer Grant vnder-tooke to satisfy./

John Pope, for his unchast attempt upon a girle, & dalliance w^th maydes, & rebellious or stubborne carriage against his master, was censured to bee severely whipped./

John Danvard, being accused of uncleannes, was bound in 20l to appear at the Court the 4th month, vules hee avoyde out of Waymoth before that, & to pay the constable 20l for witnesses./

George Palmer having omitted folly w^th Margery Rugs, through her allurement, because hee confessed voluntarily, hee was onely set in the stocks, & so dismissed./

Margery Rugs, for intising & alluring George Palmer, was censured to bee severely whipped./

Charles Towne having chosen Rob't Longe to sell wine, this Court doth allow him till the Quarter Court./

Boston having chosen William Hudson to keepe an ordinary, this Court doth allow him till the Quarter Court./

Nathaniell Travell, appearing, was admonished to acknowledg his offence in his scandalous & slaunderous speaches of severall psions, w^th hee promised to do, & to take advise; & so the Court discharged him upon triall.

• At a Generall Court of Elections, held at Boston, the 13th of the 3d M^, (at 1640. 13 May.

P^sent, The Governor, Mr John Winthrope, In.;
The Deputy Govr, Mr Rich: Saltonstall,
Mr John Winthrope, Seni.; Mr Symon Bradstrete,
Mr John Endecott, Mr Israel Stoughton,
Mr John Humfrey, Increase Nowell;
1640.

Deputies present,

Mr. Joseph Pecke,
Mr. James Bates,
Mr. Thom: Ginner,
Mr. Edward Bates,
Mr. Natha: Duncan,
Mr. John Glover,
Willi: Heathc,
Willi: Parks,
Cap: Edw: Gibons,
Mr. Willi: Tyng,
Cap: Rob't Sedgwick,
Leif: Rad: Sprage,
Mr. Joseph Cooke,
Mr. Sam: Sheopard,
Mr. Thom: Mayhew,
Cap: Willi: Jennison,

Mr. Thom: Flinte,
Mr. Rich: Griffing,
Mr. Peter Nois,
Mr. Edw: Allen,
Mr. Ralph Wheelock,
Mr. Tym: Tomlins,
Ens: Rich: Walker,
Mr. Willi: Hathorne,
Mr. Townsend Bishope,
Mr. Sam: Symonds,
Capt Dani: Denison,
Mr. John Woodbridge,
Mr. Thomas Nelson,
Mr. Christo: Batt,
Mr. John Crosse.

Mr. THOMAS DUDLEY, Esq., was chosen Governo' for this present yeare ensuing, & did take his oathe.

Mr. Rich'd Bellingham was chosen Deputy Governo' for this present yeare ensuing, & did take his oath.

Mr. John Winthrope, Seni.: was chosen an Assistant, & did take his oathe to that place belonging.

Mr. John Endecott was chosen an Assistant, & did take his oathe.

Mr. John Humfrey was chosen an Assistant, & did take his oathe.

Mr. John Winthrope, Juni.: was chosen an Assistant, & did take his oathe.

Mr. Rich'd Saltonstall was chosen an Assistant, & did take his oathe.

Mr. Symon Bradstreete was chosen an Assistant, & did take his oathe.

Mr. Israel Stoughton was chosen an Assistant, & did take his oathe.

Increase Nowell was chosen an Assistant, & did take his oath.

Mr. William Tyng was chosen Treasurer for this yeare, & did take the newe Treasurer to take the accounts of the oold Treasurers.

The former three are appointed to examine Sr Rich'd Saltonstalls demands of 160 & od pounds layd out 8 years ago.

The towne of Hingham is alowed 12l 15sh 4 for the charge of Thom: Painter; for the other 3l the towne is to have the acre of land w'h they bought for him.

Pl. The petition of the inhabitants of Salem for some of their church to have Jeffryes Creeke, & land to erect a village there, for Mr. Willi: Walton, John
Blacket, Willi: Allen, Sam: Orchard, Geo: Norton, & comp.; what land & enlargement may bee convenient, & is not granted to any other plantation, is granted them; & it is referred to Mr John Winthrop, Junior, & Mr Symon Bradstreete, to settle the bounds of the said village.

The petition of the inhabitants of Sudbury for the addition of a mile in length upon the south east & south west sides of their plantation is granted, provided it may not hinder a newe plantation, if there may bee convenient place & accommodations for one, nor may not hinder Mr Glovers farme of six hundred acres, formerly granted, & appointed to bee set out formerly by Mr Thom: Mayhewe & Mr Thom: Flinte, wth now they are a newe authorized to do, & they are desired to consider of this addition, & set out the same, except before excepted that it may bee found fit for a newe plantation.

Mr Henry Flint acknowledged his failing in subscribing the petition, or remonstrance, formerly, & desired his name might bee blotted out, wth was granted him.

The 4000 acres granted to Roxberry is ordered to bee set out to them, in four severall places at the most, where they may not presume any plantation already setled, or that may bee fit for a plantation, but for furthering of villages; & the part of Mr Thom: Dudley, the present Governo'r, of the said 4000 acres, 460 & od, to bee made 500 acres, wth is to bee taken by him adjoyning to his land upon Concord Ryver, & Capt Jeanison & Mr John Oliver are appointed to set out the severall parcels, all but the Governo'r, & to make certificate thereof to the Generall Courte. Sup. 383.

Mr Edward Alleyne was granted leave to looke after passingers & goods consigned to him.

Rowley is granted two years immunity from publick charge in regard of their great losse, & charge by purchasing of land, & hinderance of planting the last yeare.

Mr Willi: Paine is granted his 300 acres of ground, bought of Capt. 300 acres granted to Mr Winnetsemet, to bee laid out to Rowley bounds, where it may not presume any newe plantation nor any former grant.

Increase Nowell is chosen Secretary for the yeare ensuing, & till a newe bee chosen.

Mr Willi: Hathorne, Mr Samu: Symonds, & Mr Tymo: Tomlins are to set out the nearest, cheapest, safest, & most convenient way between Linn & Winnetsemet, & to settle it accordingly.

Mr Edward Woodman, Mr Willi: Paine, & Mr Thom: Nelson are B. appointed to view & settle the bounds between Hampton & Colchester, to make returne to the Courte.
Mr Robert Keayne had 120° of his fine remitted him, so that there remains only 80° to be paid by him.

Willi: Hudson is allowed to keep an ordinary in Boston.

Arthur Sanden is allowed to keep an ordinary at Marblehead.

Mr Robert Longe is allowed to drawe wine at Charlestowne.

The Lady Deborah Moody is granted 400 acres of land where it may not hinder a plantation, nor any former grant.

Charlestowne is granted their petition, that is, two miles at their head line, prived it fall not within the bounds of Linne village, & that they build within two years.

The desires of Mr Ward & Newberry men is committ to the Governor, Deputy Governor, & Mr Winthrop, Senior, to consider of Patucket, & Coijchawick, & to grant it them, prived it returne answer within three weeks fro the 21st fesent, & that they build there before the next Courte.

Mr Thom: Oliver is granted 15° for recovering Daniell Mansfelt, having had him in hand since winter was twelve month, & being yet further to help him, hee was so frozen.

It is ordered, that such land & medowe at Conilhasset as shall fall within this jurisdiction shall be conferred upon Hingham, & that Mr Duncan, Mr Glover, Willi: Heathe, & Willi: Parke, or any three of them, shall have power to dispose thereof to the inhabitants there, according to their number of persons & estates, for the most benefit of the town, having consideration of such quantities of land & medowe as have bene formerly aloted to the said inhabitants, so as such as have fallen short in former distributions may have supply by this.

It is ordered, that the Treasurer shall receive all the fines, & the Secretary is freed from medling with any of the fines hereafter.

It is ordered, that the time of the beginning of lectures shall be left to the churches, & the former order is repealed.

Mr Treasurer, Mr Samu: Sheopil, & Leiff Sprage have power to let the ferry between Boston & Charlestowne to whom they see cause, when the time of Edward Converse is expired, at their discretion.

*Mr Israel Stoughton is discharged from his place of captaine over the company of Dorchester upon his owne motion.

Mr Emmanuel Downing, Mr Willi: Hathorne, Mr Willi:, Mr Willi: and Mr Holboke are appointed to ioyne wth the magistrates of Salem, to assist them in keeping their Courts.

Mr Samuell Symonds, Mr Willi: Hubberd, Mr Rich: Danier, & Mr Thom: Nelson are appointed to ioyne wth the magistrates of Ipswich, to assist them in keeping their Courts.
For other townes, those wth were the last yeare are appointed to continue this year, to end small businesses under 200l. 

It is declared, that the flats round about Noddes Hand do belong to Noddes Hand to the ordinary lowe water marke. 

Willi: Haward is desired as a sergent to exercise the comp at Hampton, 
& John Crosse is appointed surveyar of the armes there. 

Mr Christo: Batt is desired to traine the company at Colechester. 

John Remington is desired to traine the company at Rowley. 

Mr Brian Pendleton is desired to traine the comp at Sudberry, & Mr Peter Noys is appointed surveyar of the armes at Sudberry. 

The order for writing to the Navigantset Indians was voted, & cointent to the Governor. 

Edward Palmers fine of 5l was remited him to 10l, wth hee pt. 

The order wth restrained buildings not to bee above halfe a mile from the meeting house is repealed, and Willi: Luddington his failing therein is remited him. 

Martin Saunders is allowed to draw wine at Braintree. 

The petition of the inhabitants of Mount Woollaston was voted, & granted them to bee a towne according to the agreement wth Boston; prived, that if they fulfill not the covenant made wth Boston, & heero affixed, it shallbee in the power of Boston to recover their due by action against the said inhabitants, or any of them, & the towne is to bee called Braintree. 

It was agreed wth o'their neighbors of Mount Woollaston, vid.; William Cheesbrooke, Alexander Wincheister, Rich: Wright, James Penniman, c., in the name of the rest, (for whom they undertooke,) that they should give to Boston 4sh the acre for 2 a of the 7 a formerly granted to divers m of Boston, upon expectation they should have continued still wth us, & 3' the a for every acre wth hath bene or shallbee granted to any others who are not inhabitants of Boston, & that, in consideration hereof, & after the said portions of money shallbee paid to the towne treasure, all the said lands shallbee free from any towne rates or charges to Boston; & upon these terrains, & also from all country rates assessed wth Boston, but to bee rated by the Court by its selfe; prived, that this order shall not extend to any more or other lands then such as shall make payment of the said rates so agreed upon of 4' & 3' the a; & upon the former consideration there is granted to the mount all that rokye ground lying betwene the Fresh Brooke & Mr Coddingtons brooke, adjoyning to Mr Haughs farme, & from the west corner of that farme to the southeastermost corner of Mr Hutchinsons farme, to bee reserved & used in common forever by the inhabitants & landsholders there together, wth an other parcel of
rockie ground near to the Knights Neck, wth was left out of the third company of lots, excepting all such grounds lying among or near these said rockye grounds, forcibly granted in lots to pícure person.

And there is granted to Mr. Tompion, pastor of the said church, 130 acres, & to Mr. Flint 80 acres, wth are to bee free f5 the rate of 3: the ac/

[278.]

Tho: Cheesholme licenc'd at Camb.
Rob: Andros licenc'd at Ipsw.

443-
Canoor forbid to transport, on pain.
Newbury ferry to be settled.
Order restraining pipe staves repelled.
Widow Fisher's admr.
Capt Gibbont to be repaid for wt laid out to Indus, for War, 13 S 6d; for Cambridge, 10s.
Linn Village exempted from rates for 2 years.
Sudbury exempt for 1 year.

Mr. Pellam & Mr. Walgrave's lots at Sudbury.

Rowley bounds to be 8 miles from y' meeting house.

Ans to Mr. Robert Saltoun, stall aple to his fathers 1000 acres.

Abreviation of 1r acres to be considered of by ye next Court.

It is ordered, that no man should carry over any other at a ferry wth a canoe, under paine to forfeit the canoe to the treasury.

Mr. Edward Woodman, Mr. Christo: Batt, & John Crosse are appointed (when the way is set) to settle the ferry where they thinke meete.

The order that restrained pipe staves, plank, & other wrought timber from being transported is repelled.

Widowe Fisher, of Dedham, hath liberty to take administration of the goods of her husband, & hath liberty to sell half her lot, for the bringing up of her children.

It is ordered, that the 23d 8 6d laid out by Capt. Gibbons shall bee paid him, vid.; 13 S 6d by Watertowne, & 10d by Cambridge; & also Cambridge is to give Squa Sachem a coat every winter while shee liveth.

Such as go to Linn village are for 2 years exempted from publike rates, wth is to begin when 7 houses are built & 7 families are setled there, & onely for such as are setled there.

Sudbury is for one yeare exempted from rates from this day, being the 20th of the 3th mo, 1640.

Mr. Pellam & Mr. Walgrave are granted their lots at Sudbury absolutely, without condition of dwelling there, onely Mr. Pellam promised to build a house there, & settle a family there, & to bee there as much as hee could in the sumer time.

It is declared, that Rowley bounds is to bee 8 miles from their meeting house, in a straight line, & then a close line diameter from Ipswich River to Merrimack River, where it doth not prejudice any former grant. Infr: 458.

Vpon the petition of Robert Saltoun that the 1000 acres granted formerly to his father, Sir Rich'd Saltounstall, might bee confirmed at Quechitunke, it was refered to Capt. Jenison, Mr. Joseph Cooke, & Serg't Oliver, or any two of them, to veive it, & if it bee not a hinderance to a plantation, it is granted him.

Whereas a breviate of lawes was formerly set forth to bee considered by the elders of the churches & other freemen of this common wath, it is now
desired that they will endevour to ripen their thoughts & counsels about the
same by the Generall Court in the next 8th Mos.

This Court, taking into consideration how the liberty of the freemen in
matter of election of magistrates, &c. may bee preserved, & we shall how deed
order may bee settled in the exercise of this liberty, it is ordered, that at such
generall meeting in the severall townes as the deputies shalbee chosen for the
Generall Court in the 7th, 8th, or 9th Mos, the said deputies, being so chosen,
shall ppoint to the freemen whom they would have put to nomination for
magistrates at the next Court of Elections, & shall then set downe the names of
such as shalbee so nominated, & the certaine number of votes weh every
man so named shall have, & shall make a true returne of the same at the next
Generall Court; & then the magistrates & deputies conferring all their returns
from their severall townes together, they shall take note of so many as have
the greater number of votes *from the severall townes, till they have so many
(if so many bee returned) as will make up the full number of Assistants, &
those names to bee returned back by the deputies to the severall townes, that
the freemen may consider of them against the next Court of Elections, to
choose or refuse, as they shall see good; & at the said Court of Elections
none shalbee voted for newe magistrates but such as shall come to nomination
in the order aforesaid/

This order to bee of force till the end of the Generall Court, in the 3d or
4th Mos, the next yeare, & no longer, except it bee further confirmed then./

The ordinary watches & wards, in times of peace, shalbee set by the cun-
stables in the severall townes; but in times of sudden danger of any enemy,
the military officers shall take charge thereof, & all men shalbee compellable
to watch & ward, except magistrates, officers of churches, schoolmastrs, capts,
lieff, & ensignes, the Treasurer, & such as are assistant to the magistrats in the
Courts, & such other that have bene brought vp in learning as any 2 magis-
trats shall thinke meete to discharge; but the servants of all these shall not
bee exempted./

The island sometimes called Conants Island, wh was formerly granted to Mr John Winthrope upon the yearly rent of one hogs-head of wine, as by the
order of the 3 of April, 1632, [March 4, 1634–5, page 141], appears, is
now granted & confirmed to the said John Winthrope & his heires in fee
carme, for wh they are to pay onely two bushels of apples every yeare, — one
bushell to the Governo, & another to the Generall Court in winter, — the
same to bee of the best apples there growing./

It is ordered, that in all places the English shall keepe their cattle from F.
destroying the Indians corne in any ground where they have right to plant;
1640.

13 May.

& if any corne bee destroyed for want of fencing or hearding, the townes shalbee liable to make satisfaction, & the townes shall have power among themselves to lay the charge where the occation of the damage grewe; & the Indians are to bee incouraged to help towards the fensing in of their corne fields, prived that the Indians shall make peace that the cattle of such a towne, farme, or pension did the damage.

This Court, taking into serious consideration the absolute necessity for the raising of the manufacture of linnen cloth, (c), doth declare that it is the intent of this Court that there shalbee an order settled about it, & therefore doth require the magistrates & deputies of the several townes to acquaint the townesmen therewith, & to make inquiry what seede is in every towne, what men & women are skilfull in the braking, spinning, weaving, what means for the pviding of wheeles, & to consider with those skilfull in that manufacture what course may bee taken to raise the materials & place the manufacture, & what course may bee taken for teaching the boyes & girls in all townes the spinning of the yarn, & to returne to the next Court their several & ioynt advise about this thing. The like consideration would bee had for the spinning & weaving of cotton woole.

Mr Peck, Mr Bates, Mr Wheelock, Mr Duncan, Willi: Parks, Mr Tyinge, Capt Sedgwick, Mr Shepard, Mr Flint, Eunsigne Walker, Mr Mayhew, Mr Hauthorn, Capt Denison, Mr Woodbridge, John Crosse, & Mr Batte are appointed a comittee to consider of the time & manner of paym't of a rate of 1200l, & to lay it upon every towne prortionably; & so it was ordered, that there should bee a levy of 1200 raised, whereof Mr Humfrey is granted 250l to receive his necessity. This rate was ordered to bee paid at two months.

The pportion for the rate agreed upon is, for

<table>
<thead>
<tr>
<th>Town</th>
<th>Rate</th>
<th>Shilling</th>
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<tr>
<td>Hingham</td>
<td>035 00</td>
<td>00sh</td>
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<tr>
<td>Waymouth</td>
<td>021 00</td>
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<tr>
<td>Braintree</td>
<td>025 00</td>
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<tr>
<td>Dorchester</td>
<td>095 00</td>
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<tr>
<td>Roxberry</td>
<td>075 00</td>
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<tr>
<td>Boston</td>
<td>179 00</td>
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<td>Dedham</td>
<td>030 00</td>
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<td>Concord</td>
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<td>Watertown</td>
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<tr>
<td>Cambridge</td>
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</tbody>
</table>

And it was ordered, that in payment silver plate should passe at 5l the ounce; good oold Indian corne, growing hear, being clean & marchantable, at 5l the bushell; summer wheate at 7l the bushell; rye at 6sh the bushell.
And for horses, mares, cows, oxen, goats, & hogs, there is a comitē appointed to valewe them in any towne, w^th are required to valewe them under their worth rather then above their worth.

The comitē are, for Hingham, John Porter, Willi: Hearsey, & John Hubberd;
For Waymoth, Nicho: Philips, Steven French, & Willi: Smyth are appointed;
For Braintree, w^th was called Mount Woullaston, Martin Sanders, Ri:
Right, & Al: Winchester;
For Dorchester, Mr Atherton, John Fillips, & Goodm Sumner;
For Roxberry, Mr George Alcock, John Johnson, & Philip Eliot;
For Boston, Mr John Newgate, Mr Hill, & Jacob Eliot;
For Dedham, Fraî Chickering, John Hayward, & Micha: Meade calves;
For Concord, Symon Willard, Thom: Brooke, & Willi: Woode;
For Watertowne, Thom: Hastings, John Coolige, & Henry Bright;
For Cambridge, Goodm Goffe, Goodm Marret, & John More;
For Charlestowne, Mr Longe, Ezech: Richardson, & Walter Palmer;
For Salem, John Woodberry, Jeffrey Massey, & Thom: Lathrope;
For Lynn, Goodm Burton, Nicho: Browne, & Goodm Cooper;
For Ipswich, Mr Willi: Painc, Goodm Giddings, & John Whipple;
For Neweberry, Mr Ranson, Mr Woodman, & Goodm Haule;
For Colechester, Goodm Munde, Antho: Colebice, & Mr Winslo; &
For Hampton, both Goodm Moulton & Goodm Crosse./
There is 3000 acres of land granted to Mrs Wintherps John Wintherp, our late Governor, to bee at her disposing for her & her sons, where they shall desire it, w^thout prejudice to any former grant.

James Luxford, for his forgery, lying, & other foule offences, was cen-
sured to bee bound to the whipping post till the lecture from the first bell, & after the lecture to have his ears cut of; & so hee had liberty to depart out of his jurisdiction.

About Capt Stoughtons mill a comitē was appointed, to wit: Mr Willi: As to Mr Tyngs, Capt Gibons, John Johnson, Willi: Park, Willi: Heath, & Capt Stoughtons mill.

Mr Batte, Mr Winslo, & Mr Mundde have order to end small businesses at Colechester under 20s.: irish goods now land, free from ye rate.
It is ordered, that the goods of the persons come from Ireland shallbee free from this rate.
THE RECORDS OF THE COLONY OF

1640.

13 May.

450-

Size & prizes of bread.


Edm. Good- now, constable at Sudbury.

It is ordered, that no bread shall be made finer than to afford at 12 ounces the two penny loaf, & whosoever selleth lighter weight to forfeit his bread. This to be of force within 14 days after publication./

When the way is laid out between Linn & Winnetsemet, it is to stand both for the foot way, as also for the horse, cart, & drift way, as they shall settle it, & no other to be allowed for horse nor foot./

The 13th, Edmund Goodner was chosen, & sworn constable of Sudbury./

[Page 281 contains the names of those made free in May and September, 1640.]

[*282.]

2 June.

At a Quarter Court, houden at Boston, the 2d Day of the 4th Month, 1640.

Mr, (at 1640.)

Present,

Mr. Deputy Bel ;

Mr. Winthrop, Don :;

Mr. Winthrop, Seni. ;

Mr. Endecott,;

Mr. Humfrey,

Incr: Nowell.

Leonard Bowtle, for neglecting to obey a warrant served by the constable, was fined 10sh./

Mr Browning, for seling strong water, was fined 5sh, with: to ha: 2" of it:/

Mr Tyng e & Mr Davison are desired to examine the accounts between Mr Joanes & Mr Mayhew;/

The charge of Muddy River Bridge, being 15 3 6", was ordered to be allowed as followeth: By Boston, 6"; by Roxberry, 5"; Dorchester, 11 7 8"; Watertowne, 1 7 11"; Cambridge, 1 7 11";

George Hurne is comitted to bee l Yad in yrons, & to bee whiped to morrow, for his insolent & contemptuous carriage;

John Hogge not appearing

James Davies, for his unquietnes wth his wife, was enioyned to appear at the next Court of Assistants;/

Henry Chapman, for not obeying a presse, was fined 5sh;/

Mr John Woodbridge is discharged of his psentment for releasing a servant, paying 2" 6 1/2.

Robert Tucker, for upbraiding James Brittain, calling him lyar, & saying hee could pu ce him so, being a witnes, was fined 20; & enioyned to acknowledg the wrong hee had done Brittain;/

Mr Peter Bulkeley is granted the corne of Alexander Thwayte, & to bee responsible for it if hee come to answere the suite;/

Willi: Powell, for his sin in geting his wife with child before marriage, was fined 40sh. Deniing it often, & confessing;
Thom: Gray was censured to bee severely whipped for his drunkennes & other mislemencs at Marbleivalence, with Mr. Endecot tooke the care of by undertaking it.

Goodly Finch was censured to bee severely whipped to morrow, & so kept in prison.

Thom: Savory, for breaking a house in the time of exercise, was censured to bee severely whipped, & for his theft to bee sold for a slave untill hee have made double restitution.

Henry Allein & Clement Weaver, for drunkennes, were fined 10sh. a piece.

Mr. Barnard, for givinge a gallon of strong water amongst certain persons at worke at his house, whereof Allen & Weaver were two, was fined 3/. Rob't Abels bussines is refered to Mr. Stoughton to inquire.

Elisabeth Lovell was admonished for her immodest expressions, enioyed to pay the witnesses, & so was dismissed.

John Downham, for getting his wife with child before marriage, was fined 20sh./

Hingham being presented for defective wayes & bridge, & the Court being certified by Hen: Smyth that they are mended, they were fined 2' 6', & discharged.

Edward Converse was fined 10' because the ferry had bene neglected.

Thomas Bell, being seetd since the presentment, is respited.

The way of Dorchester, being presentted, is referd to veiwe.

Mr. Rich'd Dummer, for want of weights & scales, whereof were supplied, 5'/

Neweberry, for want of Towne weights & measures, fined 6. 8'/

Salem, for neglecting their watch, was fined 10sh./

*The 30th of the 5th M', 1640.*

Present, The Governor, Mr. Stoughton,
The Deputy Gov.; Incl. Nowell.
Mr. Winthrop, Sez.,

JOHN TOWER, for his disturbance of the peace, & his offence thereby against the common wealth, is fined five pounds.

Two Indian woemen were adjudged to bee whipped for their insolent carriage, & abusing Mr. Weld.

Elisa: Bennet was censured to bee whipped for her unchast miscarriage.

Mr. John Hogge, for his drunkennes, is fined five pounds.
John White is bound in 10l for to bee of good behavio', & not to come into the comp' of Bulls wife alone, & to appear at the Quarter Court the first 3rd day of the 10th m next./

John Wily & George Orrice bound themselves in 5l a piece for the forenamed John White./

Hope, the Indian, was censured for her ruining away, & other misde-meano', to bee whipped hear & at Marblehead./

Isaack Hart bound himselfe in 20l to bee of good behavio'', & M' Robt Saltonstall bound himselfe in 10l for the said Isa: Hart his good behavio', till hee dept out of the plantation, or bring a note fro that hee is free from fear./

Joell Jenkin is bound over to the next General Court, for gating his m' his daughter wth child./

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**The 20th of the 3rd M', @ 1640.**

Present, The Deputy Go.; Increase Nowell.
Mr Winthrop, Se.;

HENRY ELLERY, being drunke the night before, & calling Walter Merry knave, & saying farther to him, a member, a dog, hee was fined 10l, & to go to prison till hee have paid it./

John Barnes, likewise, for being distemped with wine, was fined 10sh./

Daniell Hutchins bound himselfe in 10l to appear at the Court, to answer for neglect of the 2 children in the ship, wth were comitted to him./

Willi: Kilcup & Rich: Haines bound themselves in 5l a piece for the appearance of Dani: Huchins./

6th m, 27, Henry Bright tooke his oath for to discharge the place of surveyor of the armes in Watertowne this year, & till a new bee chose.
attorney dated the day of anno Dni 1636, made unto John Haynes, Esq, gave him, the said John Haynes, power & authority to sue & compound with the said Willi: Swift for & upon one bond of c\(^2\), bearing date the day of in the yeare , wherein the said Willi: Swift, as a surety, was bound with Roger Spring, principal debtor, & Josua Smyth, another surety, for the payment of fifty two pounds unto the said Andrew Coleman, upon a certain day past; & thereupon the said John Haynes agreed & compounded with the said Willi: Swift, and the said Willi: Swift mortgaged his house & lands at Watertowne aforesaid unto the said John Haynes, in behalf of the said Andrew Coleman, by one deed or writing dated in or about the month of in the year 1636 aforesaid; and whereas the said Willi: Swift allegeth that the said Andrew Coleman hath already recovered, for part of the said debt, the summe of eighteen pounds & five shillings from John Smitheman & Willi: Stacy, Junior, of Bocking, clothiers, with they owed to the said Willi: Swift, & that, since the said mortgage made, the said Andrew Coleman hath, contrary to the said agreement, arrested & troubled the said Willi: Swift, in England, for the said debt, & recovered from him seven pounds & ten shillings more, with in all, being twenty five pounds & fifteen shillings, cometh to half the said debt, wanting but five shillings, & that half thereof is as much in equity as bee, being a surety with another, ought to pay, & the other surety, the said Joseph Smith, being a man of sufficient estate, ought to pay the other half; this Court hath ordered, that the possession of the said house & lands shall remaine in the hands of the said John Haynes till midsummer next, to the end the said Willi: Swift may make what proofe he can of the promises in the meantime, and then this Court will set downe a small order in the promises as shall bee agreable to equity.

If the Court bee pleased to record this order, I consent to it./

JO: HAYNES.

John Woolrige, appearing, was discharged for his hand, having carried himself orderly, for ought we hear./

John Porter & Henry Tuttle, being chosen constables of Hingham, did take the oath to them belonging./

Thomas Tylestone & Edward Winshot were fined 6\(^s\) 8\(^d\) a piece for not attending the jury when they were called./

It was refered to Mr Willi: Tyng & Mr Willi: Peirce to examine the books about the goods with came in the Charles was are wanting of persons absent./

Thomas Baguley, for seeking to get a mayde without her freinds consent,
THE RECORDS OF THE COLONY OF

1640. 1 September is bound to his good behavior, & if hee trouble her by piercing any newe suite, or make any disturbance, it is to bee accounted a breach of the good behavior.

Richard Chaff, for saying, Shall I pay 12s. for the fragments wth the grand jury ranges have left, hee was bound to his good behavior & fined three pounds five shillings & eight pence, wth was discounted by Mr Robert Saltonstall upon account.

Edward Mathew was admonished to take heed of piercing.

Mr Samu: Maverick bound himselfe in 12s. for the comp of the Charles, to answer such actions as are or shall bee brought.

[285.] *Thomas Dickinson is discharged from his slavery, & comitted to Ensigne Rich'd Walker.

John Turner & William Rich'ds are refered to Mr Ginner & Thomas White, to settle things betweene them.

Evan Thomas, having a wife & four children, is allowed twenty bushells of corne at harvest, & what necessary charge Goodm Button is at to bee allowed him.

Jonathan Hatch was censured to bee severely whipped, & for the present is comitted for a slave to Leift Davenport.

Rec'd of Ipswich for their attachment 10s, they having set out newe highwayes nearer then the former, as they informed.

Walter Merries two servants were censured to bee whipped for running away, & delivered to their maister.

Mr Atherton Hoffs, Mr Thom: Leveret, & Mr Thom: Colebron have authority & order to sell the house & ground wth was Mr Melloes, to bee disposed of by them for the good of the sixe children till they come to age, or marry, & the eldest sonne to have a double portion.

Mr Samu: Winslew is sworn surveyar of the armes at Colechester.

John Gasse had ten pounds of his fine of 20l remitted.

John Burrows, for going into other mens houses in the night & upon the Lords day in the time of exercise, was censured to bee whipped.

8 October.

The 8th Day of the 8th Mr, 1649.

John Knight, for his drunkennes, swearing, & other disorder, was censured to bee severely whipped.

Daniel Houchens, having given satisfaction to the father of the children wth were neglected, is freed from his attendance at the Courte any further.

15 October.

15. John Davies & Henry Messenger are bound in 20l a pece, & each for other to appear at the next Generall Courte.
John Crabtree, Willi: Hudson, & John Hill bound themselves in 20\(^{\text{t}}\) a peice that what shalbee adivjudged by the Courte to bee overpaid shalbee returned to Mr Hibbens.

*:

**Gen'All Co't, held at Boston, the 7\(^{\text{th}}\) Day of the 8\(^{\text{th}}\) M', 1640.**

1º sent, The Governor,
Mr Deputy,
Mr John Winthrop, Seni. ;
Mr Endecott,
Mr Humfrey,

Deputies,
Mr Willi: Hibbens,
Mr Willi: Tynge,
Capt Robt Sedgwick,
Mr Thom: Coytemore,
Willi: Heathe,
Willi: Parks,
Mr Eca: Downinge,
Mr Willi: Hathorne,
Mr Samu: Symonds,
John Whipple,
Mr Rich'd Dumcr,
Mr John Woodbridge,
Edmond Rice,
Christo: Batte,
Mr Joseph Peck,
Edmond Hubberd, Se ;
John Crosse,
Mr Thom: Flinte,

Mr Saltonstall,
Mr Winthrope, Juni. ;
Mr Stoughton,
Mr Bradstreete,
Increase Nowell.

Lieu: Simon Willard,
Mr Ralph Wheelock,
Elsa: Lusher,
Mr Natha: Duncan,
Mr John Glover,
Mr Thom: Nelson,
Franc Parret,
Mr James Parker,
Edw\(^{\text{d}}\) Bates,
Mr Samu: Sheopd,
Mr Joseph Cooke,
Mr Edward Hollick,
Mr Tymo: Tomlins,
Willi: Cheesbro,
Steven Kinsley,
-Cap: Willi: Jeanison,
-Mr Thom: Mayhewe.

WATERTOWNE & Linn cunstables are fined 10sh\(^{\text{t}}\) a towne for not returning their warrants & deputys names. /

Mr Winthrope, Senior, paid in his bushell of apples. /

The first law against adultery, made by the Courte of Assistants @ 1631, is declared to bee abrogated; but the other, made the first \(\text{td}^{\text{t}}\), 1637 or 1638, by the Generall Court, to stand in force. /

Whereas Capt John Vnderhill hath come upon safe conduct into the Court this \(\text{t}^{\text{t}}\)-sent day, & there openly & humbly acknowledged & bewayed his offences against God & this co\(\text{m}\)on wealth, as hee had formerly done the like to the church of Boston, who have thereupon received him againe into
1640. 7 October.

The church, this Court also, being charitably & well persuaded of the truth of his repentance, are willing to forgive his former offences, so far as may concern every of his private interests, & are freely reconciled to him in Christian love; but being desirous to have yet further tryall of him before he be fully restored to his former liberty, this Court doth order that his sentence of banishment shall be suspended till the end of the next Court of Elections, & then the Court will further consider of his condition.

The petition of the inhabitants of Lynn is granted for the clause of forfeiture in the former order to bee obliterate for not selling one lot within two years after their removing to the village.

Tr: Whereas much wrong hath been done to the county by the negligence of constables in not gathering up such levies as they have received warrants from the Treasurer to gather, & they neglecting the same during the time of their continuance in their offices, thereby casing themselves & putting the trouble of gathering thereof unfeel to the next constable, who thinks it a wrong to have the former constables business imposed upon him; the former constable for his excuse alleging himselfe to bee out of office, & so hath no power to distrain; it is therefore ordered, that if any constable shall not have gathered the levies committed to his charge, by the Treasurer then being, during the time of his office, that he shall, notwithstanding the expiration of his office, have power to levy by distress all such rates & levies, & if hee bring them not in to the said Treasurer according to his warrants, the Treasurer shall distrain such constables goods for the same; & if the Treasurer do not so distrain the constable, hee shall bee answerable to the county for the same; & if the constables be not able to make payment, it shall bee lawful for the Treasurer, old or newe, respectively, to distrain any man, or men, of that towne where the constables are unable, for all arrerages of levies, & that man, upon petition to the Court, shall have order to collect the same again equally of the town, with his just damages for the same.

Mr Woodman, of Neweberry, is released from being lieutenant there.

Mr Treasurer & Mr Duncan are appointed a committee to take the account of Mr Nathani: Eaton's business from Capt. Jemison & Gooden John Bridge.

It is ordered, that white wampum be passe at 4 a penny, & bleue at 2 a penny, & not above 1/2 at a time, except the receiver desire more.

Nichols: Jacobs is allowed to keepe an ordinary at Hingham.

B. Wee, whose names are under written, according to the order of the Generall Court, have taken view of the bounds of Hampton & Colechester, according to ye best light, by ye discovery & from information of both the
townes, wee judge it most equall that the line begining at Hampton Ryver mouth, running from thence so as to leave Mr Basilers farme hyde out in Hampton bounds, & from the southerlist line of Mr Basilers farme the line to extend westerly, between Colechester & Hampton, the same point of the compas that Merrimack Ryver runes, from the mouth to the end of Colechester bounds./

Septemb 24, 1640/

THOM : NELSON,
WILL : PAINE,
EDWARD WOODMAN.

Mr Woodman, Mr Paine, & Mr Nelson are appointed to veiwe the bounds between Colechester & Mr Wards plantation, & Mr Batte & Geo. Howlet to go wth them to informe them that they may certify the Courte./

Mr Thom : Welde, posto of Roxberry, is granted 533 acres, next to Mr Thom : Allen, teacher of Charles Towne, beyond Concord Ryver, wth 200 was granted by the country, & the other 333 is pt of the 4000 acres granted to Roxberry./

For inceragment of the manufacture of linnen, woollen, and cotton clothe, it is ordered, that whosoever shall make any sort of the said cloathes fit for use, & shall shewe the same to the next magistrate, or to 2 of the deputies of this Court, upon certificate thereof to this Court, or the Court of Assistants, the party shall have allowance of 3\(^2\) in the shilling of the worth of such cloth, according to the valewation, wth shalbee certified wth it. And the said magistrate, or deputies, shall set such marke upon the same cloth as it may bee found to have beene allowed for; provided, this order shall extend onely to such cloth as shalbee made wthin this jurisdiction, & the yarne heare spun also, & of such materials as shalbee raised also wthin the same, or else of cotton. This order to continue for 3 yeares next following./

Whereas there was a levy made the last Court of 1200\(^1\), whereof little is paid, & the order then made for the assessing thereof would now bee unequall & inconvenient, in regard of the alteration of the prizes of such things wherein it was to bee paid in to the Treasurer, or such as hee hath assigned the same unto, shalbee paid in corne at the prices this Courte hath set downe, & that the Treasurer, or such as it shalbee assigned unto, may leave it in the hands of such as should pay it untill it shalbee called for, so it bee wthin 5 months, & then to bee delivered good & marchantable in full measure, onely the rate of Concord, wth is most of it in cattle, shalbee accepted by the Treasurer, & such as hee shall assigne it unto, & what losse shall come thereby it shalbee made up by Concord, provided that such as have or shall pay their rates

\[288.\]
1640.

7 October.
Law for payments of debts in vs specie.

455—
S. infr. 462.
Rep. (S) 8: 41.

456—
Recompence for killing wolves, 49.

457—
L. speech limited.

Fer: Boston Ferry granted to ye collidg.
Ipswich grant to Mr Dudley confirmed.
Fisher’s Island granted to Mr John Winthrop, Jr.

[289.] Mr John Winthrop, Iuni:; Mr Symon Bradstreete, Mr Eina: Downinge,
B. Mr Hauhtorne, & Mr Tyng:; or any three of them, are appointed to set out
the bounds between Ipswich, Jeffries Crecke, & Cape Ann, & to certify to the
next Coure.

Mr Craddocks farme to be sett out.

to the said levy in money or corne, shallbee exempt from the charge of recompence to such as shall sustaine losse by accepting their debts in corne.

For asmuch as it appeareth unto this Court that there is a great stop in trade & commerce for want of money, for preventing of the like mischeife for time to come, —

It is ordered, that after the last day of this month no man shallbee compelled to satisfy any debt, legacy, fine, or any other paym’t in money, but satisfaction shallbee accepted in corne, cattle, fish, or other commodities, at such rates as this Coure shall set downe from time to time, or in default thereof by apprize of indifferent men, to bee appointed by the officer; prived, that this order shall not extend to any debts, or other payments, due or arising upon any contract, or other original cause preceding the last day of this month aforesaid. And this Court doth order, that Indian corne, marchantable, shallbee so payable at the rate of 4’ the bushell, snuer wheate at 6’, rye at 5’, barley at 5’, & pease at 6’; hemp & flax seede 12’ a bushell, & all these prizes to bee intended of such corne & seede as shall growe in this jurisdiction.

Ordered, that every man that kills a wolfe with hounds shall have 40’ allowed him, & whosoever kills a wolfe with trap, peerce, or other engine, shall have 10’ allowed him, to bee paid by that towne where the wolfe is killed, & if hee bee killed out of any towne bounds it shallbee paid by the Treasurer.

And it is further ordered, that such as shall keepe any hound, mastife, or grayhound, with shallbee aiding to the death of any such wolfe, shall not bee contributory to the recompence to bee given for such wolfe.

It is ordered, that no man in the Generall Courts shall speake above three times to any cause without leave from the Governo’ or Court upon paine of 12’ a time; and that if any bee speaking about private busines, whilst the busines of the Court is in hand, hee shall forfeit 12’ in like sorte.

The ferry between Boston & Charlestowne is granted to the collidg.

The farme (granted by Ipswich to the present Governo’) with Mr Whittingham possessed is confirmed so far as is in the Courts power.

Mr John Winthrup, Iuni:; is granted Fishers Island, against the mouth of Pecoit Ryver, so far as is in of *power, reserving the right of Conectecot & Seybrooke.

Mr Tyng:; Mr Sam:; Sheopard, & Goodman Edward Converse are to set out the bounds between Charlestowne & Mr Cradocks farme, on the north side of Mistick Ryver.
THE MASSACHUSETTS BAY IN NEW ENGLAND.

Whereas we have been informed of the neglect of many in not saving such hides or skins as either by casualty or slaughter come to hand, whereby damage hath redounded to the country, its therefore ordered, for the prevention of such waste, that every hide or skin shall be dried before it corrupt, & that such hides or skins shall be sent where they may be tanned, or dressed; & whosoever shall neglect this order shall forfeit for every such hide 5s, & for every skin neglected shall forfeit 12s/.

Forasmuch as there appears a mistake in the former order for enlarging B. of the grant made to Roweley, upon their propounding a line w^th will not reach that w^th was intended, it is now ordered, that the neck of land upon Merrimaek, near Cochitawick, shall be added to Roweley, & that their line shall run from the outermost part of the neck to Ipswich Ryver, by the end of their 8 miles line, to be run from their meeting house, parallell w^th Ipswich line, prived that all former grants upon the side of Ipswich Ryver shall be excepted out of this grant:/

It is agreed, that whereas there were 550 acres granted to John Endecott upon Ipswich Ryver, if it lye not w^thin Roweley bounds, the towne of Roweley hath yealded that although their should any part of Mr Endecott's farme lye w^thin their bounds, yet that the said Mr Endecott shall have it, the Court granting unto the towne of Roweley so much land in another place, lying conveniently to the end of their bounds, w^th this Court doth praise to do/.

Mr Rogers & the deputies of Roweley expressed their consents/.

The 600 acres formerly granted to lye on the west side of Sudberry Ryver is now granted her on the east side of the said ryver, w^thin the limits of the last addition to the bounds of Sudberry, & between the said bounds & the great pond at Cochituate, (?); & by these presents shee shall have liberty to lay out the same, prived shee make returne to the next Generall Court, that other grants following may be setled/.

It is ordered, that the letter lately sent to the Governo^r by Mr Eaton, Mr Hopkins, Mr Haynes, Mr Coddington, & Mr Brenton, but concerning also the Generall Court, shall bee thus answered by the Governo^r; that the Court doth assent to all the ppossions layde downe in the aforesaid letter, but that the answere shall bee directed *to Mr Eaton, Mr Hopkins, & Mr Haynes, only excluding Mr Coddington & Mr Brenton, as men not to bee capitulated w^th all by us, either for themselves or the people of the island where they inhabit, as their case standeth/.

Colchester is henceforward to bee called Saltsbury/.

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1640. 

Mr Peter Noyse, Walter Hayne, & John Parmiter are authorishd to end small businesses at Sudbury under twenty shillings.

The town of Sudbury hath liberty to give John Rowen a lot, & so hee is freed by the Court.

Rich'd Right, Alexander Winchester, & Willi: Cheesbro are appointed to end small businesses at Braintree, under 20

Ralph Wilmott his petition is granted him, & hee, wth his mr: his consent, is set free.

Charles Towne petition is granted them the pportion of 4 mile square, wth their former last graunt, to make a village, whereof 500 acres is granted to Mr Thomas Coytemore, to bee set out by the Court, if the town & hee cannot agree, in wth they shall not crosse Cambridge line, nor come wthin a mile of Shawshin Ryver, & the great swamp & ponde to lye in coition.

The town of Cambridge is granted a month to consider of Shawshin for a village for them, & if they like it not, the town of Roxberry hath liberty to consider of it for a village for them till the next Gen'call Courte.

For avoyding all fraudulent conveyances, & that every man may know what estate or interest other men may have in any houses, lands, or other hereditaments they are to deale in, it is therefore ordered, that after the end of this month no mortgage, bargain, sale, or graunt hearafter to bee made of any houses, lands, rents, or other hereditaments, shall bee of force against any other person except the graunter & his heires, unless the same bee recorded, as is hearafter express'd: And that no such bargain, sale, or graunt already made in way of mortage, where the graunter remaines in possession, shall bee of force against any other but the graunter or his heires, except the same shall bee entered, as is hearafter expressed, wthin one month after the end of this Courte, if the pryce bee wthin this jurisdiction, or else wthin 3 months after hee shall return. And if any such graunter, &c, being required by the grauntee, &c, to make an acknowledgment of any graunt, &c, by him made, shall refuse so to do, it shall bee in the power of any magistrate to send for the party so refuseing, & commit him to prison wthin baile or maynepriize, untill hee shall acknowledg the same.

And the grauntee is to enter his caution wth the record, & this shall save his interest in the mean time; & if it bee doubtfull whether it bee the deed or graunt of the pry, hee shall bee bound wth sureties to the next court, & the caution shall remaine good as aforesaid.

And for recording of all such bargaines, &c, it is further ordered, that there shall bee one appointed at *Ips-wich, for wth Mr Samu: Symonds is chosen for that Co't to enter all such bargaines, sales, &c, of all lands, &c, wthin the jurisdiction of that Court; & Mr Emmanuel Downing is chosen in
like sort for the jurisdiction of the Court of Salem; & all the rest to bee entered by Mr. Stephen Winthrop, the recorder at Boston.

And that it is not intended that the whole bargaine, sale, &c, shall bee entered, but only the names of the grantee & grantor, the thing & the estate granted, & the date; and all such entries shall bee certified to the recorder at Boston with in 6 months yearly.;

And it is ordered, that the fee for every such entry shall bee 6d./

And it is hereby declared, that this order shall not extend to any grant made or to bee made by any township.

For to take caption or cognizance, & to make replications, where any magistrate is, hee may do it; but in other townes these after named are appointed: For Hingham, Mr. Jose Peck; for Waymoh, Mr. James Parker; for Braintree, Willi: Cheesbro; for Roweley, Mr. Willi: Bellingham; for Neweberry, Mr. Ri: Duiner; for Colechester, Mr. Baite; for Hampton, John Moulton; for Cambridge, Mr. Samn: Sheopard; for Watertowne, Mr. Thom: Mayhew; for Concord, Mr. Tho: Flinte; for Sudberry, Mr. Peter Nose; & for Dedham, Mr. Edward Allen. Mr. Thom: Flinte is also allowed to marry at Concord & Sudberry.

 Whereas many men in the plantation are in debt, & heare is not money sufficient to discharge the same, though their cattle & goods should bee sold for halfe their worth, as experience hath shewed upon some late executions, whereby a great part of the people in the country may bee undone, & yet their debts not satisfied, though they have sufficient upon an equall valuation to pay all, & live comfortably upon the rest, it is therefore ordered, that upon every execution for debts past, the officer shall take land, houses, corne, cattle, fish, or other commodities, & deliver the same in full satisfaction to the creditor at such prizes as the same shall bee valued at by 3 understanding & indifferent men, to bee chosen, the one by the creditor, another by the debtor, & the third by the marshall; and the creditor is at liberty to take his choyce of what goods hee will; & if hee hath not sufficient goods to discharge it, then hee is to take his house or land as aforesaid.

Mr. Robert Cooke, of Charlestowne, in regard of his fathers 100th adventure in the ioynt stock, is granted 800 acres of land, where hee can find it, without prejudice to any plantation granted or to bee granted.

Tho: Browne, of Sudberry, is granted 200 acres of land for the 25th adventure of Mr. Anne Harveys.

The country desires Watertowne to grant Willi: Bunnell a lot, & if hee do pve chargable, the country to beare it.

John White his petition is granted him, & hee is, with his mrs his consent, set free.
THE RECORDS OF THE COLONY OF

1640.

7 October.

Mr Willi: Hibbens, .. . 91 Mr John Glover, .. . 25
Mr Thom: Flint, .. . 64 Mr Willi: Tyne, .. . 25
Mr Eama: Downing, .. . 55 Mr Willi: Hathorne, .. . 20
Mr Rich^d Duüner, .. . 47 Mr Ather: Hove, .. . 19
Mr Samn: Symonds, .. . 37 Mr William Pincho, .. . 18

It is ordered, that two trainings should bee in the end of the third month or in the beginning of the 4th month, & sixe trainings from the middle of the 8th month to the middle of the first month [salt: 469]; & for such as are absent from training, if a magistrate think the business of necessity, & for the parties benefit, the magistrate may appoint him to pay what hee thinks meete, but if the time bee not advantagious, to exempt without any paym't.

A Certificate of High Wayes ordered to bee recorded the First Day of the 3rd Month, 1640.

Wee, whose names are hearunder written, being appointed to lay out the roade wayes for the country, in behalfe of Ipswich, (according to order of Court,) from Rowely to Ipswich, (with the consent of those that were likewise ordered for Rowele,) have thus marked the said wayes out, that is to say, from Mr Nelson's dwelling house pale by the end of Mussels Hill to the newe bridge over the North Ryver, & so to the newe bridge over Muddy Ryver, & so by the common fence to Ipswich towne, & so along by Mr Saltonstalls house over the falls at Mile Ryver, & by marked trees over Mr Appletons meadowe, called Parlye Meadowe, & from thence by Mr Hubberds farme house, & so on upon the east side of Mr Smyths house, & from thence, by like consent of Salem men, over the ould planters meadowe, & so to the two ponds usually dry in summer, near with ponds the way doth branch, one whearof is easterly of the said ponds, leading through the ould planters field to Salem ferry according to the marked trees, & the other way is westerly of the ponds, leading to a great creake at a landing place westerly of Mr Scrugs house.

The breadth of with wayes, from Rowely to the two ponds above mentioned, (by the consent of us & those of Rowele & Salem,) is eight rod. And from the place where the two wayes begin to branch, both to the ferry & to the creake, are either of them sixe rodd.

SAMUEL SYMONDS,
JOHN TUTTLE,
THOMAS FERMAN.

WILLIAM HAWTHORNE, with the consent of Leiff Davenport & Ensigne Reade.

THOMAS NELSON, with the consent of Thom: Barker.
To Robert Turners petition for his money, it is answered, the Treasurer shall make speedy & good payment, & in money, (if it may bee,) & if the petitioner bee damnified for want of dewe & good payment, this Court will make him recompence. 

John Harbert is granted John Harris his land for 50l adventure, prived that hee do let it appear to this Court a sufficient assignment from Mr. Harris.

John Greenland is granted his petition, w'h is to plant upon a five acre lot in Charles Towne bounds on Mistick side.

Mr. Mayhewe is granted 8 p & for his money since demanded.

* A Particular Court, held at Boston, the 29th 8th. M. 1640.

HENRY EDWARDS & Willi: Hudson are discharged from their recognizance.

Benjamin Pauly, for his distemper w'h wine, was ordered to pay 10s, & paid in the same.

Nicho: Davisons byll of 200l, being delivered into the Court by Sill, was ordered to bee kept by the Secretary.

Joseph Shawe & Nicho: Byram are granted administration of the goods of Abraham Shawe, deceased.

Willi: Hamond depos'd that Edmond Greenliffe served him w'h warrants to appear at two Courts, & causing him to appear, did not psecute. Hamond was granted against the said Greenliffe 20sh./

John Porter, John Ottis, Thom: Minard, & Natha: Baker, being called to bee witnesses, were granted 6s a pece, & Graves 1s, all to bee paid by the country.

John Dutton, for swearing, stealing, & drunkenness, was censured to bee severely whiped.

John Parker was granted 20s against Thom: Clay, for not psecuting, causing him to attend 3 dayes w'h witnesses.

Attachment was granted to Thomas Fowle against Thomas Owen, to attach such goods as are in his possession, for performance of his bargaine of corne.
THE RECORDS OF THE COLONY OF

1640.

It is ordered, Mr Stoughton should beare busines betweene Rich'd Lange & the towne of Waymoth; & Mr Stoughton hath power to call for the towne booke, & make report to the Go't if the cause do require it.

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* A Quarter Court, held at Boston, the First Day of the 10th M', 1640.

P'sent, Mr Governo', Mr Saltonstall,
Mr Deputy, Mr Winthrope, Juni;
Mr Winthrope, Seni.; Mr Stoughton,
Mr Humfrey, & Increase Nowell.

The towne of Cambridge, upon puse that the way at Vine Brooke & Long Smap was repaired before the declaration of the defect, was discharged of the fine of 5l/

Watertowne freemen, promising to yeld to ev'y townsman his pportion alike, according to rule, without respect to freedome or not freedome, were dismissed./

George Richardson is bound to the good behaviour in 20l, & to appear at the Quarter, the 10th M, 1641. Henry Curtis & Will: Knope are bound for George Richardson in 10l/

Giles Player having taken from the Deputy Governo' a boate & other things, of 15l value, & from Leift Davenport the worth of 5l, hee is committed to them till they bee satisfied./

Joell Jenkin, upon his repentance, was discharged./

Rob't Rendall is deferr'd till the next Quarter Court./

The towne of Braintree were enjoy'd to make their pound, stocks, & watchouse by the Quarter Court in the first month./

Dorchester & Roxberry, the bridge & way being repaired, were discharged./

Boston, the wayes being newe layde out, had time to repair them between Powder Horne Hill & the written tree till the.

Mr Thomas Lechford, acknowledging hee had overshot himselfe, & is sorry for it, promising to attend his calling, & not to meddle with controversies, was dismissed./

Will: Bartlet, the pilfering not being proved, was discharged./

Newe summons was to bee sent for Robert Bartlet./

Charlstowne meeting house was formerly allowed for their watch house./

Samuell Dunkin, there being a mistake in the presentment, as appeared by the witnes, was discharged./
Concord & Sudbury, in regard of the snow, were deferred till the Quarter Court in the first month.

Willi: Wake was counselled to go whom to his wife; & upon his promise so to do, his repentance, & testimony of his good behavior, he was discharged,

Salem meeting house is allowed for their watch house.  
Robert Crosse is remitted to Ipswich Court.  
James Hubberd is discharged, the hurt being little, & done unwitting, the other pressing in upon him,

Linn was enjoyned, upon paine of 10, to repair their ways by the Quarter Court in the 4th in next,

Linn meeting house is allowed for their watch house.  
Rowley presentsments are deferred till the Quarter Court in the next first month.

Colechester presents are deferred till the Quarter Court the first month.  
Hampton presents are deferred till the Quarter Court in next.

Hingham meeting house, for the present, is allowed for their watch house.  
Christopher Batte, for selling his servant his time, is refered to the Court at Ipswich.

It was ordered, that John Twogood should bee sent to his dame, the wife of Thomas Marshfield, at Cohasset, by Rob't Fen, the father of the said Twogood having put him a servant to Tho: Marshfield.

*The commission about Mr Edmond White & Mrs Woolcote is renewed for Mr Deputy Bellingham, Incr: Nowell, & Mr Thomas Mayhewe to examine the accounts.  

Mr Collens, Mr Sparhanke, & Goo: Bridge are desired to hear businesses between John Smyth & his father, Jeremy Norcross, & examine accounts, & settle things if they can; if not, to make report to the Courte if there be cause.

Henry Stevens for firing the barn of his master Mr John Humfrey, he was ordered to bee servant to Mr Humfrey for 21 years from this day, toward recompening the losse.

Samu: Hefford having bene much misused by his master, Jonathan Wade, hee is freed from the said Mr Wade, & is put to John Johnson for three years, & to have 6d wages p @, & for the other 1½ years it is refered to the Court.

Rich'd Nicon's case is refered to the Court at Ipswich.

Daniell Bacon is granted 10 costs against Rich: Neve, because hee served him with a warrant & p'r'cuted not.
THE RECORDS OF THE COLONY OF

1640.

George Richardson is granted 10s costs against James Smyth, hee having served him with a warrant, prosecuted not.

Jonathan Wade is bound in 40£ to bee of good behavior.

Mr. Rich'd Parker, for seling 2 h. or 2 h. of gunpowder to an Indian, being ignorant of the law against it, is respited till the Generall Co't.

Mr. Henry Webbe his man Roger Tole, for seling 2 lb of gunpowder to an Indian, not knowing the law, is respited till the Generall Co't.

John Stowe, for seling shot to an Indian, not knowing the law, is respited.

Mr. Thom: Clarke his man, seling 8 h. of shot to an Indian, is respited.

Rich'd Collect, forgetting the law against mending Indians guns, having got 2 of their locks to bee mended, is respited for his fine till the next Generall Co't.

Micha: Willis is discharged, being ignorant whose the locks were.

Mr. Henry Waltham his sonne being lately dead, & hee discovering his sonne had given 3£ to the publike, though no other knew of it, was discharged.

Goo: Button is allowed 10s 8s 9d for the charge with Tho: Evans.

The jury found Hugh Buets to bee guilty of heresy, & that his person & errors are dangerous for infection of others.

It was ordered, that the said Hugh Buets should bee gone out of o' jurisdiction by the 24th present, upon paine of death, & not to returne, upon paine of being hanged.

The Court granted the jury 12£ for their service.

It was ordered, that Alexander Bock should have 21 bushels of corne for Mary Joanes for the time past, & for the time to come a bushell of corne a weeke, & to have two blankets & a rug to keepe her warme.

The Names of the Jury that tryed Buets:

Edward Rainsford,    John Ruggells,
James Browne,        Griffin Crofte,
John Martin,         Isaack Johnson,
John Hanle,          Jonathan Negus,
Thom: Goble,         Rich'd Trasdell,
Daniel Brewar,       Christo: Gibson.
*A Court, at Boston, the 28th 11th M', 1640.

Present, The Governor, Mr John Humfreys; The Deputy Govr, Mr John Winthrop, 1st; & Increase Nowell.

The will of Ann Bunting was given in, & the witnesses depo.:

John Holland, Edward Brecke, & John Sherman, being returned for jury men, & not appearing when they were called, were fined 5s a piece.

The will of George Alcock was given in, & the witnesses deposed, & also the praisers of the inventory were deposed.

Thomas Hawkins, for his scurrilous speaches, was enjoyed attendance, but, upon the petition of the gentlemen, hee was remitted.

Samuell Haukes, for swearing, cursing, lying, theft, & unclean speach, was censured to bee set an houre in the stocks to morrowe, & have a clefte stick on his tongue while the Court thinks meete, & was committed the meane while.

William Carpenter, being chosen constable of Waymoth for the year ensuing, tooke his oath to that place belonging.

John Hogg, for his drunkennes, wastfulness, & idlenes, was censured to bee committed to Leiff Davenport till the next Court.

Walter Knight forfeited his recognisance of 5l by not appearing.

Thomas Dexter forfeited his recognisance of 5l, being bound for the appearance of Walter Knight, who appeared not.

Mr James Parker is allowed to marry Thomas Clifton & Mary Butterworth within a month.

Ordered, by consent of Henry Waltham, merchant, & Wethia, the wife of Thomas Richards, of Waymoth, that all matters in difference hearafter mentioned shall bee referred to Mr Neweman, Mr Parker, & Edward Bates, of the same towne, who by this Court have power, or any two of them, to appoint a miller to keepe the mill for both parties, to set downe an equall valewe for the rent of Mr Walthams part of the house, with shee is to enjoy till her husband returne, (if hee returne this sunder,) & to heare & determine all accounts & reckonings betwene them, for with end they, or any two of them, have heareby authority to examine witnesses upon oathe, this to bee in force till the next Court of Assistants.

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CHRISTOPHER GRAUNT, for his cruel usage of his servant, Nicholas
Gilberd, was fined ten pounds, & bound to his good behawer;-
Garret Church & John Stebben bound themselves in 20s a piece for
Grants good behawer till the next Quarter Court;-
Robert Stedman, a jury man, not appearing, was fined 6s 8d;-
John Hogg upon the security of Sam: Grames & Thomas Munte, they
haveing the goods in their possession for their security, with he was let have
to kepee till he went for England, & then to deliver them to his use;
Walter Edmonds, being chosen constable of Concord, did take his oath;-
Susan Starr is granted administration of the estate of her husband, Thoma:
Star, & the inventory of 49. 6. 9s was shewed in Co't;-
Rich'd Hollingworth, upon occation of the death of Rob't Baker, was fined
10s, to bee paid to the wife & children of the said Rob't Baker, his negligence
being the occation of his death;
Rob't Bartlet appearing, & there appearing a mistake in the presentment,
hee was discharged;
Robert Readall, being tried by the grand iury, was not found guilty;
Henry Palmer bound himselfe in 40l for his wifes good behawer & appear-
ance at the next Quarter Co't, when free from being with child, & fit to
come abroad;
Mr John Morecroft is fined 20l for his unfit carrige, & bound to his good
behawer;
Also, the forenamed John Morecroft is to pay 20l of the 40l with hee for-
fected for want of Will: Bell his appearance;
Walter Knight, appearing, was fined 10l for his rude speaches and con-
temptuous . For security hee made over a bill of 11l;
Rich'd Ponton is put to John Reade for 8 yeares from the first of the
11th in last past, with his owne consent;
John George is put to Mr John Winthrop, Seni.; for 8 yeares, with his
owne consent;
An attachment was granted against Nicholas Bacon's cattle, for the payment of his rent to Mr. John Coggan.

Suits & attachment was granted against the estate of John Sampson.

The difference between Mr. William Tyng & Mr. Robert Tompson is referred to the arbitrement of Mr. Foule & Capt. Gibons.

Mr. Richard Dunner had his fine of 5s remitted, the sentence being upon a mistake, as was testified.

Thomas Carter, Senior, & Edward Joanes, being chosen constables for Charles Towne, did take the oath appointed for that place.

John Johnson, of Roxbery, is freed from training, in regard of other public service, without any pay to the company.

Thomas Foxe was enjoined to pay 5s or appear at the next Court.

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*At Court, at Boston, the 29th 2d Mr., 1641.*

Present, The Gov'n, Mr. Humfrey, Increase Nowell.

Mr. Winthrop, Sen.,

Richard Wilson, for his grosse abuse of his m'r, Thom: Cheesholme, in base reviling speaches, & refusing to obey his lawfull commands, was ensuured to bee severely whipped.

Edward Page, it being testified that his m'r confessed hee was not to bee turned over, nor serve his wife if hee dyed, the said Edw'd was freed by the Court.

Mr. Joseph Kinge, for uncomely & obscene speaches, was sharply reprehended; & for distemper in drinking hee was fined fourty shillings, to bee paid within ten dayes to the Treasurer.

Mr. Henry Pitts, for his uncomely speaches & obscene, was sharply reprehended; & for distemper in drinking wine hee was fined fourty shillings, to bee paid to the Treasurer within ten dayes.

William Browne, for his obscene & filthy speaches, was sharply reprehended, & admonished not to use such base speaches.

Sam: Sherman was enjoined, & praised to appear at the next Court.

Thomas Turner, Thom: Collier, & John Sutton bound themselves in 40d, a piece, to appear at the next Court, to answer for the things taken up of John Hardies rack.

Thomas Baguley, for seling his servant his time, contrary to order of Court, was fined ten shillings.
THE RECORDS OF THE COLONY OF
Migliaill Bacon, Sen.; upon the certificate of Rich'd Beres, Hugh Mason Willi; Williams, & Thomas Hastings, that full satisfaction hath bene given, was discharged, it being declared to bee a mistake of ignorance.

John Barnes, for some distemp in drinking wine, was required to give 10$, weh hee consented vnto.

A Quarter Court, held at Boston, the First of the 4th M', 1641.

Edward Johnson, of Charlstowne, being warned to serve upon the jury, (& not appearing,) was fined 6" 8$. James Dane, for makeing an Indian drunk, was fined 20sh$. Mr John Longe, for his distemper in drinking & giving wine to others, is fined 3$. A warrant was ordered to examine all that took up any thing of the rack, & send a perfect inventory; & in any thing doubtfull they are to take the advise of Mr Peck, minister, & Mr Newmä.

John Whitney was chosen constable of Watertowne, & took oath. There was granted to Goodm Nutt, Marten Vnderwood, John Whitney, Henry Kemball, & John Witheredge allowance for 83½ y'd of cloth, valewed at 12½ p y'd.

Joane Abell being presented for being drunken, it being found to bee a mistake, shee was discharged.

M' Edward Tomlins, retracting his opinions against singing in the churches, was discharged.

Thomas Patience, for want of proofe, was referred to M' Endecot.

Edward Adams was enioyed to returne to his wife; & being questioned for other things, was discharged, for want of poffe.

The towne of Roxberry is enioyed to make a sufficient way between the burying place & the gate, upon paine of 20sh forf'.

Roxberry is also enioyed to repair the other way over the swamp toward Dorchester mill, upon paine of 20$ forfett.
Ipswich was enjoyned to repair their wayes by the next Qr'r Court, upon paine of forfeiture of 10d for the way to Salem./

For theyr way toward Rowley they have 6 months to repair it./

*Cambridg was certified to have repaired the way tow'd Conc'd./

Cambridg, for the way between Watertowne & Roxberry, is enjoyned to repair it within 6 m., upon paine of 3. 6. 8d./

Waymoth defective way is certified to bee mended./

Salem is enjoyned to amend the short swampe within a month, & the other wayes within 6 months, upon paine of 5d./

Boston is enjoyned to mend their wayes, upon paine of 20d./

Watertowne is discharged, & Li'n is discharged./

Salsberry was enjoyned to amend their way, upon paine of 20d./

Salsberry, for want of weights & measures, is fined 2. 6d./

Rowley was enjoyned to mend their way, vpon paine of 20', within a month./

Dorchester way to bee mended, vpon paine to forfeit 20'/

Hampton, for want of weights & measures, is fined 2. 6d./

Concord, to pay 10' for neglecting watch & not appearance./

The wife of Rob't Lewes, for her dishonoring the name of God, was censured to bee whipped./

Enoch Hunt, for his oppossing practice & extorsion, was enjoyned to make restitution, pay the witnesses, & was fined 3'/

Waymoth is remited the 3' fine about neglecting their hogs./

Roxberry is remited the 10' fine for neglecting their hogs./

Rob't Lewes & John Madox were discharged, the psentm^t be^ mistaken, their answer being judged reasonable./

Jonathan Thing, for ravishing Mary Greefeild, was censured to bee severely whipped here & at Ipswich, & fined 20', to bee paid, in three yeares, Sam: Greenfeild./

Cambridge was enjoyned to give Squa Sachim so much corne as to make up 35 bushels, & 4 coates for the last year & this./

Christopher Grant, appearing, was discharged frô further appance./

John White, appearing, was discharged./

John Skidmer is fined 10' for seling strong water to Indians./

Abraham Morrell is fined 5' for seling his servant his time./

Sam : Sherman is fined 20' for sel'g his servant his time./

The wife of Rich'd Carter appearing, shee was admonished, & enjoyned to bring her husband to bee bound for her good behavior./
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THE RECORDS OF THE COLONY OF

1641.

June.

Willi: Pilsberry & Dorothy Crosbey were bound to the good behavio', & to appear at the next Court bound in ten pounds./

& hee was enjoyned to worke w'm. Wiswell 2 dayes in the weeke, & Goo: Cheny one day in the weeke, for five yea'cs./

M' Bu'slin was referd to the Court at Salem./

davy Hickbourne, for his grosse misdemeano' & foule miscarriage, was censured to bee severely whipped, to wear an iron collar till the Co't please, & serve his m' 3 weckes longer for lost time & trouble of his m'.

M' John Longe bound himselfe in 20l to bee of good behavio', & to appear at the next Quarter Court./

John & Elor Peirce were admonished to see better order bee kept./

Willi: Knop, for selling bear 2 years unlicensed, was fined 5s./

Alexand'r Becke was granted 8 bushells of corne, more then a bushell a weeke, for his trouble w'th Mary Joanes./

Henry Webbe & George Steader, consta: of Boston, had granted them power to gather in the estate of Paul Yonge, & to pay the debts, & to give account/

John Barnes was enjoyned to pay 10l, or appear at the Co't to answer for a second distemp in drinking too much, w'th hee, not appearing, is to pay./

[300.]

* * A Generall Court of Elections, held at Boston, the 2'st 4'st M', 1641.

P'sent, M'nts,

The Governo', M' Saltonstall,
The Deputy Go:, M' Winthrop, In.;
M' Winthirop, Se:, M' Bradstreete,
M' Dudley, M' Stoughton,
M' Humfrey, Iner: Nowell.

Deputies,

M' Willi: Hibbens, Mathewe Boys,
M' Willi: Tinge, Maximi: Jewet,
Ca: Robt Sedgwick, M' Samu: Dudley,
M' Thom: Coyttemore, John Crosse,
M' Ena: Downing, Walter Hayne,
M' Willi: Hauthorn, M' Thom: Flint,
M' John Whipple, Leif: Sym: Willard,
M' Geo: Gettings, Thom: Mayhewe,
M' Edw: Holliock, Cap: Willi: Jeainison,
M' Rich: Walker, Rich'd Jackson,
M' John Woodbridge, John Bridge,
Mr Edw d Alleyn,  
Eele: Lusher,  
Mr John Glover,  
Hum: Atherton,  
John Johnson,  
Josua Hewes,  
Samu: Basse,  
Stephen Kingsley,  
Henry Smyth,  
Mr Joseph Peck,  
Mr James Parker,  
Willi: Carpent.  

Mr RICHARD BELLINGHAM, Esq, was chosen Governor for the yeare ensuing, & did take the oathe to that place belonging:  
Mr John Endecot, Esq, was chosen Deputy, & tooke his oath:  
Mr John Winthop, Scn:i., Esq, was chosen an Assistant, & tooke his oath:  
Mr Thom: Dudley, Esq, was chosen an Assistant, & tooke his oath:  
Mr John Humfrey, Esq, was chosen an Assistant, & tooke his oath:  
Mr Rich: Saltonstall, Esq, was chosen an Assistant, & tooke his oath:  
Mr John Winthope, Iuni:, was chosen an Assistant, & tooke his oathe:  
Increase Nowell was chosen an Assistant, & tooke his oath:  
Mr Symon Bradstreet was chosen an Assis, & tooke his oath:  
Mr Israel Stoughton was chosen an Assistant, & tooke his oath:  
The order formerly made for allowing 100d p @ to the Govr is repealed:  
The order for giving 40sh a pece for wolues killed wth dogs, & 10sh a peece for wolues killed otherwise, is repealed:  
Mr Dudley was intreated to answr Mr Fenwicks lett according to the directions indorsed:  
Mr John Glover & Humfrey Atherton are appointed & authorishe to lay out the way in difference at Braintree:  
It is ordered, that the Treasurer shall pay the debts of the country at a dew appraisil, as before by the former order for ould debts to valwce things, for wth the m'shall is to choose one, the Treasurer second, & marshall [the pyle] the third:  
It is ordered, that office's bee paid as other debts are:  
Mr John Woodbridge, Mathewe Boyse, John Crosse, & George Gittings, they 4, or any 3 of them, are appointed to set out the bounds between Salsberry & Pantucket, ali: Haverell. They are to determine the bounds wth Mr Ward & his company are to injoy as a towne or village if they have 6 houses up by the next Gen'll Court in the 8th m:  
It is ordered, that every towne should set out their bounds wthin a twelue month after their bounds are granted:  
Thomas Howlet, John Whiple, & Mr Symonds are to vewve where B. Rowley may have their addition wthout prejudice to Cochituate, & to determine the bounds between them:  

1641.  
2 June.
1641. 2 June.

The Governor is appointed to puse all the laws, & take notice what may bee fit to bee repealed, what to bee certified, & what to stand, & to make returne to the next Gen'All Court./

Mr. Stoughton, Mr. Glover, Mr. Duncan, Willi: Heathe, & Willi: Parks are appointed to settle things between Hingham & the plantation to bee setled at Nantasket./

Whereas the last Gen'All Court in October last there was an order made for the incuagement of the makeing of liinnen, woollen, & cotton cloath, for w'h purpose it was then ordered, that every psn who should make any such cloath, the same cloath should bee valewed, & the maker thereof should have 3r allowed unto him for every shillings worth of cloath so to bee made by him, & whereas the deputies of this Court have given us notice that it is the gen'All desire of the freemen of the townes who have sent them to this Court, & betrayed them w'th the affaires of the common welth, that all publike charges w'th may bee spared should bee taken of the countrey, as being over burthensome to their present wants, "it is therefore ordered by the magistrat' & deputies of this Gen'All Court now assembled, that the said order so made the 8r in last shall, from & after the 10th day of the 6th month next, bee repealed & annihilated, & bee then of none effect. Provided, nevertheless, that if any psn shall make it appear to this Court that hee is dammified by occasion of the said order, the Court will consider of due recompence./

The Answer to the Petition of Mr. Pinchen & others, of Springfeild, upon Coaectecott, exhibited to the Gen'All Court, houlden at Boston, 2r 4th m.

Co. The petition being reade in open Court, & the records & other writings pased & referred to a comitté to bee further examined, upon their report, the matter was againe considered by the whole Court, & agreed, that answer should bee given thereunto as followeth, vid: Whereas the said petition's do certify us that some of their neighbo's & freinds upon Coaectecot have taken offence at them for adhering to o' government & w'h drawing frō that upon the river, supposing that they had formerly bene dismissed from this jurisdiction, & that wee had bound o'selues (by o' owne act) frō claiming any jurisdiction or interest in Agawam, now Springfeild, & for prove of hearf they allege some passages in a commission granted by this Court in the first m, 1635, to the said Mr. Pinchen & others, for the govern'r of the said inhabittants upon the said ryver, & some passages also in certeine articles supposed to have bene ppounded to them by authority of this Court, —

It is hereby declared, —
1. That the said passages in the said commission (as they are expressed in the petition) are misrecited, so as the true scope & intention is thereby altered; as, 1. Whereas the words in the commission are, they are resolved to transplant themselves, in the recital it is, to plant themselves. 2. In the commission it is said that those noble parsonages have interest in the ryver, & by vertue of their patent do require jurisdiction there; in the recital it is, that wee confess it belongeth to their jurisdiction. 3. In the commission it is provided this may not bee any prejudice to the interest of those noble, (c) in the recital it is, that nothing should bee done or intended to the prejudice of the lords, or their intendments;

2. That the said commission was not granted upon any intent either to dismise the persons from us, or to determine any thing about the limits of jurisdictions, the interest of the lands &c ownc limits being as then unknowne; therefore it was granted onely for one yeare; & it may rather appeare, by onc granting such a commission, & their accepting of it, as also that clause, viz. Till some other course were taken, by mutuall consent, (c), that wee intended to reserve an interest there upon the ryver, & that themselves also intended to stand to the condition of the first licence of departure given to the most of them, wth was, that they should remaine still of onc body.

3. For those arguments wth they draw from those articles certified in the petition, wee answer, that they were ppounded & drawn out onely by some of the magistrates of each pty, wthout any "order or allowance of this Court; & therefore (whatsoever those magistrates might intend thereby) the intent of the Court cannot bee gathered from any thing therein; but in those articles wth were agitated & brought to some issue in onc General Court at Cambridge, in the 4th m, 1638, where their commissioners were present, Springfield, then called Agawam, was chaymed by the Court (though by occasion of some private speach, (c) to belong to us; & it was then agreed by the Court, & yeilded unto by their commission's, that so much of the ryver of Cocnectecot as should fall wthin the line of onc patent should continuin under onc jurisdiction; (& it was then taken for granted that Springfield would fall to us, wthout question;) & those articles had then beene fully agreed on between the Court & their commission's, had there not bene some question about their granting us free passage up the river, in regard of the lords interest, (as they allleged,)

Its now hereby ordered, that Will: Pinchen, geni, for this yeare shall hereby have full power & authority to governe the inhabitants at Springfield, & to heare & determine all causes & offences, both civill & criminall, that reach not to life, limbs, or banishment, according to the lawes heare established; provided, that in matters of weight or difficulty, it shall be lawfull for
any party to appeal unto the Court of Assistants, at Boston, so as they prosecute the same according to the order of this Court; provided, also, that these trials all bee by the oaths of 6 men, until they shall have a greater number of inhabitants for that service.

This Court, taking into consideration the want of cloathing  for the next winter, & not finding any way to supply us so well as by cotton,  we find not like to bee prided in due time for the present want, & understanding , from the certain knowledge of diverse of the Court, that there is a kind of wild hempe growing plentifully all over the country,  if it were gathered & improved, might serve for a present supply, till cotton may bee had, it is therefore ordered, that the deputies of this Court shall take order in their several towns that speedy notice bee given to all masters of families of the said wilde hempe, direction when to gather it & how to use it; & for their encouragement they may well expect that what they shall gather more then they shall use is likely to bee taken of from them; for some have already offered to take of a good quantity at 2s a liv., & to pay ready money for it, as the members of this Court can informe any who shall desire to sell any of the said hempe at the rate aforesaid. And it is desired, & wilbee expected, that all masters of families should see that their children & servants should bee industriously implied, so as the mornings & evenings & other seasons may not bee lost, as formerly they have bene; (& if it bee so continued will certainly bring us to povty;) but that the honest & ptitable custome of England may bee practised amongst us, so as all hands may bee implied for the working out of hemp & flaxe, & other needfull things for cloathing, without abridging any such servants of their due times for food & rest, or other needfull refreshings.

It is ordered, that the last comittees were formally appointed should hear & settle things in Hingham.

It is ordered, that no butcher or other shall kill any calf, to bee sold between the last of the 9th month & the first of the 3rd in., upon payne of forfeecting the valew thereof. Provided, that this order shall not extend to such as shall kill any calves for their owne use, although they should part some part thereof to some of their neighbours.

To prevent the great disorder in the beaver trade, —

Trade's with Indians for furs on 20th pt.

467—
towne one, w^th they shall not refuse w^thout just cause; & this Court doth give liberty to these persons to trade w^th the Indians all manner of commodities, except guns, powder, shott, & weapons, for w^th they shall give into the treasury the twentieth part of all furs by them so traded, according as they shall arise to them, & that they shall take of all the wampum from the collcde, prided it exceed not 25l, & to make payment for it/

And they shall have liberty to make order for the ordering of the trade in beaver, and that this Court shall support & uphold them in all their lawful undertakings, & that they shall buy all their commodities w^thin this jurisdiction/

This order to begin w^thin one month after the publishing of the same, w^th shall bee w^thin one weeke of this Court. S: infr: Tr:

At the Generall Court, at Boston, the 2th of the 4th mo, 1641.

Leiff Willard, or his assigne, the bearer hearof, hath order from this Court to demand & receive all such wampampeg as is due to us for a part of the tribute from the Block Ilanders & all other Indians, & the averages thereof, in whose hands soever the same shallbee, & to give discharges for the same, & to give account thereof to this Court, for all w^th this shallbee sufficient warrant;

Leiff Willard, Sergent Collect, & Mr Holman, w^th Goodf^ Woodward, are desired to lay out the south line, or any three of them, so as Goodman Woodward bee one;

And these have order to certify of friends of Conectecott that if they please they may send some w^thin them;

Leiff Willard & his associates have order to treate w^th the Pequats, to see if they may bee brought to bee tributaries:

It is ordered, that there should bee a commission fro the Governo' given to Leiff Willard, & the rest of the traders, to demand all servants from the Indians:

The order against seling strong water to the Indians, so far as concerneth these traders, is repealed;

The traders for beaver have the trade granted to them for 3 yeares;

*From the Generall Court, at Boston, 2d of the 4th Month, 1641.

S:

It is greivos to us to meete w^th any occasion that might cause difference to arise betwecn yo' people & us, standing in so near relation of friendship, neighborhood, & Christianity, especially; therefore yo' study is (when any
such arise) to labor the removing of them upon the first appearance. Now, so it is, that we have bene certified that you have given leave to some of you to set up a trading house at Worenock, with is knowne to be within of patent, lying as much or more to the north than Springfield. Wee heare also, that you have granted to Mr. Rob't Saltonstall a great quantity of land, not far beneath Springfield, with wase conceive also to belong to us. Wee desire you to consider of it, as that was we hope apprehend to bee an injury to us, & do us such right in redresse hearof as you would expect from us in a like case. Wee suppose wee shall not need to use other argument; wee know to whom wee wright. Wee have thought meete upon these occasions to intimate further unto you that wee intend (by Gods help) to know the certainty of or limits, to the end that wee may neither intrench upon the right of any of or neighbors, not suffer occasions & or posteriority to bee deprived of what rightly belongeth unto us, with we hope will bee without offence to any; & upon this wee may have some ground of proceeding in further treaty with you about such things as may concerne the welfare of us all. These things wee leave to your consideration, & shall expect your answer. In the meantime wee rest.

Whereas some lords, knights, gentlemen, & others did purchase of Mr. Edward Hilton & of some merchants of Bristoll two patents, the one called Wecohannet, or Hiltons Point, commonly called or knowne by the name of Dover, or Northam, the other patent set forth by the name of the south part of the river of Pascataquack, beginning at the sea side, or neere thereabouts, & coming round the said land by the river unto the falls of Quasmocot, as may more fully appear by the said grant: And whereas, also, the inhabitants residing at within the limits of both the said grants have of late & formerly complained of the want of some good government amongst them, & desired some help in this particular from the jurisdiction of the Massachusetts Bay, whereby they may bee ruled & ordered according unto God, both in church and common weale, and for the avoyding of such unsufferable disorders, whereby God hath bene much dishonoreed amongst them: Those gentlemen, whose names are here specified, George Wyllys, gent, Rob't Saltonstall, gent, Willi: Whiting, Edward Hollock, Thomas Makepeace, partners in the said patent, do, in the behalf of the rest of the patentees, dispose of the lands & jurisdiction of the finisses as followeth, being willing to further such a good worke, have *nearby for themselves, & in the name of the rest of the patentees, given vp & set over all that power of jurisdiction, or government, of the said people dwelling or abiding within the limits of both the said patents, unto the government
of the Massachusetts Bay, by them to bee ruled & ordered in all causes, crim-
inall & civill, as inhabitants dwelling within the limits of the Massachusetts
governm', & to bee subject to pay in church and common weed as the said
inhabitants of the Massachusetts Bay do, & no other.

And the freemen of the said two pattents to enjoy the like liberties as
other freemen do within the said Massachusetts governm', & that there shall
bee a court of justice kept within one of the 2 pattents, wth shall have the same
power that the Courts of Salem & Ipswich have; provided, always, & it is
hereby declared, that one of the said pattents, that is to say, that on the south
side of the river of Pescataquass, & in the other pattent one third part of
the land, wth all improved land in the said pattent, to the lords & gentlemen &
other owners, shall be & remaine unto them, their heires & assigns forever,
as their proper right, & as having true interest therein, saving the interest
of jurisdiction to the Massachusetts.

And the said pattent of Wecohannett shall bee divided, as formerly is ex-
pres, by indifferent men equally chosen on both sides, whereby the plantation
may be furthered, & all occasions of difference avoided.

And this honored Court of the Massachusetts doth hereby promise to bee
helpfull to the maintenance of the right of the said patentees, in both the said
pattents, in all legall courses, in any part of their jurisdiction.

Subscribed by the forenamed gentlemen in the presence of the Generall
Court assembled the day aforesaid written.

Whereas it is desired by this Court to ease the countrey of all unnecessary
travells & charges, it is ordered, that there shallbee 4 Quarter Courts kept
yearly by the proprietors of Ipswich & Salem, wth such others to bee joyned in
commission wth them as this Court shall appoint, not hindering any other proprietors
that will help them; this order to take effect after these next Quarter Courts
shallbee ended at Salem & Ipswich, two of these Quarter Courts to bee kept
at Salem & the other 2 at Ipswich, the first Court to bee kept the last third
day of the 7th month at Ipswich, (& the rest at the same time the former
Courts were,) the next quarter at Salem, the 3d q'ter at Ipswich, the 4th at
Salem, & the proprietors of Ipswich & Salem to attend every of these Courts,
but no jurymen to bee warned from Ipswich to Salem, nor frō Salem to Ipswich;
to each of these places a grand jury shallbee warned once a yeare, & these
Courts to have the same power, both in civill and criminall causes, the Court
of Assistants hath at Boston, except tryalls for life, limbs, or banishment, wth are
wholly reserved to Boston Court; provided, it shallbee lawfull to appeal from
any of these Courts to Boston. And it shallbee in the liberty of any plaintifie
that *hath an action of above one hundred pounds principal debt to try his cause in any of these Courts or at Boston; the fines of these Courts to defray the charges of the same, & the overplus to bee returned to the Treasurer for the publique. And Salsberry & Hampton are joyned to the jurisdiction of Ipswich, & each of them to send a grand juryman once a yeare to Ipswich/

This Court having taken into consideration the scarcity of money, & the great abatement in the prices of corne, cattle, & other commodities of the countrey, whereby it is impossible that men should bee able to give such wages to servants & other laborers & workmen as formerly, so as many think better to lay aside their busines & impliments (wth would tend to the ruine of the churches & common wealth) then to spend the small remainder of their estates for the maintenance of others in such a way as will not afford them some equall recompence,—it is therefore hereby declared, that it is thought equall that all servants, laborers, & workmen should bee content to abate their wages according to the fall of the commodities wherein their labors are bestowed, and that they should bee satisfied wth payment in such things as are raised by their labor, or other commodities, wth the country affordz, & that they are to bee content to take now in the psent scarcity, as well as they have had their advantage by the plenty of former times; & this Court shall account it great oppression in any that shall transgress the intention of this order, & will have them proceeded wth accordingly/

Pl. It is ordered, that a plantation for the furthering of fishing shall fourth wth bee set up at Nantascot, & that all the neck to the end of the furthest beach towards Hingham, where the tide overfloweth, shall belong to it; and that such of the psent inhabitants of Hingham as will follow fishing, & will remove their habitations thither, shall have land & meadowe upon Nantaskot Neck, according to the order heare established, & that all other men that will follow fishing, & will remove their habitations thither, shall have such accommodations there as the plantation will afford; and that it shall bee lawfull for any other fishermen inhabiting in any other of the townes wthin the Bay to set up stages upon Nantaskot, or any of the ilands belonging thereto, wth sufficient ground for the drying of their fish/

And that there shall be allowed now, at the first, to evry boate wth shall use fishing, 4 acres of upland for the psent, & the medow to bee disposed of by an equall proportion among such as shall have cattle; & it is further ordered, that Mr Stoughton, Mr Duncan, Mr Glover, Willi: Heath, & Willi: Parks, or any 3 of them, Mr Stoughton to bee one, shall in convenient time repair to Nantaskot, & set out the lands & medow there, according to the meaning of this *order; and it is further ordered, that the iland called Pedocks Iland, &
the other lands there not otherwise disposed of, shall belong to Nantaskot, to bee to the use of the inhabitants & fishermen, so soone as they shall come to inhabit there.

And this Court, or some of the Court at Boston, shall from time to time appoint some 2 or 3 able men to set out land, & stage roome, &c, to such as shall come to inhabit or fish there; & in the mean time the commisioners afore-named, or 3 of them, as aforesaid, shall dispose of the same; provided, always, that no person shall bee stated in priety in any land or medowe there (though the same bee allotted to them) before hee bee a settled inhabitant there, & in a course of fishing.

It was ordered, that John Crabtree should allow back to Mr Hibbens 30sh, for so much overpaid for the worke formerly done.

And John Davies was admonished, & enjoyned to pay the witnesses.

This Court having found by expence that of former readines to grant benevolences to well deserving persons hath layd us open to petitions and importunities in that kind, it is now declared, that this Court will hearafter grant no benevolences except in foraine occasions, & when there is money in the treasury sufficient, & of debts first satisfied.

For incuragement of such as will adventure for the discovery of mines, it is ordered, that whosoever shall bee at the charge for discovery of any mine within this jurisdiction shall enjoy the same, with a fit portion of land to the same, for 21 years to their use; & after that time expired, this Court shall have power to allot so much of the benefit thereof to publike use as they shall think equall, & that such persons shall have liberty hereby to purchase the interest of any of the Indians in such lands where such mines shall bee found, prvided that they shall not enter any mans priety without the owners leave.

Whereas commisioners are appointed by this Court to hear & determine small causes in townes, it is ordered, that if the said commisioners shall at any time desire the help of any one of the next ministers, & Lee shall have authority to repair thither at such times as Lee shall think fit, to give his advice to the said commisioners, & to minister oaths to witnesses, for the better decyding of all such causes according to justice.

Whereas, by former order, all millitary companyes in the sevall townes are to bee trayned 8 dayes in ye yeare, it is now ordered, that the officers & soldiers (servants excepted) shall have powre, within their several townes, to appoint what dayes & tymes they shall find to bee most fit for avoiding of losse of time, & the opportunities of the furtherance of husbandry, & other busines of the country, so as the whole do amount to 8 dayes in the yeare.

1641.
2 June.
Nantascott's grant.
Stage roome.

Mr Hibbens recompeat for Crabtree.
And it is also ordered, that the military office in ev'y company shall
appoint what armes every man shall bring to the trainings, so as two thirds of
ev'y company bee furnished with muskets; provided, that every pson shall still
bee pvided of a musket, according to a form'd order.

Whereas, by former order, the surveyors of the armes are to levy the pen-
ulty for default of powder & other ammunition & armes, it is now ordered, (in
regard that mony is now very scarce,) that ev'y such pson who shall not have
money to pvide powder shalbee excused frō the *penalty if hee shall bring to
the surveyor so much corne or other commodity as shalbee valued by the said
officer to bee worth so much powder, w'h hee shall bestow accordingly, when
it may bee had. And for other defects, as the want of a bullet or 2, or some
other pecl of such things as are subject to lose & expence, any mate may
apportion the penalty according to the nature of the defects.

It is ordered, that fishermen should have their fish for baite at the same
rate that others have at the weeres, & bee first served.

It is desired that the eld's would make a catachisme for the instruction of
youth in the grounds of religion.

It is ordered, that the oul'd Treasurer's accounts should bee made up &
delivered into the last Treasurer wthin sixe weckes. And it is ordered, that
Mr Tinge should gather up the arreages w'th the preceding Treasurer hath left
of the rates in his time, & to cleare up his accounts w'thin 3 months.

It is ordered, that Hampton, Dedham, & all the out townes should each
of them have a barrell of gunpowder, for w'th they are to give satisfaction to
the Treasurer.

To assist at Salem Court, Mr Emanuel Downing, Mr Willi: Hathorne,
Mr Willis, & Mr Edward Hollioke are appointed.

To assist at Ipswich Court, Mr Symonds, Mr Hubberd, Mr Dauner, Mr
Bellingham, & Mr Dudley are appointed.

For to order small causes at Newberry, Mr Woodman, Mr John Oliver,
& Mr John Woodbridge are appointed.

To order small causes at Concord, Mr Thoma: Flint, Lieut Willard, &
Richard Griffin are appointed.

For Cambridge, Mr Joseph Cooke, Mr Sam: Shepard, & Edward Goffe
are appointed.

For Dedham, Mr Edward Alleyn, John Kingsbury, & Henry Chickery are
appointed.

For Sudberry, Mr Nays, Edmond Goodnow, & Edmond Rice.

For Watertowne, Capt Jeanison, Mr Mayhewe, & Mr Browne.
For Hampton, John Crosse, Christo: Hussey, & John Moulton; & one of these to see people ioyne in marriage in a publike meeting, & keepe records of the same.

For Waymoth, Mr Parker, Edward Bates, & Willi: Jeffrey; & Mr Parker, in a publike meeting, to see people ioyne in marriage, & keepe record thereof.

For Hingham, Mr Peck, Antho: Eames, & Edm° Hubberd, Seni; & Mr Peck to see people ioyne in marriage, & keepe records.

For Salsberry, Mr Batt, Mr Dudley, & Mr Winslow; & one of them to see people ioyne in marriage, & keepe records.

For Braintree, Alex: Winchester, Rich: Right, & Sam: Basse/

John Johnson is appointed to examine & search for all the country armes, & see to the preserving of them.

It is ordered, that John Humfrey, Esq:, shalbee sergent maior general.

It is ordered, that wampanagge shall passe current at 6 a penny for any sume under 10d, for debts thereafter to bee made.

Jane Hawkins is enjoyned to depart away to morrow morning, & not to returne againe Either, upon paine of severe whipping & such other punishment as the Court shall thinke meete; & her sonnes stand bound in 20£ to carry her away, according to order./

It is ordered, that Capt Sedgwick should have what fines are most fit, Capt Sedgwick, upon search & tryall of them. •[For satisf: of money due • x].

It is ordered, that all grandiury men to bee warned against the 7th m next shall stand, also the first m after, & to receive their charge the 7th m.

It is declared to bee the mind of the Co't, that if the Indians send not back of run awayes, then, by comission from the Govno° & any 3 of the magistrates, to send & take so many as to satisfy for the want of them, & for the charge of sending for them.

It is also ordered, that if any harme be done by the Indians to the English in their cattle, the Govno°, wth the same number of magistrates forementioned, to give power to recover satisfaction, & the like for such damage as hath been done formerly.

The order for the banishment of Capt Vanehill is repealed.

The bounds for Charlstowne village are to bee set out by Capt Cooke.

Mr Holliocke, & Mr John Oliver, the contents of 4 mile square.

The law for no immunities to bee granted to any new plantation is repealed.

THE MASSACHUSETTS BAY IN NEW ENGLAND.
1641.

Charlstowne village is granted two yeares immumity from publike rates from the end of this Court, for such stock as they have there onely./

Rich'd Collecotts fine of 10s is remitted to 10sh./

Mr John Oliver, Mr Edward Alleyn, & Willi: Parks are appointed to receive the bounds of Mr Haynes farme, & certify ye Co't./

Mr Rich'd Parker is remitted his fine of 10s to 10sh./

Mr Thom : Clarke is remitted his fine of 10s to 10sh./

Mr Thom: Mayhewe & John Bridge are appointed to consider of the difference about the line ruling between Cambridg & Watertowne; & if they cannot agree, they are to choose a third man to settle things, according to the former order./

It is agreed, that Mr Mayhewe shall enjoy 150 acres of land on the south side of Charles Ryver, by Watertowne w'ree./

It was agreed, that the wood & timber upon Cambridge ground doth belong to Cambridge; onely the Court desireth of brethren of Cambridg that brethren of Boston might take the wood & timber wth they have felled & pared, to take it away wthin one yeare./

Shawshin is granted to Cambridge, prvided they make it a village, to have 10 families there settled wthin three yeares; otherwise the Court to dispose of it./ Alt : infr : 509.

It is ordered, that estates in land in England should not bee rated heare in publique seascents./

Mr Oldhams land to be laid out.

Mr Thom: Mayhewe & Mr Joseph Cooke are appointed to set out the 500 acres of Mr Oldhams for Mr Cradock, near Mount Feake./

It was ordered, that Nicho : Davison should have in his 200/, but it was voted, Mr Cradocks rates should bee forborne till the next ship come, & then it is referd to Mr Stoughton & Mr Hawthorne to consider & give order in it./

*It was ordered, that a foote way should bee set out through Noldes Iland, wth Mr Willi: Hibbens & Mr Thomas Coitemore are to settell where it may bee most convenient./

Mr John Oliver, Mr Edward Alleyn, & Willi: Parks are appointed to view & settle Mr Makepeace his farme of 200 acres./

Mr Stowe his fine of 10s is remitted to 20sh./

There is 200 acres of land granted to the heire or assigne of Mr Abrah: Mellows./

John Stowe & Isack Morrell are allowed 7t 10s for losse in 30t worth of corne received for the fishing money./
THE MASSACHUSETTS BAY IN NEW ENGLAND.

1641.

It was ordered, that Secunke, near New Providence, should bee accepted under of gov"nmut if it fall not in Plimoth patent;

And Mr. James Parker is appointed to go to Plimoth to desire to see their patent, & take a coppye of it; & Mr. Governo* is desired to write to Plimoth about it;

Mr. Henry Webbe is remitted his fine of 10* to 10sh.*/

It is ordered, that all farmes that are wth in the bounds of any townes should bee of the towne in wth they lye, except Meadford;/

Rich'd Beard is granted freedome, wth the consent of his mr./

Rob't Hinsdall is remitted the fine wth hee was liable unto;/

Mr. Atherton Haugh is granted 400 acres of ground for his 50* adv.;/

There is 500 acres of ground granted to Sr. Rich: Saltonstall, knight, to bee set out by Mr. Pinche & Mr. Smyth below Springfield, if it fall wth in of patent;/

It is conceived, that Tymo: Hawkins hath nothing downe to him in justic, so nothing is to bee alowed him; but if hee will in security to pay 45*, hee is granted the house to take away, & dispose of it, provied hee give his answer in wth in a month;/

Whereas it hath appeared to this Court that there hath bene much difference in the countrey wth salt at more easy rates then otherwise can bee had, & to make it by a meanes & way wth hitherto hath not bene discover'd, it is therefore ordered, that if the said Samu: shall, wthin the space of one yeare, set upon the said worke, bee shall enjoy the same, to him & his associat, for the space of 10 yeares, so as it shall not bee lawfull to any other psone to make salt after the same way during the said yeares; provied, nevertheless, that it shall bee lawfull for any psone to bring in any salt, or to make salt after any other way, duriing the said termes;/

John Garney, James Ludden, & John Porter are remitted their fines wth they forfeited for want of gunpowder;/

* Mr. Hen: Webbe fine remitted to 10.

To:

Farmes to belong to ye townes yeify in.

500 acre to Mr. Haugh.

500 acre to Sr. Rich: Saltonstall, to be set out.

Tyne Hawkins

Law or rule as to apprais'd of cattle.

Salt to be mad.

by Mr. Sam: Winslow.
1641.

2 June.

Capt. Sedgwick is ordered to take care of Castell this yeare ensuing, to begin the first of the 5th month. *And hee is to agree with the gunner & his man, allowing them 250 bushells of Indian corne p @, if the gunner will accept of it; & 50 bushells more of Indian corne the capt hath granted for other necessaries.*/

For the better entering of all orders of this Court, it is hereby ordained & established, that all orders of this Court with shalbe voted in any day of the same shall (before the Court arise that evening) be referred to a comittee of one or more, to bee put into dewe forme, & so presented to the Court the next morning.

Whereas the lords & gentellmen patentees of Dover & other tracts of land upon the ryver of Pascataque have granted a pass of the same to this Court, to bee forever annexed to this jurisdiction, with reservation of some part of the said lands to their owne use, in regard of propriety, it is now ordered, that the present Govno, assisted with 2 or 3 of the other mailts, shall give commission to some meece psons to go to Pascataque, & give notice hearof to the inhabitants there, & take order for the establishing of government in the limits of the said patentees, & to receive into this jurisdiction all other inhabitants upon the said river as may & shall desire to submit themselves thereunto.

The Court doth intreat leave of the church of Salem for Mr Peters, of the church of Roxberry for Mr Wells, & of the church of Boston for Mr Hibbens, to go for England upon some weighty occasions for the good of the country, as is conceived.

The Governo, Deputy Governo, Mr Winthrope, Seni., Mr Humphrey, Inc: Nowell, Mr Hathorne, Mr Hibbens, & Mr Coitemore are appointed to settle, for a small conclusion, the way from Winnetsemet to the written tree.

The Court desires Mr Governo, Mr Deputy, Mr Winthrope, Mr Dudley, Mr Stoughton, Mr Hathorne, Mr Coitemore, Mr Holliocke, & John Johnson, with any other of this Court that will, to give a meeting to the elders, to consider of the jurisdictions, & after speach with the elders, the Governo to appoint the time & place.

Will: Clarke, dwelling between Linn & Ipswich, hath liberty to intertaine passing & cattle.

Mr Parker, of Waymoths, is allowed to sell his strong water.

Arthur Saunden is allowed to keepe a victualing house at Marblehead.

The Court giveth leave to publish the declaration of the present state of the country, with revisall. It was tendred to the Court by Mr Endecott.

Mr Ting, the Treasurer, is freed from ordinary trainings.

Mr Ting freed from trainings.

Mr W's Clarke's licenses.

Mr Weld, & Mr Hibbins to be sent to Engld.

Mr Peeter, & Mr Hottis took for establishing of govern't at Pisc. 


OF COLONIES OF
The Court gave order to imply Willi: Cheesbrough & Rich'd Right to
get a firkin of iron ore for Mr Edward Alleyn,
Waymoth is appointed to pay 6 bushells of corne; onely Mr Parker to
be free.
Mr Tyne is chosen Treasurer for the yeare ensuing, & till new bee chosen.
Increase Nowell is chosen Secretary for the yeare ensuing, & till new bee
cho[sen,]
The business of Concord rate is referred to the Q'ter Court.
The Governo' & 2 other ma'tests have power to agree with the marshall &
the keeper of the prison.
The tol of Mr Mayhews bridge is refered to the Gov're & 2 ma'tests to
settle for 7 yeares.
Squantums Neck & Mennens Moone are layd to Dorchester.
It is ordered, that o' hoast Turner should have 200 bushells of corne, or
the valew, with such fines as can bee got in/
It is declared, that where farmes icoynce, the partition fence is to bee run
betwixt the owners; & if the one party fence, & the other neglect, & trespasse, bee is lyable to pay damages.

Octob' 10th, 1638.

The observation taken for the most southerly jts of this pattent, going southerly lyne
along by Charles Ryver, wee found to bee 41 degrees 49 minutes of north latitude, where wee tooke o' observation, the ryver still running southerly; but we, for want of necessaries, could not at that time try the utmost end of the river. Nathaniell Woodward, mathematition, Mr Dalton, Willi: Perkins,
John Fairebank, Mr Dalton's servant/

[*312.] Order as to voting ma-
girt.
whether they will ioyne altogether or vote severally, or to vote so as ev'ty one
that hath 10 votes shalbee an electo', & mat'nes & eld's to put in their votes as
other freemen. The deputies are to carry the coppey hearof to the sev'all
towns, & to make returnes at the next Court, what the minds of the freemen
are hearin, that the Court may pceede accordingly./

[For the names of those made free the 21 of June, see list at the end of this volume.]

[313.]
29 July.

*The 29th 5th M', @ 1641.

P*SENT, The Governo', M' Humfrey,
The Deputy, M' Stoughton,
M' Winthrop, Incr: Nowell,
M' Dudley,

At a Co't at Boston, George Bowen, being absent when hee was called to
serve upon the iury, was fined 5sh.1;

James Laurence, for goinge out of his m't his house in the night un-
seasonablely ag' his exp'pe order, was censured to bee sharply whip'd, & also
for keeping company w't a leaude woman;

William Pilsberry, for defiling his m't his house, was censured to bee
whipped;

Dorothy Pilsberry was censured to bee whip'd for her uncleanenes, &
defiling her m't his house;

Mary Osborne, for her grosse miscarriage in giving her husband quick
silver, & other abuses, was censured to bee severely whip'd;

Mary Felton, the wife of Benjamin Felton, for her severall thefts fr M't
Webbe, M' Parker, M' Stoade, & M' Eldred's man, to the valewe of 8. 15.
11s; the things were restored, & her husband undertooke & bound himselfe
to restore the valewe of the goods taken away to each of them./

[314.]
7 September.

*A Quarter Co't, at Boston, the 07th 7th M', 1641.

P*SENT, The Governo', M' Saltonstall,
The Deputy Go., M' Stoughton,
M' Winthrop, Se:, M' Brad-strete,
M' Dudley, Incr: Nowell,
M' Humfrey,

THOMAS CARTER, Senio', cunstable of Charlstowne, is fined 6. 8s, for
warning the iury men too late, & for a rong day, w't was two dayes
too late.
Edward Larkin, being warned to serve upon the iury, & not appearing, is fined 5s. This fine is remitted, the constable mistaking, & warning for a wrong day.

The rates of wharfige & lirige are referd to the Gen'ral Court, to bee brought in by the town of Boston.

Willi: Wells is enioyned in 10s, to answere for opposition.

Mr Nicholas Trerice, for his miscarriage in Court, is fined fortye shillings.

Thomas Owen, for his adulteros practises, was censured to bee scut to the gallos w* a roape about his neck, & to sit upon the lather an houre, the roapes end throwen over the gallos, so to returne to prison.

Sara Hales, the wife of Willi: Hales, was censured for her miscarriage to bee carried to the gallos, w* a roape about her neck, & to sit an houre upon the lather, the roaps end flung over the gallos, & after to bee banished.

Willi: Lampson hath liberty to fell 300 trees on the other side of Chebacco, so it bee not in the limits of any towne.

Anthony Stooder, confessing his fault in his unfitting speach to the Governo in affronting of him, is fined 13l.

Captaine John Vnderhill being indited upon pclamation, no witnesses coming in, hee was acquited.

John Kilmaster, John Knop, & John Knight, for their distemper, were admonished & dismissed.

Mr Samuell Maverick, being found gilty of a confederacy w" Tho: Owen to breake prison, conseling of it, & letting bee upon his iland, was fined one hundred l.

Mr Chidley, for confederating & conseling, was fined 13l.

Mr Ducket, for confederacy & conseling, was fined 26s.

Mr Wollaston, for conseling, being privy, was fined 13l.

Mr Oateley, for conseling, was fined 13l.

Thorne, for conseling, hideing, & suppling, was fined 6s.

Willi: Cope, for conseling, was fined 1006d.

Mary Wilber, for conseling & consenting, was fined 6d.

Thomas Owen, for escaping out of prison, was fined 20s, to bee paid w*in a weeke, or to bee severely whiped.

Sara Hales, for escaping, to pay 13l, or be whipped & banished.

Mr Dutchfeild, Mr Williams, & Mr Hale were admonished to take heede of the like conselment.
1641. 7 September.

Mr. William Collens being found to be a seducer, & his practices proved such, he is fined one hundred pounds, & to be kept close prisoner till his fine be paid, & then he is banished, upon paine of death;

Francis Hutchinson, for calling the church of Boston a whoare, a strumpet, & other corrupt tenants, he is fined 50$, & to be kept close prisoner till it be paid, & then he is banished, upon paine of death;

Margery Mathew, widow of Thom: Mathew, is allowed to sell her husbands house, land, & goods toward payment of her husbands debts, reserving her necessary cloaths & bedding, wh' were hers before marriage, being apply her owne/

315. *A Generall Court, held at Boston, the 7th Day of the 8th Mr, 1641.

P'sent, M' Governo', M' Deputy Gov', M' Winthrop, M' Dudley, M' Humfrey, depted, / 32 9

Deputies,


Mr. Saltonstall, Mr. Bradstreet, M' Stoughton, Inn: Nowell.


Mr. Richard Blindman & Thomas Wheeler were made free/

About the Indians, it is referred to the Governo', & such magistrates as meete upon a lecture day, to send some Inglish to them to demand the
run aways in the spring, that answere bee returned to the Court of Elections, in the 3d of next.

Mr Tompson is remitted the 20th for the 3 years forbearance of money for powder,

It is ordered, the prison should be made warme & safe.

It was ordered, letters should bee written to Coiectecott, Newe Haven, & Newe Plimoth, to advise about the islanders of Aquisuct.

It was yeted, that a deputy of every towne should send, in writing, to Capt Gibons, the 21st what wheate wilbe adventured to bee ready by the first of the first month, & who to undertake for the townes.

Mr Edward & Tymo: Tomlins, with John Poole, were admonished not to go to the Dutch because of scandal & offence.

Forasmuch as it appeareth to this Court that wheate is like to bee a staple commodity, & that a ship is well convenient speeke to bee set fourth, & fraught with wheate, for the fetching in of such foraine commoditees as wee stand in need of, it is therefore ordered, that, after the last day of this present 8th month, no baker, ordinary keeper, or other person, shall bake, to sell, or set to sale, any bread or cakes made of wheate meale, or wherein any wheate meale shall be put, upon paine to forfeit double the valewe thereof. And the constables of every towne are hereby required to see that this order bee observed, & that they shall make seise of all such bread so set to sale, & distribute the same to the poor.

It is also ordered, that no person within this jurisdiction shall make, or cause to be made, any mault of wheate, upon paine to forfeit ten shillings for every bushell so maulted; provided, that it shall bee lawfull for any to make or sell bisket of wheate meale for the use of ships.

Whereas the country is nowe in hand with the building of ships, is a busines of great importance for the common good, & therefore suitable care is to bee taken that it bee well performed, according to the convenient course of England, & other places, it is therefore ordered, that, when any ship is to bee built within this jurisdiction, it shall bee lawfull for the owners to appoint & put in some able man to survey the worke & workmen from time to time, as is usual in England; & the same so appointed shall have such liberty & power as belongs to his office, & if the shipcarpenter shall not, upon his advice, reforme & amend any thing which shall find to bee amisse, then, upon complaint to the Governour, or Deputy, or any other 2 magistrates, they shall appoint 2 of the most sufficient shipcarpenters of this jurisdiction, & shall give them authority from time to time (as neede shall require) to take yeiew of every such ship, & all worke thereto belonging, & to see that it bee performed & carried one.
acquired to the rules of their arte; & for this end an oath shall be administered to them, to bee faithfully & indifferently between the owners & workmen; & their charges to bee borne by such as shall bee found in default; & these workmen shall have power to cause any bad timbers, or other insufficient worke or materials, to bee taken out & amended, & all that they shall judge to bee amiss to bee reformed at the charge of them through whose default it grows./

For settling of all coomon ferrys in a right course, both for the passangers & owners, it is declared & ordered, that whosoever hath a ferry granted upon any passage is to have the sole liberty of transporting passangers from the place where such ferry is granted to any other ferry, or place where ferry boats use to bee, and that any ferry boat that shall land passangers at any other ferry may not take passangers from thence, if the ferry boate of the place bee ready; provided, that this order shall not prejudice the liberty of any that do use to passe in their owne or neighbour canoes or boats to their ordinary labours or business.

It was voted, that Winnet semet ferry should have but 3d. to Boston, & that both ferrys should have liberty alike.

The ferry from Boston hath liberty to carry to Noddles Hrand the ships, as to Winnet semet, according to the former order.

To gratify Mr. Humfrey at his departure, & the rather for his publique charges & travell in his place of serient maior, the summe of twenty marks imposed upon Mr. Oateley is freely left to Mr. Humfrey his disposall.

Mr. Samm: Hutchinson is referred to bee examined by Mr. Wilson, Mr. Sheopdl, & Mr. Elliot; & if they find him sound in judgment, & signify so much under their lands, then the Co't of Assistants may admit him to dwell amongst us; if not, to signify the contrary.

Mr. Robert Cooke is granted to have 12s. in a bushell for the corne paid him in at 4s. a bushell, & hee could get but 3s. p bushell for it, the some being 40s./

It is ordered, that the high way between the written tree & Winnet semet should bee made sufficient for carts, horses, & men by Boston within 3 months, upon paine of 20l./

Willi: Aspinwall hath a safe conduct granted him to come & satisfy the counsell, & if they thinke meete, to stay till the Generall Court; if not, hee is to depart till the Generall Court, & then hee hath liberty to come to the Generall Court.

Mr. Chidley's fine is remitted to 20 nobles.
Mr. W. Perkins 100 aél.
Mr. Gosse his fine is remitted to the towne of Watertown.
Mr. Willi: Perkins, for his fathers 500, is granted 400 acres of land.
Mr. Hathorne, Mr. Hollioke, & Mathew Boyse are appointed to receive & settle the boinds of Ipswich, Cape Ann, & Geoffyres Creeke, & returne their determination to the next Court./

For the trees wth Willi: Lampson, or any other for him, have felled, by order granted him, hee is to have them; but hee is to sell no more. And Mr. Bradstreet is to have such trees as hee hath felled, not exceeding 120; but hee is to sell no more./

Mr. Edward Ranson is appointed instead of Mr. Oliver, wth Mr. & Mr. are appointed to end small causes at Newberry./

*It was ordered, that henceforward nothing should bee put to vote before it bee written. Explained, 490: (3) 18: 42/

It is declared by the Court, that the Cunstable is to whip or punish any to bee punished where there is not another officer appointed to do it wth in his owne towne, unless hee can get another to do it./

Mr. Deputy Endecott, Mr. Downing, & Mr. Hathorne, or any two of them, are to dispose of all lands & other things at Cape Ann untill the Court take further order./

Willi: Wilson is appointed to execute the judgm for Mr. Philip Gibbs upon Edward Michelson, upo Mr. Gibbs his delivering of the band into the Court to bee kept./

About the rack: Edward Bendall having order to seeke to clear the ryver of it, & if hee cleare the harb'r, hee is to have all wth hee can get up; if not, hee is to have the one halfe, & the country is to have the other halfe. For the clearing of the harb'r hee hath liberty till the first of the 8th in, 1642; & hee is to give account to the Treasurer; from time to time, & to leave the full halfe, or give good security./

Cap't Gibbons is appointed to see to the laying of the ordinance in Boston, that they may not bee spoyled./

Each towne is to take the like care by millitary officers./

William Hatchet, being suspected of bestiality, for abusing himselfe wth a cowe, hee is referd to the next Quarter Court./

Mr. Rich'd Dunner, appearing in Court, gave satisfaction; onely for his judgm hee is referd to Mr. Wilson & Mr. Eliot./

It is ordered, that the 5th day three weeks, being the 4th of the 9th in, shallbee kept a day of publique humiliation throughout of jurisdiction, in regard of o' wants, & the danger of o' native country./

It is ordered, that a letter shallbee sent to Mr. Haynes & the rest of the mass at Coynectecot, to send back the prisoner Mathew Alleyn, or satisfy the debt & damage./
The proposition of choosing deputies for a yeare, & transacting & preparing all things for the General Court amongst the three regiments, is to bee carried by the deputies to the freemen of every towne, & their answeres returned to the next session of this Court.

The Govern'r & Mr Hauhorne were desired to speake to Mr Ward for a coppy of the liberties & of the capittall lawes to bee transcribed & sent to the several all townes

Mary Wilby's fine remitted.
Mr Collins fine remitted to 10/.
Mr Francis
Finces assigned to y Treas.

All sorts of corne are left at liberty, as concerning the prices, from henceforth, any former order to the contrary notwithstanding; & for servants & workmens wages it is ordered, that they may bee paid in corne, according to the order the 8th in last; but for the price, if the prices cannot agree, the corne is to bee valued by 2 indifferent freemen, to bee chosen the one by the other by the servant or workman, (who are to have respect to the value of the worke or service;) & if they cannot agree, then a third man is to be chosen by the next magistrate, or if no magistrate bee in the towne, then by the next cunstable; & for all other payments in corne, if the prices cannot agree, they shall choose 2 indifferent freemen, & if they cannot agree, the 3d to bee chosen by the next magistrate or cunstable, as before; & for payment of corne for rates to the Treasurer, the like course is to bee held, & that the Treasurer shall not bee forced to take cattell.

The Order for the High Way frō the Written Tree to Winnet scemet.

Wee, whose names are hearunder written, being appointed by the Cott to lay out the country high way frō Winnet scemet towards Linne, have agreed that it shall go, as formerly, from the water side to the foote of Powder Horne Hill, & from thence about the west end of the said hill, & over the cast end of Sagamore Hill, & thence to turne up the swamps, to the line of partition between Charltowne & Boston, running along thereby conveniently near to the great swamp, turning downe by the south side thereof to Mr Keynays cart way over the said swamp, & so along in the said cart way over the brooke
THE MASSACHUSETTS BAY IN NEW ENGLAND.

neare unto the old bridge, & thence in the most convenient way to the new bridge./

RICH\(^a\) BELLINGHAM, Go:,

JOHN ENDECOT, Dep.;

JOHN WINTHROPE,

& INCREASE NOWELL.

Increase Nowell, Mr Duncan, Mr Hawkins, Mr Bourne, Mr Coytemore, & Mr Wells, they, or any 5 of them, are appointed to settell the rates of wharfage, porridge, & warehouse hire, & certify the next General Court, & the order to stand the same while.

Leave is granted by the Go\(\)t to Mr Winthrops to build a house, & a hog liberty.

or goate pen by the lower part of Concord River, yet to bee at the Courts disposing, except the land given to Mr\(\)s Winthrops, or some \(\)pt thereof, bee allotted to her in the same place.

It was appointed that every capt should pay for the fferry of his comp\(\) out of the fines.

The fferry men are allowed to take double pay after daylight is downe, & those that pay not are to give their names in writing, or a pawne, or the fferry men may carry them before a magistrate.

The 24\(^{th}\) 7\(^{th}\) \(\text{m}., 1641.

Whereas wee, whose names are underwritten, were ordered to settle the ferry between Boston & Winnetsemet, wee do therefore hereby certify, that wee have (according to of best care & judgment) done hearin, viz: *Wee have let it unto Edward Goodwin & Robert Williams, to bee carefully & dili-
gently attended to the content of the countrey, & that the said \(\)pties abovesaid shall allow unto the treasury six pounds p ann., & hould it for the space of one whole yeare from the 25\(^{th}\) of this \(\text{m.} 1641\); and for two yeares more in case they give content unto the countrey, & they themselves desire to hould it./

WILLI: TYNGE,

THOM: COYTEMORE,

ROBERT SEDGWICK,

ROBERT WILLIAMS,

EDWARD GOODWIN.

Wee, whose names are underwritten, haveing full authority, from the townes wherein wee dwell, to end all controversies concerning the line of partition between Boston & Roxberry at Muddy River, concerning w\(\) some
1641. doubt hath been made, have agreed that the trees, as far as they have been marked by Capt. Jennison, shall stand for putting limits between both townes, & from thence to run to the corner of Dedham land next adjoyning; in witness of which premises we have interchangeably set to our hands this 29th of the 11th m, 1639.


Boston & Cambridge. Wee, whose names are underwritten, being appointed by the townes to whose names are underwritten, being appointed by the townes to


p Boston, THOMAS OLIVER, WILLI: COLEBRON, p Cambridge, RICH'D CHAMPNES, JOHN BRIDGE, GREGO: STONE, JOSEPH ISAACK, THOM: MARRETT.

Whereas it appeareth that by the extent of the line, (according to our patent,) that the river of Piscataqua is within the jurisdiction of the Massachusets, & conference being had (at several times) within the said people, & some deputed by the Generall Court, for the settling & establishing of order in the administration of justice there, it is now ordered, by the Generall Court, bounden at Boston, the 9th day of the 8th m, 1641, & within the consent of the inhabitants of the said river, as followeth:—

Impr: That from henceforth the said people inhabiting there are, & shall be, accepted & reputed under the government of the Massachusets, as the rest of the inhabitants within the said jurisdiction are:
Also, that they shall have the same order, & way of administration of justice, & way of keeping Courts, as is established at Ipswich & Salem.

Also, they shall bee exempted for all publique charges, other then those that shall arise for or from among themselves, or for any occasion or course that may bee taken to prejudice their own pp good or benefit.

Also, they shall enjoy all such lawful liberties of fishing, planting, felling timber, as formerly they have enjoyed in the said ryver. Mr Symon Bradstreete, Mr Israel Stoughton, Mr Samu: Symonds, Mr Willi: Tyng, Mr Francis Williams, & Mr Edward Hilton, of any four of them, whereof Mr Bradstreete or Mr Stoughton to bee one, these shall have the same power that the Quarter Courts at Salem & Ipswich have; also the inhabitants there are allowed to send two deputies from the whole ryver to the Court at Boston.

Also, Mr Bradstreete, Mr Stoughton, & the rest of the commissioners shall have power at the Court at Pascataquack to appoint two or three to ioyne with Mr Williams & Mr Hilton, to governe the people, as the magistrates do heare, till the next Generall Court, or till the Court take further order.

It is further ordered, that untill o' commision shall arrive at Pascataquack, those men who already have authority by the late combination to govern the people there shall continue in the same authority & power, to bee determined at the coming of the said commissioners, & not before.

Willi: Browne was chosen & sworn surveyar of the armes at Sudberry.

Mr Rich'd Saltonstall is chosen sericant maior to Colonell Endecots regiment.

Mr Israel Stoughton is chosen sericant maior to Colonell Winthrops regiment.

John Mussell, for attempting to abuse a boy, was censured to bee whipped.

The Court is adjournd till the 6th day of the weeke in which the Quarter Court is to bee, wth is to bee the 10th day of the 10th mth.

(10) 10: 41.

John Milnes tooke the oath of a constable, for to supply that office at Braintree for the year ensuing.

It is ordered, that Leif Sprague & Edw: Converse should repair the bridg at Meadowboard, over Mistick River, & the same to bee paid for out of the treasury.

Mr Peck, Mr Parker, Goodin: Bate, & Stephen Paine are desired to view the way at Braintree, & certify the next Generall Court.

For speciall & weighty consideration, the Court at Salem is deferred to the last third day of the eleventh month.
1641. Whether the right of sent possession of Watertowne mill, with Mr. Howe doth sue for, bee due to him or no? The vote was, that it is Mr. Dudley's, & not Mr. Howes /

Mr. Willi: Colles & Francis Hutchinson were dismissed upon a byll of their hands for Mr. Wm. Colles to pay 40l, & Fra: Hut: 20l, when it shall bee called for, if they bee able; & so they had liberty to dept, & were not to returne againe into your jurisdiction, at their utmost pill. / Mr. Willi: Colles & Franc Hutchinson are enjoyned to dept out of of jurisdiction immediately after the Sabboth, at their peril./

Glassmen of Salem allowed 30l. Armery to be in Boston. 

[*321.] The Recorders Oath. R. You do swear that, being chosen recorder within the limits to yo's appointed, yo's shall truely & faithfully indeavo'r the execution of yo's place; yo's shall faithfully record all things comitted to yo's, & safely keepe the same, & shall make true transcripts of all that yo's shall deliver out of such records./

Stephen Day. Stephen Day, being the first that set upon printing, is granted 300 acres of land where it may bee convenient, within prejudice to any towne./

Mr. Cotton is granted 600 acres of land where it may not prejudice a plantation./

Mr. Natha: Warde is granted 600 acres of land where it may not prejudice a plantation./

William Hatchet, for beastauld with a cowe, is condemned to bee hanged, & the cowe to bee slayne & burnt or buried;/

Mr. Deputy Endecot, Mr. Downing, & Mr. Hautherne are authorised to get 19 copies of the lawes, liberties, & the forms of oaths transcribed, & subscribed by their several hands, & none to bee authentick but such as they subscribe, & to bee paid for by the custable of each towne, 10l a pece for each coppye, & to bee prepared within sise weekes./

Robert Harris is released by the Courte./

Law as to suimons & attachments. It is ordered, that in every towne one shalbee appointed to grant suimons & attachments in all civill actions; & attachments are to bee granted when
the party is a stranger, not dwelling amongst us, or for some that is going out of our jurisdiction, or that is going about to make away his estate to defraud his creditors, or when persons are doubtful in their estates to the plaintiff; & the same persons to grant replevy; & when they grant any replevy, they are to take bond, with sufficient security, (of the party that desireth the replevy,) to prosecute the suit; & they are to have for warrants 2d a piece, for a replevy or attachment 3d a piece, & for bands 4d a piece. These are to be directed to the constables in towns where is no marshal; the same party to grant summons for witnesses. For Hampton, Willi: Wakefield is appointed; for Salsberry, Mr Bradberry; for Newberry, Mr Lowle; for Rowley, Frane Parrel; for Ipswich, Mr Giles Firman; for Salem, Mr Ralph Fogg; for Liuh, Mr Sadler; for Charles Towne, Mr Ben: Hubberd; for Boston, Mr Maude; for Roxberry, Mr Goare; for Dorchester, Mr John Glover; for Braintree, Mr Winchester; for Waymouth, Mr James Parker; for Hingham, Mr Peck; for Cambridge, Mr Collens; for Watertowne, Mr Eyres; for Concord, Lelif Willard; for Sudberry, Walter Hayne; & for Dedham, Mr Edward Allein. These have power to send out peace to any town, & to be called clerks of the writs. These are chosen for a year, & till new be chosen in their roome. The marshalls fee for a replevy or attachment to be 1d; & where no constable is, a magistrate may direct a warrant to some one for the present.

These orders are to take effect at the Quarter Court in the first month next; & in the mean time the magistrates are to grant warrants for summons.

John Johnson hath power to sue those that are defective about the country arms.

It is ordered, that every marshal should have sixe pence out of every action, during the pleasure of the Gen'ell Court.

Mr Wigen, Mr Wannerton, & Mr Gibens were ioyned in commission at Pascataque by of commissioners with were sent to them, with this Court doth confirme untill further order be taken.

Mr Flint, Mr Symonds, Mr Duiner, Mr Tyng, Mr Downing, & Mr Finch are to bee pouned to the towns for newe magistrates.

It is ordered, that they that cut the beach betwixte Cape Ann & Anisquam shall have liberty to take sufficient toade as the Court shall thinke meete for one & twenty yeares. Alt: 1642.

If two sufficient men will give 100d band a pence for Jenkin Davies, Jenken Davies to be secured.

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Mrs. Margt Winthrope hath her 3000 acres of land formerly granted her, to bee assigned about the lower end of Concord Ryver, near Merrimack, to bee layde out by Mr. Flint & Leif Willard, wth Mr. Oliver, or some other skilfull in measuring, so as it may not hinder a plantation; & any pt thereof they may purchase of any Indians that have right to it.

Upon the petition of Mr. Willi: Tyngc, it was ordered, that Mr. Bartholomew, George Giddings, & John Whipple should set a dewe valuation upon the house & ground wth Willi: Whitred did effecce to Mr. Tyng aforenamed.

It was ordered, that Sara, the late wife of James Hubberd, should have fourty pound of the estate of her said late husband, & the use of the childrens stock till they come to the ages mentioned in the will, & then the eldest sonne.

At this Court, the bodye of laues formerly sent forth amongst the freemen, (c) was voted to stand in force, (c)

[The last paragraph is in the handwriting of Gov. Winthrop.]
MISCELLANEOUS RECORDS.
MASSACHUSETTS RECORDS.

MISCELLANEOUS ENTRIES CONTAINED IN THE FIRST VOLUME OF RECORDS.

[In an unknown chirography as far as the second paragraph of the Beadle's Oath, on page *13*.]

*Coppies of ye Oathes appertaininge to ye New England Companye.*

Governors & x Oath.

You shall swear to be good and true vnto our Soueraigne Lord, ye Kinges Majts, and to his heires and successors; you shall be assistant to the Governor and the Company of the Mattachussets Baye in Newe England, and priviliges thereof, having no singular regard to you selfe, in dirogation of ye common welth of ye same; ye statutes and ordinances wherein or shall be made by ye authority of ye Assistance, and generalitie of ye saide fellowship, according to ye tenor of ye patent for in corporating ye same, indifferently you shall execute; and transgressors and breakers of ye same you shall correct and punishe, according to ye tenor and true meaning of ye saide ordynance; ye breaks and forfeitures you shall cause to be truly levied, not sparing for lone or dread, for frendshiphe or meed, but to every person you shall be just, indifferent, and equal; new customes, statutes, and ordinances you shall not make, without ye advice and consent of ye Assistants and generallity, according to ye tenor of ye charter; you shall admitt none to bee free of this fellowship but such as may claime ye same by virtue of our priviliges; you shall not bind yo selfe to enter into any busines or proces for or in ye name of this fellowship, without ye agreement and mind of ye Assistants. All thes artickles you shall hould and keepe to ye vitemost of your power. So helpe you God, so longe as you shall continew in the place of deputy of this fellowship.
YOW shall swear to be indifferent & equall to all maie* of persons, and to give yo* best advice and counsell for supporting y* coimon welthe and fellowshippe of y* Gouomo*, &c., of y* Matt: Baye in New England, not sparing for hone no* dreal, favour nor meed, but according to y* statutes and ordinances made and to be made effectuall to assiste y* Gouomo, his Deputy, and Deputies and Assistance of y* saide fellowshippe, in executing y* saide statutes and ordinances, being lawfull. Yow shall not, to your power, suffer to be admitted into y* freedom of this fellowshippe any person contrarray to y* tenor and true meaninge of the charter of y* saide Company. All y* premises your shall faithfully iadueour to hould and keep. So helpe your God, so longe as yo* shall continew in y* place of Assistance./


*   *   *   *   *   *   *   *   *   *   *   *

y* Kings Mayte, and to his heyres [and] successors, and to [this fellowshippe] of y* Gouomo*, &cet, of the Matt: Bay in New England, and [you] shall duly and truly receave & paye all maie of duties, [   ] [,] breaks, and other charges to y* saide fellowshippe belonging, [   ] as they may come to your hands and knowledge; and yow shall [from] time to time faithfully and truly account to and with [the] Gouomo* and Assistants, or to and with certaine editors [by] them assigned for all matters touching receipts and payments, and other your charge done in yo* time by yow or yo* assigns, for y* use of y* saide fellowshippe. So God your helpe.

The Secretaries Oath.

YOW shall swear to be good & true to our Soueraine Lord, the Kings Mati, and to his heires & successors; you shalbe obedient, diligent, & attendant to Mr Gouomo*, & y* Depute and Company of the Matthias Baye in New England; at all times convenient yow shall shew your selfe frendlye vnto every one of the said Company; yow shall faithfully & truelye downe wright & register in the Companies booke all y* acts, ordinances, and constitutions of the said fellowshippe, that from time to tymc they shall enact, ordaine, & constitute; yow shall not give out any coppie or coppies of any the same acts without the ascent of a Courte of Assistants; yow shall kepe secret all matters, talke, or conference had in any Courte of Assistants, or otherwise, the disclosing wherof may bee prejudicial to this Company. And if yow knowe any person or persons with shall attempt any hurte or
pricidvice to the foresaid fellowship, or privilidges of the same, yow shall forthewitb give knowledge therof to ye said Governor, or his Deputy. All these things yow shall truly hould and kepe, to ye vtermost of ye pow'. So helpe ye God./

The Beadles Oath.

YOW shall trulye and tuly warne the said Company to come to Courtes & congregations to be appoynted by the Gouernor or his Deputye, as often and when as yow shalbe hervnto willed & required by the Gouernor or his Deputy; yow shall not, to his power, suffer any hurts to the Company, to stand or be wthin the hearinge of ye said Company when they are sett at any theire Courtes, nor to com in before he bee called for by the Gouernor or his Deputy. And if you knowe any pson or persons, &ret, as alone  

[The following paragraph is in the handwriting of Secretary Bradstreet.]

YW shall sware that yw shall well & truely servce the Company in the office of beadle soe longe as yw shalbe in the said place; yw shall dayly gine your attendance upon the Gouernor for the tyme being, for the publike service, & shall diligently & faithfully execute all warrants & other presses that shalbe directed to yw, yw gineing your psonall attendance at all Courts & other publike meetings, to serue ye Gouernor, Deputy, & Assistants; yw shall not disconer any of the counsellors of the Court that, by reason of [your] attendance, yw may take notice of; & in all things [which] concerne ye office, yw shall forme the same [with] all dilligence, faithfulness, & sincerity, soe [long] as God shall gine yw grace./

[In the handwriting of Secretary Burgis.]

*The Oath of the Gofn of New England.

YW shalbe faithfull and lyall vnto ye Soffign Lord, the Kings Maj, & to his heirs & successors; yw shall support and mainaine, to ye power, the gofni & Company of the Mactachusetts Bay in New England, in America, & the priviledges of the same, hauing noe singular regard to yeyselv in derogation or hinderance of the coven wealth of this Company; and to every pson under ye authoritie yw shall administer indifferent & equall justice. Statutes & ordinances shall ye none make without th'advice & consent of the counsell for the gofin of the Mactachusetts Bay in New England; yw shall admitt none into the freedome of this Company but such as may chayne the same by vertue of the priviledges thereof; yw shall not bynde yeyselv to enter into any business or press for or in the name of this Company, without the consent & agreey of the counsell aforesaid, but shall endeavoy faithfully &
Deputie. carefully to carry yo'selfe in this place and office of Gou'No", as long as yo^ shall continue in it; and likewise yo^ shall doe yo^ best endeavours to draw on the natures of this country, called New England, to the knowledge of the true God, and to conserve the planters & others coming hither, in the same knowledge & fear of God; and yo^ shall endeavours by all good means to advance the good of the plantations of this Companie; and yo^ shall endeavours the raising of such commodities for the benefit and encouragement of th'adventurers & planters, as, through Gods blessing on yo^ endeavours, may bee placed for the good & service of the kingdom of England, this Company, and their plantations. All these praises yo^ shall hold & keepe, to the uttermost of yo^ power & skill, soe long as yo^ shall continue in the place of Gou'No" of this fellowship. Soc helpe yo^ God./

[In the handwriting of Secretary Baggs.]

"The Oath of the Councell in New England.

YO^ swear to be faithfully & loyally to o' Solaigne Lord, the Kings Maj^, and to his heires and successors. Yo^ shall from tym to tym give yo^ best advice & councell for supporting & maintaininge the co\'mon wealth & corporacion & Company of the Mathachesets Bay in New England, not sparing for love ned dread, for favours nor needle, but according to the statutes & ordinances made & to bee made, by vertue of the charter of the said Companie, shall effectually assist the Gou'no', or his Deputie, & councell of the said Companie, in executing the said statutes & ordinances, hauing noe singular regard to yo'selfe in derogation of the co\'mon wealth of the same. All these praises yo^ shall hold & truly keepe to yo^ power, soe long as yo^ shall continue in the place or office of one of the said councell. Soc helpe yo^ God./

[Written by Secretary Bradstreet as far as to the oath of the Clerk of the Band, page 56.]

"The Oath of y' Gou'n'.

YW shall be faithfully & true to o' Solaigne Lord King Charles; y^ shall in all things carry & demean yo'selfe, for the time of y' go\'m, according to the laws of God, & for the advancement of his gospell, & the good of the people of this plantation; y^ shall doe justice to all men to the best of yo^ skill, without partiality; y^ shall not exceede (as much as in y^ lyeth) the lymittations of a Gou'in, &c./

The Oath of Assistants.

May 11th, 1631. YW doe swear, &c. that being chosen an Assistant in the Gou'm of this body politike, for this yeare nexte following, y^ shall beare true faith & allegiance to o' Solaigne Lord King Charles, & y^ shall doe equall right &
justice to all, & shall assist in all the publique affairs of the co[m]on wealth faithfully & truely, according to the authoritie & duty of y\textsuperscript{t} place. Soe helpe y\textsuperscript{w} God, \( \text{\ell} \text{\ell} \).

The Tresurers Oath.

I, A B, being chosen Tresur\textsuperscript{r} for the Mattachusets Bay for this yeare, & vntill a newe be chosen, doe promise to gyve warrants \textit{w}th all convenient diligence for collecting all such so\textsuperscript{m}e of money as by the Court have bene of shalbe appoynted, & shall pay ou the same by such so\textsuperscript{m}es \& in such manner as I shalbe lawfully appoynted by the said Court, if I shall have it in my hands of the co[m]on Tresurer, \& shall returne the names of such constables as shalbe fayling in their office in not collecting \& bringing to mee such so\textsuperscript{m}es as I shall giue war's for. Soe helpe mee God./ \( \text{\ell} \text{\ell} \).

*The Oath of a Freeman, or of a Man to be made \textit{ff}ree.

I, A B, \( \text{\ell} \text{\ell} \), being, by the Almightyes most wise disposition, become a memb\textsuperscript{r} of this body, consisting of the Go\textit{un}, Deputy Go\textit{un}, Assistants, \& a com\textsuperscript{m}ly of the Mattachusets in Newe England, doe freely \& sincerely acknowledge that I am iustly \& lawfully subject to the go\textit{un} of the same, \& doe accordingly submitt my psom \& estate to be protected, ordered, \& go\textit{uned} by the lawes \& constituc\textsuperscript{b}ons thereof, \& doe faithfully promise to be from time to time obedient \& conformeable thereunto, \& to the authie of the said Go\textit{un} \& Assistants \& their successors, \& to all such lawes, orders, sentences, \& decrees as shalbe lawfully made \& published by them or their successors; and I will alwaies indeav\textsuperscript{r} (as in dutie I am bound) to advance the peace \& wellfaire of this bodie or co[m]onwealth to my vtmost skill \& abilitie; \& I will, to my best power \& meanes, seeke to devert \& prevent whatsoever may tend to the ruyne or damage thereof, or of any the said Go\textit{un}, Deputy Go\textit{un}, \& Assistants, or any of them, \& their successors, and will giue speedy notice to them, or some of them, of any sedici\textsuperscript{m}on, violence, treachery, \& other hurt or cuill which I shall knowe, heare, or vhem\textit{ly} suspecte to be plotted or intended against the said co[m]onwealth, or the said go\textit{un} established; and I will not att any time suffer or giue consent to any counsell or attempt that shalbe [done.] giuen, or attempted for the impeachm\textsuperscript{t} of the said go\textit{un}, or makeing any change or altera\textsuperscript{c}on of the same, contrary to the lawes \& ordinances thereof, but shalbe doe my vtmost endeav\textsuperscript{r} to discover, oppose, \& hinder all \& eyf\textsuperscript{y} such counsell \& attempt. Soe helpe me God./
The Oath of Freemen agreed upon at the Gessall Court, May 14th, 1634.

A B, &c., being by God's providence an inhabitant & freeman within the jurisdiction of this commonwealth, doth freely acknowledge myself to be subject to the government thereof, and therefore doth here swear by the great and dreadful name of the ever living God that I will be true & faithful to the same, & will accordingly yield assistance & support thereto, with my person & estate, as in equity I am bound, & will also truly indeavours to maintain & preserve all the liberties & privileges thereof, submitting my selfe to the wholesome laws made & established by the same; and further, that I will not plot nor practise any evil against it, nor consent to any that shall soe doe, but will timely discover & reveal the same to lawful authority nowe here established for the speedy preventing thereof. Moreover, I doe solemnly bind my selfe in the sight of God, that when I shalbe called to give my voice touching any such matter of this state, wherein freemen are to deal, I will give my vote & suffrage as I shall in my owne conscience judge best to conduce & tend to the publice weale of the body, without respect of persons or favours of any man. Soe helpe me God in the Lord Jesus Christ.

The Oath of Residents.

A B, being by God's providence an inhabitant within the jurisdiction of this commonwealth, doth freely & sincerely acknowledge myself to be subject to the government thereof, and therefore doth here swear by the great & dreadful name of the ever living God, that I will be true & faithful to the same, & will accordingly yield assistance & support with my person & estate, as in equity I am bound, & will also truly indeavours to maintain & preserve all the liberties & privileges thereof, submitting myselfe to the wholesome laws made & established by the same; and further, that I will not plot nor practise any evil against it, nor consent to any that shall soe doe, but will timely discover & reveal the same to lawful authority, nowe here established for the speedy preventing thereof. Soe helpe me God in the Lord Jesus Christ.

The Oath of the Commission for Martiall Dissypline.

Y doth faithfully indeavours with all good conscience to discharge this trust committed to you, as you shall apprehend to conduce most to the safety of this commonwealth; you shall not by any sinister devices, or for any private respects or private ends, doe any thing to the hinderance of the effect of any good & seasonable counsells; you shall appoynt or remove noe officers by any partie, or for psonall respects, or other prejudice, but according to the
merritt of the psons in y\textsuperscript{r} apprehension; y\textsuperscript{v} shall faithfully indeav\textsuperscript{r} to see that martiall discipline may be strictly vpholden, not easing or burtneing any otherwise then y\textsuperscript{w} shall judge to be just & equall; y\textsuperscript{w} shall vse y\textsuperscript{r} power ouer mens lyves as the last & onely meanes w\textsuperscript{ch} in y\textsuperscript{r} best apprehension shalbe beste for the publique safety in such case, &c. So helpe y\textsuperscript{w} God./

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[Written by Secretary Newell as far as to page *9.]
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\textbf{WHEREAS} yo\textsuperscript{a} are chosen to the place of the Governo\textsuperscript{r} over this jurisdicion for this yeare, & till a newe bee chosen & sworne, yo\textsuperscript{a} do heare swear by the liv\textsuperscript{e} God that yo\textsuperscript{a} will in all things concerning yo\textsuperscript{r} place, according to yo\textsuperscript{r} best power & skill, carry & demean yo\textsuperscript{r} selfe, for the said time of yo\textsuperscript{r} governm\textsuperscript{t}, according to the lawes of God, & for the advancement of his gospyle, the lawes of this land, & the good of the people of this plantation; yo\textsuperscript{a} shall do iustice to all men w\textsuperscript{th}out partiality; yo\textsuperscript{a} shall not exceed (as much as in yo\textsuperscript{a} lyeth) the limitations of (a Gov\textsuperscript{r}nor) Assistants in yo\textsuperscript{r} places./

\textbf{The Oath of the Governo\textsuperscript{r}.}

\textbf{The Oath of Assistants.}

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[*7.]
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\textbf{WHEREAS} you, T D, have bene chosen to the office of sergeant mayor general of all the military forces of this jurisdiction for this p\textsuperscript{sent} yeare, yo\textsuperscript{a} do swear by the ever living God, that (by yo\textsuperscript{r} best skill & ability)
you will faithfully discharge your trust committed to you, according to the tenor & purport of the commission given you by this Co't.

The Forme of the Oath to be administred to the Sergent Maio's of the sev'all Regiments, & so (mutatis mutandis) to your other Military Office's.

WHEREAS you, R S, have beene chosen to the office of sergeant maior of the east regiment for this present year, & untill another be chosen in your place, you do swear by your everliving God, your best skill & ability you shall faithfully discharge your trust committed to you, according to such commands & directions as you shall (from time to time upon all occasions) receive from the sergeant maior general, by virtue of his commission from the Co't, & according to the laws & orders by this Co't made & established in this behalfe:

The Oath of the Assistants agreed on your 3th day, 1645.

WHEREAS you are chosen to the place of Assistant over this jurisdiction for this yeare, & till newe be chosen & sworn, you do here swear by the living God, that you will truly indeavo" (according to your best skill) to carry & demean your selfe in your place for the said time, according to the laws of God, & of this land, for the advancement of the gospell, & the good of the people of this plantation; you shall dispense justice equally & impartially, according to your best skill, in all cases wherein you shall act by virtue of your place; you shall not wittingly & willingly exceed the limitations of your place; & all this to be understood during your abode in this jurisdiction/

An Oath to be administred to the Searcher of Leather.

WHEREAS you are chosen an officer for the searching & sealing of leather within the towne where you now dwell, for the space of a yeare, & untill newe be chosen & sworn in your room, you do now swear, by the everliveing God, that you will carefully & duly attend the execution of your said office, with all faithfulness, for the good of the common wealth, according to the true intent of the orders in such case provided. So help you God.

An Oath for the Jury of Life & Death.

You do swear, by your great name of Almighty God, that you will well & truly try, & true deliverance make of such prisoners at your barr as you shall have in charge, according to your evidence. So help you God.
MISCELLANEOUS RECORDS.

The Oath of the Auditor General.

Ye do swear, &c., that you will well & truly serve this commonwealth in your office of Auditor General, wherunto you have been chosen, so long as you shall continue in your same; you shall keep a true account of all things committed to your charge; you shall not omit or delay, without just occasion, to examine, sign, & dispatch all accounts & bills when shall be brought to you for that end, without taking any fee or reward for your same, other than this Court hath allowed or shall allow, & shall give a true account of all your business, when you shall be thereto required by this Court.

*The Forme of the Clarks Oath.*

Ye shall truly swear to perform the office of a clarke of a trained band to the utmost of your ability or endeavor, according to the particular specified in this order. So help you God.

The Oath of the Three Men in Townes.

Ye, A B, being chosen & appointed to end small causes under 40l., according to the laws of this jurisdiction for this year ensuing, swear by the living God that, without favor or affection, according to your best light, you shall true judgment give & make in all the causes that shall come before you.
John Pratt's Answer to the Court.

[In the handwriting of Secretary Bradstreet.]

[*9.] The Answer of mee, John Pratt, to such Things as I heare & pceare objected against mee, as offensive in my fre.

FIRST, geinally, wth sooner I writ of the impossibilitie or impossibility of subsistence for o'selues or o' posterity without tempting God, o' without extraordinary meane, it was with theis two regards: First, I did not meane that w' I said in respect of the whole country, or o' whole patten in gefall, but onely of that compasse of ground wherein theis townes are so thicke sett togeather; & secondly, I supposed that they intended soe to remayne, because (vpon conferrence with divers) I found that men did thinke it unreasonable that they or any should remove or disperse into other p's of the countrie; and vpon this ground I thought I could not subsist myselfe, nor the plantaçon, nor posterity. But I doe acknowledge that since my fre there have bene sundry places newly found out, as Neweberry, Concord, & others, (and that within this patten,) w' will afford good meane of subsistence for men & beasts, in w' & other such like newe plantaçons, if the townes shalbe fewer & the bounds larger then theis are, I conceave they may lyve comfortably. The like I think of Coñecticott, with the plantaçons there nowe in hand; & w' I conceave soe sufficient for my selfe, I conceave soe sufficient also for my posterity; & concerninge theis townes heare soe thicke planted, I conceave they may subsist in case that, besides the conveniences w' they have already neere hand, they doe impue fernes somew' further of, & doe also apply themselves to & doe impue the trade of fishing, & other trades. As concerninge y' intimaçon of the coñionweath builded vpon rocks, sands, & salte marshes, I wishe I had not made it, because it is construned contrarie to my meance, w' I have before expressed. And whereas my tres doe seeme to extenuate the iudgem't of such as came before, as having more homestic then skil, they being scol-lers, cittyzens, tradsmen, (ë, my meance was not soe geïfall as the words doe import; for I had an eye onely to those that had made larger reports into England of the country then I found to be true in the sence aforesaid. And whereas I may seeme to imply that I had altered the mynades or iudgem't of the body of the people, magistrates, & others, I did not meane this in respect of the goodnes o' badnes of the land in the whole plantaçon, but onely in poynte of removeall & spredding further into oth' p's, they afterwards conceaving it necessarie that some should remove into other places, here & there, of more inlargem'; and whereas I seeme to speake of all the magistrates &
people, I did indeed mean onely all those with whom I hadd any private speech aboute those things; & as for the barrenes of the sandy grounds, &c, I spake of them then as I conceaved; but nowe, by experience of myne owne, I finde that such ground as before I accounted barren, *yet, being ma¿ured & husbanded, doeth bring forthe more fruit then I did expect. As for the not p- ping of the Englishes graine vpon this ground, I doe since that time see that rye & oates have peped better then I expected; but as for the other kindes of graine, I doe still question whither they will come to such ppeesan as in of native countrie, from whence they come. And whereas I am thought gefially to charge all that have written into England by way of comiendacon of this land as if what they hadd written were gefially false, I meant it onely of such excessive comiendacons as I see did excede & are contrary to that wth I have here expressed./

And as concerninge that wth I said, that the gospell would be as deare here as in England, I did it to this end, to putt some wth intended to come hither onely for outward commoditie to looke for better grounds cre they looke this way/

As for some grounds of my returninge wth I conceaved from my friends for feare of doeing hurt, I meant onely some pícuf occacons & apprehen- cons of myne owne, not intending to lay any secret blemish vpon the state; and whereas I did expresse the danger of decayeinge here in of first love, &c, I did it onely in regard of the manyfolde occacons & businesses wth here at first wee meete withall, by wth I finde, in my owne experience, (and soe, I think, doe others also,) howe hard it is to keepe of hearts in that holy frame wth sometimes they were in where wee hadd lesse to doe in outward things, but not at all intending to impute it as necessary to of condiçon, much lesse as a fruite of of precious liberties wth wee enjoy, wth rather tend to the quick- ening of vs, wee improvinge the same as wee ought./

This my answer (according with the inward consent & meaninge of my heart) I doe humbly comend to the fav'ble consideracion & acceptance of the Court, desiringe in this, as in all things, to approve myselfe in a conscience voyde of offence towards God & man/

JOHN Pratt.

Of this answer of John Pratt before written, voluntarily by him made, as wee are witnesses, soe doe wee also ioyne wth him in humble desire vnto the Court, that it may be fav'sably accepted, & whatsoever sayleings are in the irre in regard of the manner of expressions, (wth may seeme hardly to suite wth
theis his interpretaçons,) wee doe desire the indulgence of the Court to passe over without further question.

PETER BULKELEY,
JOHN WILSON,
THOMAS HOOKER.

Whereas John Prat, of Newe Towne, being called before vs att this present Court, & questioned for a tre wth hee wrote into England, dated , wherein hee raysed an ill report of this countrie, did desire respite till the nexte day to consider of his answer, hee hath nowe deliued in this before written, wth, vpon his free submission & acknowledgem' of his error, the Court hath accepted for satisfaction, & thereupon pardon'd his st offence, & gyven ord'y it shalbe recorded, & such as desire coppyes thereof may have the same.

JOHN HAYNES, Goñr,
RICH: BELLINGHAM,
'JOHN WINTHROP,
THO: DUDLEY,
JOHN HUMFRY,
WILL'm CODDINGTON,
WILL'm PINCHON,
ATTERTON HOUGHE,
INCREASE NOWELL,
SIMON BRADSTREEETE.
WHEREAS the Kings most excellent Mat's hath bin gratiously pleased to erect & establish vs, by his fres patents, under the great scale of England, to bee a body corporate, entytuled the Goūno & Company of the Mattacuṣsets Bay in New England, and thereby hath endowed vs wth many large & ample pruilides & inmunities, wth power to make good & wholsome lawes, orders, & ordinances, for the better maintenance & support of the said pruilides, and for the better & more orderly & regular goūn', to bee observed in the pseucōn & ppagaōn of o' intended voyages & the plantacōn there, authorising vs to nominate, & appoint, & select fitt psions amongst o'selues for the managing, ordering, & goūning of o' affaires, both in England & in the places syeyed & granted vnto vs by vertue of his mat's said charter, wee haue, in the pseucōn of the said power & authoritie giuen vs, & in conformite thervnto, & to the purpose & intent thereof, & not otherwise, thought fitt to settle & establish an absolute goūn' at o' plantacōn in the said Mattacuṣsets Bay in New England, wth, by the vote & consent of a full & ample Court now assembled, is thought fitt, & ordered as followeth, viz': —

That thirteene of such as shalbe reputed the most wyse, honest, expert, & discreete psions resident vpon the said plantacōn, shall, from tymce to tymce, & at all tymes hereafter, haue the sole managing & ordering of the goūn' and o' affaires there, who, to the best of their judgm', are to endeavo' soo to settle the same as may make most to the glory of God, the furtherance & advancement of this hopeful plantacōn, the comfort, encouragem', & future benefit of vs & others, the beginis & pseucōn this soo laudable a worke. The said 13 psions soo appointed to bee entytuled by the name of the Goūno & Counsell of Londons Planetacon in the Mattacuṣsets Bay in New England.

And having taken into due consideracōn the merit, worth, & good desert of Capt John Endecott, & others lately gone over from hence wth purpose to resyde & continue there, *wee haue, wth full consent and authoritie of this Court, & by erccōn of hands, chosen & elected the Capt John Endecott to the place of psent Goūno' in o' said plantacōn.

Also, by the same power, and wth the like full & free consent, wee haue chosen and elected Mr Fra: Higgeson, Mr Sam: Skelton, Mr Fr: Bright, Mr John Browne, Mr Sam: Browne, Mr Tho: Graues, & Mr Samuell Sharpe, these
1629.  

30 April.

scaven, to bee of the said counsell, and doe hereby giue power & authoritie to the s\^{i} Governoестественій those scaven to make choice of 3 others, such as they, or the greater numb\{e\}r of them, in their discrec\{e\}ns, shall esteeme & conceive most fitt thereunto, to bee also of the said counsell.

And to the end that the for\{m\}e\^{a} planters there may have noe just occasion of except\{e\}ns, as being excluded out of the pruiledges of the Company, this Court are content, & doe order, by except\{e\}ns of hands, that such of the said for\{m\}e\^{a} planters as are willing to live \^{w}ith\{e\}n the lymitts of \^{e} planta\{c\}n shalbe enabled, & are hereby authorized, to make choice of 2 such as they shall think\{e\} fitt, to supply \& make vp the numb\{e\}r of 12 of the said counsell, one of \^{w}h\{e\} 12 is, by the Governoестественій & counsell, or the maioестественій p\{i\} of them, to bee chosen Deputie to the Governoестественній for the tymes being.

Secretary to be chosen.

And further, the Court doth authorize \& giue power to the said Governoестественній \& counsell, or the maioестественній p\{i\} of them, (wherc\{o\}f the Governoестественній or Deputie to bee always one,) to make choice of a Secretary, \& such other subordinate officers, to attend them at their courts, meetings, or otherwise, \&\{e\}\{s\} as in their discrec\{e\}ns shall seeme meete \& needfull.

And to the end that every one of the forenamed officers, aswell Governoестественній, Deputie, \& counsell as others who they shall think\{e\} fitt to nominate \& chuse, may bee the more carefull in pformance of the charge committ\{e\}d vnto them, it is by this Court thought fitt \& ordered, that each of them shall take an oath vpper to that place hee shalbe elected \& chosen to, \^{w}h\{e\} is to bee administered vnto him or them at the tymes of his or their elect\{e\}ns or admittance into the said sef\{a\}ll place or places.

Oath to be administered to Governor \\
& other officers.

\*And we doe hereby authorize \^{w} to administer vnto the Governoестественній the oath to his place appertaining, and that the Governoестественній, having taken his oath as aforesaid, shall administer the oath to the Deputie appertaining to his place. And wee doe further hereby authorize the Governoестественній or Deputie, or ether of them, to administer the oath to the rest of the counsell, and vnto all others the sef\{a\}ll officers respectively, \^{w}h\{e\} said oathes are to bee administered in a publique court, and not elswhere.

It is further concluded on \& ordered by this Court, that the said Governoестественній, Deputie, \& counsell, before named, soe chosen \& established in their sef\{a\}ll places, shall continue \& bee confirmed therein for the space of one whole yeare from \& after the taking the oath, or utill such time as this Court shall think\{e\} fitt to make choice of any others to succeed in the place or places of them or any of them.

And if it shall please God that any of them, or any others to bee hereafter chosen to any office there, shall de\^{p}t this lyfe before th\{x\}piration of the
tyme they were soe chosen, or for any misdeemano' or vnsuitnes shalbe held 
vunmeete for the place hee was forslily chosen vnto, that then the Gofino' or 
Deputie & counsell, or the greater number of them, at an ample Court 
assemb[led], shall have power, and hereby are authorized, not only to remove 
& displace such vnsuit pson or psons, but also to nominate & choose a fitt 
pson or psons to succeed him or them soe deceased, removed, or displaced, as 
aforesaid, into the said place or places, for the residue of the tyme vnexpired.

And it is further agreed on & ordered, that the Gofino' for the tyme 
beinge shall have power, & is heereby authorized, to call courts & meetings 
in places & at tymes conventent, as to his discretion shall seeme meete, wth 
power is heereby also conferred vpon the Deputie in the absence of the said 
Gofino'; and the said Gofino' or Deputie, togethwr wth the said counsell, 
beinge chosen & assembled as aforesaid, and havinge taken their oaths respectively 
to their sefall places, they, or the great' nom' of them, whereof the 
Gofino' or Deputie to bee alwayes one, *are authorized by this act, grounded 
on the power derived from his ma' charter, to make, ordaine, and establish all 
mane of wholsome & reasonable lawes, orders, ordinances, & constituencions, 
(soe as the same bee noe way repugnant or contrary to the lawes of the 
realme of England,) for the administir[ing] of justice vpon malefacto's, and 
inflicting condigne punisham' vpon all other offendo's, and for the furtherance 
and ppagating of the said plantacon, and the more decent & orderly gosume' 
of the inhabitants resydent there./

---

At a Court of Assistants, on Thursday, the 21st of May, 1629.

THIS Court, taking into due & mature consideracion how necessary it wille 
that a devydent bee forthwth made of some competent quantitie of land 
in the London plantacon in New England, both for the present acco[n]tacion of 
the people lately gone thither, aswell to build them houses as to inclose & 
manure, & to feede their cattle on, have thought fitt & ordered, that the Gofin
no', Deputie, & counsell there shall make a devydent accordingly, and allott 
the same vnto the sefall adventur' and others, as followeth, viz': —

That 200 acres of land bee by them allotted to each adventurer for 50t 
adventure in the comon stock, and soe after that rate, & according to that ppor
con, for more or less, as the adventure is, to th'intent they may build their 
houses & improve their labo's thereon./

That every adventurer in the comon stock, or his servant for him or on 
his behalfe, shall make request or demand to the Gofino' or Deputie & coun-
1629. (21 May. 

[*15.] cell to have a pporcon of land allotted unto him accordingly; and if, within ten days after such request or demand made, the same bee not sett out & allotted unto him, then such pson or pscons are, by virtue of this act, permitted and authorized to sete him or themselves, and build his or their house or houses, *and inclose and manure ground, in any conveniently place or places not formerly built upon or manured; pvyded, that the land soe made choice of by any such psone or pscons doe not exceede in quantytie the one halfe of the land within is to bee allotted unto him or them by devydent, according to this order above written; with liberty also, when the first devydent shalbe made, to take his or their allotmen of land as others doe, in leiu of this, if in the mean time the first choice shalbe disliked by them or any of them./

And for further explanation of this act, it is thought fitt that if the platt of ground whereon the towne is to bee built be sett out, and that it bee publickly knowne to bee intended for that purpose, that then noe man shall presume to build his house in any other place, (unless it bee in the Mattachusetts Bay, and there according to such direccon as shalbe thought meete for that place;) and in case his allotmen for building his house within the platt of ground sett out for building of the towne bee not appointed unto him within 10 days after demand or request to the Goyno or the Deputie & councell for the same, it shalbe free for any, being an adventurer in the conon stock, or his servant for him, or on his behalfe, to build his house in any place within the said platt sett out for the towne, and to impale to the quantiti of halfe an acre of ground for each 50f adventure in the conon stock, unless a greater or lesser pporcon bee formally determined by the Goyno & councell, by within each builder is to bee guided & directed./

It is farther thought fitt & ordered, that all such as goe over in pson, or send over others at their owne charge, and are adventurers in the conon stock, shall have lands allotted unto them for each pson they transport to inhabite the plantacon, aswell servants as all others; within 50 acres of land, soe allotted to servants or others, is heerely ordered to bee to & for the vse of his master or sett forth, being an adventurer in the conon stock, to dispose of at his discrecon, in regard the m', ć, is at the charge of the said servant & others, their transportacon, wages, & otherwise; but for such as, being noe adventurers in the conon stock, shall transport themselves and their famlyes, it is ordered, that 50 acres of land shal, allotted & sett out for the m' of the famly, and such a pporcon of land more, if there bee cause, as, according to their charge & qualitie, the Goyno & councell of the plantacon there shall thinke necessary for them, whereby their charge may bee fully & amply
supported, unless it bee to any with whom the Company in London have or shall make any other particular agreement, to with relation is to bee had in such case.

And to the end every adventurer may the more safely & peaceably enjoy their said lands allotted unto them or chosen by them, and the houses they build therupon as abovesaid, it is thought fitt & ordered by this Court, that conveyances shall be made therof unto each particular man for the land hee possesseth, in the Companyes name, and the common scale of the Company to bee thereto affixed by the Gofts & councell there, at the charge of the Company; with common scale is by this Court thought fitt & ordered to bee committed to the charge & keeping of the Gofts for the tyme beinge, and in his absence to his Deputie there.

All with promises before mentioned the Company doe by geffall consent ratifie, establish, and confirm; and doe also order, that copies of these acts shall be sent over to the Gofts and councell there resident, subscribed by the Go, Deputie, & six of the Assistants here, and sealed with the common scale of the Company.
1631. Freemen of the Colony of the Massachusetts Bay in New England, 1631—1641.

18 May.

The Names of such as took the Oath of Freemen. [18 May, 1631.]

Mr. John Maffache, Nich: Stower,
Mr. Jo: Warham, John Benham,
Mr WitHM Blackestone, Wittm Balstone,
Mr George Phillips, Stephen Terre,
Mr Rich: Browne, San^ Hosier,
Cap^ Dan^ Patricke, Robte Hardinge,
Cap^ Jo: VndHill, Wittm Woods,
Cap^ • Southcoate, Mr George Alcocke,
Mr Tho: Graves, Robte Moulton,
Cap^ Walt^ Norton, Pet^ Paltry,
Mr George Throckmun, Mr Edw: Belchar,
Mr Wm Colbran, John Edmunds,
Siacent Morris, George Phillips,
Siacent Stickland, Roger Wittm,
Mr Roger Conant, John Balche,
Mr Charles Gott, John Moore,
Ralph Sprage, Henry Herricke,
Laurence Leach, John Hoskins,
John Horne, Math: Grant,
Mr Sam^ Coole, Jehu Burr,
John Woodbury, Simon Hoytt,
Mr John Oldeham, Charles Chadwicke,
Edmond Lockewood, Wittm Parks,
John Page, Ralph Mushell,
Mr Rich: Falgrave, Wittm Hudson,
John Doggott, Walt^ Palmer,
Rich: Sprage, Henry Smyth,
Francis Johnson, Tho: Ford,
Tho: Stoughton, Jonas Weede,
Abraham Palmer, Mr Edw: Tomlins,
John Johnson, Mr Rich: Saltonstall,
Ephraim Child, Edw: Gibbons,
Bray Rossier, Mr Alex: Wignall,
Robte Sceby, Mr Wittm Gennison,
Biggot Eggleston, Dan^ Abbott,
Mr Will: Clearek, Tho: Rawlins,
Wittm Noddle, Rich: Bugby,
Mr Robte Feakes, John Warren,
Wittm Agar, Mr Wittm Jeffry,
Davy Johnson,
Nich: Vpsall, Wittm Bateman,
Wittm Balstone, Dan^ Finch,
Mr Jo: Burslyn, Mr John Maisters,
Mr John Peirce, John Peirce,
Griffin Crofte, George Dyar,
Wittm Rockwell, Tho: Moore,
Tho: Moulton, John Taylour,
Pet^ Paltry, Ezekiel Richardson,
Mr Edw: Converse, Edw: Converse,
Robte Abell, Tho: Moulton,
Mr John Dillingham, Tho: Lame,
Isaacke Sterne, Tho: WiUms,
Roger Mawry, John Ferman,
Tho: Lambe, John Gossse,
Wittm Rockwell, John Grinnoway,
Edw: Converse, Gyles Sexton,
Tho: Lumberd, Tho: Lumberd,
Mr Edw: Jones, Mr Edw: Jones,
Wittm Gallerd, Wittm Gallerd,
Wittm Allen, Wittm Allen,
Rich: Bulgar, Rich: Bulgar,
Rich: Foxewell, Rich: Foxewell,
Wittm Felpes, Wittm Felpes,
John Perkins, John Perkins,
Mr Sam^ Skelton, Mr Sam^ Skelton,
Mr Edw: Johnson, Mr Edw: Johnson,
Wm Cheesebrough, Wm Cheesebrough,
Anthony Dixe, Anthony Dixe,
Francis Smyth, Francis Smyth,
Francis Alewirth.
### MISCELLANEOUS RECORDS.

#### 1631

<table>
<thead>
<tr>
<th>Date</th>
<th>Name 1</th>
<th>Name 2</th>
<th>Name 3</th>
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<tbody>
<tr>
<td>March 6th</td>
<td>John Ellyott</td>
<td>Isaac Perry</td>
<td>Sam Moore</td>
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<td>1631</td>
<td>Jacob Ellyott</td>
<td>Gregory Baxter</td>
<td>John Blacke</td>
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<td></td>
<td>Abraham Browne</td>
<td>Willm Frothingham</td>
<td>John Mylls</td>
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<td></td>
<td>James Pennyman</td>
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#### 1632

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<tr>
<th>Date</th>
<th>Name 1</th>
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<th>Name 3</th>
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<tbody>
<tr>
<td>April 3</td>
<td>John Winthrop</td>
<td>John Sampford</td>
<td>Willm Hulbert</td>
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<tr>
<td>1632</td>
<td>Jrur</td>
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</tr>
<tr>
<td></td>
<td>Wm Aspinwall</td>
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#### 1633

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<tr>
<th>Date</th>
<th>Name 1</th>
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<tbody>
<tr>
<td>Oct 2</td>
<td>John Phillips</td>
<td>John Hull</td>
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<tr>
<td>1632</td>
<td>Value Prentice</td>
<td>Sam Wakeman</td>
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#### 1634

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<tr>
<th>Date</th>
<th>Name 1</th>
<th>Name 2</th>
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<tbody>
<tr>
<td>Nov 6th</td>
<td>Tho Weld</td>
<td>James Olmstead</td>
</tr>
<tr>
<td>1632</td>
<td>Tho James</td>
<td>John Clerke</td>
</tr>
<tr>
<td></td>
<td>Tho Willust</td>
<td>Willm Lewis</td>
</tr>
<tr>
<td></td>
<td>Tho Coggeshall</td>
<td>Nath Richards</td>
</tr>
<tr>
<td></td>
<td>Rich Dauber</td>
<td>Willm Wadsworth</td>
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<tr>
<td></td>
<td>Tho Ollyver</td>
<td>John Talecott</td>
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#### 1635

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<tr>
<th>Date</th>
<th>Name 1</th>
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<tbody>
<tr>
<td>Mar 4th</td>
<td>Wm Curtis</td>
<td>Eltweed Pummary</td>
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<tr>
<td>1632-3</td>
<td>Thomas Vifott</td>
<td>Nich Denslowe</td>
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<tr>
<td></td>
<td>John Perry</td>
<td>Gyles Gibbs</td>
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<tr>
<td></td>
<td>Isaac Merrall</td>
<td>John Newtonen</td>
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<td></td>
<td>Wm Heath</td>
<td>John White</td>
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<tr>
<td></td>
<td>George Hall</td>
<td>Willm Spencer</td>
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#### 1636

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<th>Date</th>
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<tbody>
<tr>
<td>April 1st</td>
<td>Sivant Greene</td>
<td>Rise Coles</td>
</tr>
<tr>
<td>1633</td>
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<td>Willm Dady</td>
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### 1633

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<th>Date</th>
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<tr>
<td>June 11th</td>
<td>Wilhm Stilson, Jesp Rawling, John Witchfield, Elias Maflacke</td>
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<tr>
<td>Rich: Millett, Tho: Smyth, David Wilton</td>
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<tr>
<td>Rich: Lyman,</td>
<td></td>
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<tr>
<td>5 November</td>
<td>Mr Issac Stoughton, Mr John Moody, John Watson</td>
</tr>
<tr>
<td></td>
<td>Mr John Coggin, John Porter,</td>
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<tr>
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<td>Mr Wthm Hill, Frence Weston,</td>
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### 1633-4

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<tr>
<td>March 4th</td>
<td>Thomas Grubb, John Gage, John Biggs, Tho: Matson,</td>
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<tr>
<td></td>
<td>Edmond Hubbert, Samt Wilboare, Walter Merry,</td>
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<tr>
<td></td>
<td>Edw: Hutchingson, John Levens, Rich: Tappin,</td>
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<tr>
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<td>Mr Tho: Leveritt, John Crawnell, Mr Atterton Hough,</td>
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<tr>
<td></td>
<td>Mr Gyles Ferman, Edw: Mellowes, Wihtm Andrews,</td>
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<tr>
<td></td>
<td>Edmond Quincey, James Browne, Mr John Woolridge,</td>
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<tr>
<td></td>
<td>Wihtm Collinsawe, Mr Rich: Walker,</td>
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<tr>
<td></td>
<td>Thomas Minor, Josuah Hewes, George Ruggles,</td>
</tr>
<tr>
<td></td>
<td>Tho: Howlett, Robte Turner, Mr Nich: Parker</td>
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### 1634

<table>
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<tr>
<th>Date</th>
<th>Events</th>
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<tbody>
<tr>
<td>April 1st</td>
<td>Mr Danh Dennison, Robte Roise, Rich: Hull,</td>
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<td>George Minott, John Penerton, John Gallop,</td>
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<tr>
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<td>Rich: Gridley, Bernard Lambert, Richard Silhester,</td>
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<td>Thomas Reade, Henry Wulcott, Wihtm Horsford</td>
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<tr>
<td>11 May</td>
<td>George Hutchingson,</td>
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| May 14th   | John Haynes, Esq, Thomas Wilson, George Norton,                        |
|            | Phillip Sherman, Samt Basse, Thomas Ebome,                             |
|            | Daniell Brewer, Tho: Pigg, Danm Wray,                                 |
|            | Tho: Gildthaithe, Wihtm Hill, Abraham Mellowes,                        |
|            | Robte Gamlyn, Sen*, Samt Finch, John Ollyver,                          |
|            | Thomas Hale, George Williams, Robte Hale,                             |
|            | Edward Riggs, Tho: Cakebread,                                          |
|            | John Walker, Wihtm Dixy,                                                |

### 112.

<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
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<tbody>
<tr>
<td>11 May</td>
<td>Tho: Squire, John Odlyn, Josuah Carter,</td>
</tr>
<tr>
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<td>Robte Houlton, Roger Clapp, Thomas Talmage,</td>
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</table>
**MISCELLANEOUS RECORDS.**

Richard Fairebancks,  
Phillip Tabor,  
Gregory Taylour,  
John Chapman,  
Witth Learned,  
Mr Tho: Hooker,  
Mr Samu: Stone,  
Edw: Howe,  
Bartholomew Greene,  
Rich: Wright,  
John Steele,  
Edm: Stebbins,  
Andrew Warner,  
George Steele,  
Rich: Butler,  
Thomas Spencer,  
Edw: Muste,  
Rich: Goodman,  
John Pratt,  
John Haward,  
Andrewe Ward,  
Joseph Twitchwell,  
Tho: Hutch,  
George Whitehand,  
Jerad Hadden,  
Joseph Reddings,  
Anthony Colby,  
John Bosworth,  
Francis Pluier,  
Humfry Pynn,  
Bray Wilkins,  
James Rawlyn,  
Jacob Barn,  
Tho: Lowthropp,  
Steven Hart,  
Jeffery Massy,  
Rich: Brakenbury,  
Tho: Fairewczth,  
Witth Hedges,  
John Hoskins,  
Peter Woolfe,  
Witth Chase,  
Witth Talmidge,  
Mt John Cotton,  
Nath: Gilet,  
Dum: Howe,  
Myles Reddin,  
John Eales,  
Mt Witth Peirse,  
Mt Tho: Mahewe,  
Robte Walker,  
Phillipp Randill,  
Tho: Holcombe,  
Tho: Dewey,  
Tho: Jeffry,  
James Parker,  
Walter Filer,  
John Haydon,  
Edmund Harte,  
Witth Hathorne,  
Steuen French,  
Christopher Hussey,  
Edw: Bendall,  
John Button,  
Rich: Raymond,  
Jonathan Wade,  
Tho: Coldham,  
James Tompson,  
Tho: Hubbard,  
John Hall,  
John Baker,  
Mt Witth Brenton,  
John Capen,  
Francis Dent,  
Henry Feakes.

Benjamin Hubbard,  
Edmond Hubbard,  
John Mouns,  
Witth Baker,  
Witth Nashe,  
Thomas Goble,  
Ollyver Mellowes,  
Robte Gamlync,  
Ralfie Hiningway,  
Jesp Rawlyn,  
John Stowe,  
John Cumpton,  
Witth Freeborne,  
Witth Perkins,  
James Everill,  
Jonathan Negos.

*Freemen made at the Gefall Court, Septemb' 3, 1634.*

Benjamin Hubbard,  
Nicholas Willust,  
Alex: Becke,  
Henry Pease,  
Sam: Cranwell,  
Joseph Rednape,  
Edw: Hutchinson,  
John Sibley,  
Hugh Hillyard,  
Moses Maitacke,  
Mt John Spencer,  
Robte Mussey,  
Henry Shorte,  
Phillip Fowler,  
Bryan Pendleton,  
Abraham Finch,  
Anthony Peirce.

*113:*

3 September.

John Bernard,  
Martyn Vudwood,  
Sam: Smyth,  
John Browne,  
John Edy,  
Robte Ablatt,  
Robte Coe,  
Nathanell Foote,  
Rich: Davenport,  
Mt Tho: Newbery,  
John Pope,  
John Hawkes,  
Ralfie Fogg,  
Robert Reynolls,  
Robte Potter,  
John Hardy,
MISCELLANEOUS RECORDS.

1634.  
Thomas Thornton,  
Matthias Seasion,  
3 September.

1634-5.  
4 March.  
Capé John Mason,  
Hugh Mason,  
George Muings,  
John Brandishe,  
Samh Hubbert,  
Edward Dixe,  
Thomas Bartlett,  
George Buncar,  
Robte Blott,  
Rich: Kettle,  
Wittm Johnson,  
Thomas Lynd,  
Mr Wittm Andrewes,  
Wittm Westwood,  
Mathew Allen,  
Guy Bambridge,  
Wittm Pantry,  
Tho: Fisher,  
John Hopkins,  
John Bridge,  
Wittm Kelsey,  
Mr Tho: Parker,  
Mr Nicholas Easton,  
March 4th, 1634.

John Bernard,  
James Ensigne,  
Samh Greenehill,  
Tymotho Stanley,  
Rich: Lord,  
John Prince,  
Edw: Winshipe,  
Samh Greene,  
Joseph Clerke,  
John Wulcott,  
Abraham Newell,  
Rich: Pepp,  
Isaac Johnson,  
Christopher Peakes,  
Thomas Woodford,  
Thomas Scott,  
Mr Will: Hutchingson,  
Tho: Marshall,  
Rich: Cooke,  
Witn Nathlend,  
Tho: Wardall,  
Rich: Hutchingson,  
Fr: Hutchingson,  
Gamaliell Wate,  
Rich: Trusedale,  
Edw: Hitchin,  
Robte Parker,  
Joseph Easton,  
John Tylye,  
Tho: Stanley.

1635.  
6 May.  
Philemon Portmorte,  
Henry Elkins,  
Christ: Martiall,  
Edmond Buckley,  
Eward Browne,  
Jarrett Bourne,  
Wittm Pell,  
Benjamin Gillom,  
Tho: Alcocke,  
Edmonde Jacklinge,  
John Sebley,  
Tho: Peirce,  
Mr Sachariah Syns,  
Barnaby Wynes,  
Jeffery Ferris,  
John Reynells,  
Henry Bright,  
Tho: Hastings,  
John Lethermore,  
John Batchel',  
John Tompson,  
John Clerke,  
Tho: Swifte,  
Robte Wincall,  
Tho: Hosmer,  
Witn Butlar,  
John Arnoll,  
George Stockin,  
Nathanaell Ely,  
Robte Day,  
Jerymy Adams,  
Joseph Maggott,  
John Hall,  
Samh Allen,  
Humfray Bradstreete,  
Thomas Pyne,  
John Gay,  
George Strange,  
Nathanaell Duncan,  
Thomas Marshall,  
Thomas Hoskins,  
Richard Kemball,  
Robte Andrewes,  
Henry Wright,  
Jonathan Jellett.

*Freemen made at the Gefall Court, May 6th, 1635.
<table>
<thead>
<tr>
<th>Name</th>
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<tr>
<td>Tho: Guñ</td>
<td>Rich: Browne</td>
<td>Robte Bootcehse</td>
<td>16 3 5.</td>
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<td>3 May</td>
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<tr>
<td>Robte Dibell</td>
<td>Wthm Moody</td>
<td>Robte Dryver</td>
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<td>6 May</td>
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<tr>
<td>Henry Povkes</td>
<td>Christ: Osgood</td>
<td>Wthm Edmonds</td>
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<td>1635</td>
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<tr>
<td>Elias Parkeman</td>
<td>Tho: Buckland</td>
<td>John Ravensdale</td>
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<td>1635</td>
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<tr>
<td>John Blackeleach</td>
<td>Richard Jacob</td>
<td>John Legg</td>
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<td>1635</td>
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<tr>
<td>Danh Morse</td>
<td>Aron Cooke</td>
<td>George Farr</td>
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<td>1635</td>
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<tr>
<td>Joseph Morse</td>
<td>George Phelps</td>
<td>Robte Cotty</td>
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<td>1635</td>
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<tr>
<td>Edward Garfeld</td>
<td>Boniface Burton</td>
<td>Mr Steven Batchel</td>
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<td>1635</td>
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<td>Sept 2, 1635.</td>
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<td>2 September</td>
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<td>Wthm Blumfield</td>
<td>Robte Lovell</td>
<td>Mr Townsend Bishopp</td>
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<td>1635</td>
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<tr>
<td>Joseph Hull</td>
<td>Wthm Smyth</td>
<td>Phillip Vereing</td>
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<tr>
<td>Wthm Reade</td>
<td>Richard Woodward</td>
<td>Mr John Fawne</td>
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<td>1635</td>
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<tr>
<td>Richard Adams</td>
<td>Peter Hubert</td>
<td>Thomas Sraggs</td>
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<td>John Vpham</td>
<td>Mr George Byrditt</td>
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<tr>
<td>March 3, 1635.</td>
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<td>16 3 5-6.</td>
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<td>2 March</td>
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<tr>
<td>Mr Clem: Chaphaine</td>
<td>Nicholas Jacob</td>
<td>Tho: Marryott</td>
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<td>Wthm Mosse</td>
<td>David Phippin</td>
<td>Mr Samh Shepheard</td>
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<td>Wthm Dyer</td>
<td>Edmund Bater</td>
<td>Wthm French</td>
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<tr>
<td>Joseph Wells</td>
<td>Philomen Doltion</td>
<td>Simon Crosby</td>
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<tr>
<td>John Cogeswell</td>
<td>John Whitney</td>
<td>Tho: Cheeseholme</td>
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<td>1635</td>
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<tr>
<td>Richard Tuttle</td>
<td>Wthm Swayne</td>
<td>John Russell</td>
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<tr>
<td>Robte Lord</td>
<td>Henry Kingman</td>
<td>Passevell Greene</td>
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<td>1635</td>
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<tr>
<td>Wthm Walton</td>
<td>Thomas White</td>
<td>Mr Hugh Peters</td>
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<td>Tho: Loreing</td>
<td>Angell Hollard</td>
<td>Thomas Bloyett</td>
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<td>Clemt Bates</td>
<td>John Kingsbury</td>
<td>Edmond Frost</td>
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<td>John Astwood</td>
<td>John Levett</td>
<td>Mr Tho: Shepheard</td>
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<tr>
<td>Tho: Wakely</td>
<td>Tho: Rawlyns</td>
<td>Henry Vane, Esq</td>
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<td>Wthm Blerton</td>
<td>Roger Harlakendine, Esq</td>
<td>Tho: Ewer,</td>
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<td>1635</td>
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<tr>
<td>George Lughtkin</td>
<td>Mr Joseph Cooke</td>
<td>Tho: Brigden</td>
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<tr>
<td>George Marshe</td>
<td>Mr George Cooke</td>
<td>Michael Bastowe</td>
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<td>1635</td>
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<tr>
<td>John Ottis</td>
<td>Mr Nich: Danforth</td>
<td>Joseph Andrews</td>
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<tr>
<td>Nicholas Baker</td>
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*Psions made free the 25th 3d in, called May, @ 1636.  16 3 6.

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<tr>
<td>Thom: Bell</td>
<td>Edward Woodman</td>
<td>Robt Hawkins</td>
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<td>Mr Samuell Apleton</td>
<td>Thomas Juil</td>
<td>Edward Carlington</td>
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<td>Israel Heathke</td>
<td>John Knight</td>
<td>Bernard Capon</td>
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<td>Philip Elliot</td>
<td>Richel Knight</td>
<td>Will : Hamond</td>
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<tr>
<td>Adam Mott</td>
<td>Anthony Mosse</td>
<td>John Saunders</td>
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</table>
MISCELLANEOUS RECORDS.

1636. Mr Robert Kaine,                     Will: Wilson,                John Higgenson,
Mr Daniel Maude,                           Will: Salter,                 John Mylnam,
Ralph Hudson,                               Anthony Harker,               Thom: Dimocke,
Thomas Hassord,                             Edward Goffe,                John Loverin,
James Johnson,                              Rich'd Champuyses,            Willi: Wilcocks,
John Davy,                                 Edmond Lewis,                Edward Bennet,
George Bate,                                John Stowers,                Thom: Mekyn, Junior,
Nathaniel Heaten,                           John Smythe,                 Hugh Gunson,
Will: Benesley,                             John Eaton,                  Edmond Jackson,
Rich'd Bracket,                             Edmond Sherman,              Bernabie Deryfall,
Thom: Savage,                              John Coolidge,               Mr Rich'd Bellingham,
Mr Henry Flinte,                            Gregory Stone,               Mr John Winthrope, Seni.,
Will: Courser,                              Symon Stone,                 Mr John Humfrey,
James Browne,                               Will: Kinge,                 Mr Thom: Dudley,
Zachevs Bosworth,                          Augusta Clement,              Mr Will: Coddington,
Mathias Iues,                               Rich'd Karder,               Increase Nowell,

7 December. Psions made free the 7th of the 10th Month, @ 1636.

James Bate,                                 John Webbe,                  Thomas Brooke,
Edward Clapp,                               Alexander Winchester,        Willi: Wilcockson,
John Smythe,                                Robert Scotte,               Will: Beasley,
Edward White,                               Steven Winthrope,             Alexan'd Knolls,
David Price,                                Will: Goodhewe,              Thom: Atkinson,
George Aldridge,                            Gilbert Crackborne,           John Holland,
Oliver Purchase,                            Samuel Whiteing,             Walter Nichol.

8 December. Psions made free the 8th of the 10th m, @ 1636.

Mr Thom: Jenner,                            Edward Howe,                 John More,
Francis Lightfoote,                         John Cooper,                 Thom: Beale.

1636-7. Psions made free the 9th of the First Month, @ 1636-1637.

9 March. Edward Ketcham,                     Rich'd Betsham,               Thomas Hammond,
Rich'd Roots,                               Anthony Eames,               Thomas Vnderwood,
Joseph Isaac,                               Samuell Warde,               Nicolas Hudson.
John Hassell,                               

9 March. Psions made free the 9th of the first m, @ 1636 or 1637.

John Winchester,                           Will: Barsham,                Jenkin Davies,
Abraham Shave,                              Rich'd Beares,                Mathew West,
Rob't Lockwood,                             Edward Bates,                 Gerret Spencer,
MISCELLANEOUS RECORDS.

Thomas Tylestone,  
Henry Collins,  
Robert Sedgwick,  
James Heyden,  
Thomas Samfoard,  
John Stronge,  
Thomas Carter,  
Joseph Armitage,  
Rich'd Wayte,  
Robert Hull,  
Rich : Wayde,  
Will : Dimny,  
Thomas Meakins.

*Psons made free the 18th of the 24th, @ 1637.

Thomas Parish,  
Thomas Briggsam,  
William Cutter,  
Willi : Towne,  
John Gore,  
Robert Sever,  
John Ruggles,  
Laurence Whitamore,  
John Graves,  
Gyles Pason,  
George Kinge.

Made free the 17th 24th, @ 1637.

Christopher Foster,  
Thom : Browninge,  
Symon Eyre,  
William Dodge,  
Francis Smythe,  
Nathani : Porter,  
Edward Dinny,  
Willi : Dineley,  
Frané East,  
Nathani : Woodward,  
John Smythe,  
Edward Rainsfoard,  
Thomas Wheeler,  
John Laurence.

Psons made free the 17th of the 34th, @ 1637.

Thom : Olney,  
Thom : Gardner,  
Joseph Pope,  
Willi : Bounte,  
Henry Bartholomewe,  
Joseph Grafton,  
Francis Skerry,  
Edmond Marshall,  
Henry Seawall, Junior,  
Henry Bull,  
Thomas Smythe,  
Nicolas Holt,  
Nicolas Noise,  
Archelaus Woodman,  
James Browne,  
John Bartlet,  
Robert Pike,  
Thomas Coleman,  
Mathewe Chafe,  
George Burden,  
George Hann,  
Willi : Sunner,  
George Procto',  
Thomas Millet,  
Thomas Dible,  
Philip Drinkar,  
John Cheney,  
John Norton,  
John Syverens,  
Thom : Wells,  
John Perkins,  
Willi : Lampson,  
Thom : Bircher,  
Edward Porter,  
James Howe,  
Thom : Rogers,  
John Sharman,  
John Rogers,  
Myles Natte,  
James Osner,  
Rich'd Johnson,  
Thomas Parker,  
John Hanchet,  
John Gibson.

7 7th m, 1637.

Mr George Moxam,  
Mr Tymo : Dalton.

The 21 of the 9th m, 1637, made free.

Nathaniell Wales,  
Edw* Sale,  
Willi : Casely,  
Mr John Fiske,  
Mr John Harvard.  
2 November.
MISCELLANEOUS RECORDS.

1637-8.

March. Thom: Spooner, John Pearce, George Hochens,
Thomas Venner, Nico: Busbey, Edward Rawson,
James Moulton, Ralph Woodward, Henry Rust,
James Haynes, * Samu: Symonds, David Fiske,
Henry Skerry, M° Thom: Flint, Willi: Harsye,
Joseph Bachiler, Rich'd Griffin, Willi: Ludkin,
John Symonds, John Evart, Thom: Linkorne,
John Gedney, George Haywood, Henry Tuttle.
Micha: Spencer, Thom: Foxe,

1638.

*Persons made free the 2d Day of the 3d m, 1638.

2 May. Samuell Richardson, Humfrey Atherton, Marke Symonds,
Rob't Cutler, Gabriell Meade, Thomas Rawlinson,
Thomas Rich'dson, Ralph Tomkins, Thomas Carter,
Edward Johnson, Rich'd Hawes, Willi: Knight,
John Brinsmeade, Alexander Miller, George Taylo's,
Isaack Mixer, Joseph Wilson, John Gould,
Henry Kemball, Michael Willes, Thomas Cobbet,
Willi: Nickerson, John Sill, Daniell Peere,
Henry Dow, George Willis, William Ballard,
Nic: Byram, Thomas Sweetman, Willi: Thorne,
Samu: Hackburne, Edward Hall, Abraham Tappin,
Abraham Howe, Mr° William Hubberd, Henry Lunt,
John Tatman, Rich'd Lunkin, John Browne,
Rob't Williams, Willi: Warrener, Henry Burdsall.

9 June. The 9th 4th m, 1638, Mr Natha: Eaton was made free.

6 September. 6th 7th m the Magistrates of Ipswich had order to give Mr Natha: Rogers the Oath of Freedome.

7 September. Persons made free the 7th Day 7th m, 1638.

Thomas Hale, Nicholas Browne, Thomas Tredwell,
Rich'd Singletery, Zachary Fitch, Geo: Giddings,
Steven Fosditch,

1638-9. These tooke the Oath of Freeman, & so were made free the 13th Pm° First Month, 1638.

13 March. Mr° John Allen, Mr Ralph Wheelocke, John Leuson,
Mr Edward Alleyne, Mr° Willia: Tynge, John Frayrye,
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<tr>
<td>John Hunting</td>
<td>John Tower</td>
<td>Thomas Bulkeley</td>
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<td>Robt Hinsdall</td>
<td>Henry Webbe</td>
<td>Luke Potter</td>
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<tr>
<td>Edward Kempe</td>
<td>James Matthew</td>
<td>Ephraim Wheeler</td>
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<td>John Dine</td>
<td>John Tuttle</td>
<td>Robert Merriam</td>
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<tr>
<td>Henry Phillips</td>
<td>Theophilus Wilson</td>
<td>James Bennet</td>
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<td>Mr Joseph Peck</td>
<td>Jeremy Belcher</td>
<td>John Whiteman</td>
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<tr>
<td>Henry Smythe</td>
<td>Willi: Cockeron</td>
<td>William Palmer</td>
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<td>Edward Gilman</td>
<td>Edward Bates</td>
<td>William Eastowe</td>
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<tr>
<td>Thomas Cooper</td>
<td>John Rogers</td>
<td>Tom: Moulton</td>
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<td>John Beale</td>
<td>Christopher Batte</td>
<td>Rich: Swayne</td>
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<tr>
<td>Henry Chamberlin</td>
<td>Samuell Neweman</td>
<td>Willi: Wakefield</td>
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<tr>
<td>Thomas Clapp</td>
<td>Mr Robert Peck</td>
<td>Thom: Joanes</td>
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Made five the 14th Day, 1638.

Nicho: Butler, Arthur Geerce, Willi: Busse,
Mr Thom: Wills, Joseph Pell, Henry Brooke,
Mr Edward Holliock, Thomas Layton, Henry Farewell,
Mr Richd Staller, Willi: Partridge, Roger Draper,
Mr Edward Howell, Roger Shawe, John Miles,
Thomas Townsend, Robert Dannel, Seth Switzer,
Edward Baker, Hezechii: Vpher, Isaac Cole,
Henry Gaynes, Christopher Cayne, John Wisewall,
Nicholas Batter, Robert Stedman, John Maudsley,
James Boutwell, George Kezar, Joseph Farnworth,
Richd Wells, Edward Burcham, William Reed,
Willi: Langley, Joseph Merriam, William Blake,
Robert Parsons, Thomas Browne, Thomas Dickerman,
Godfrey Armitage, George Foule, Thomas Clarke.

Mr Endicot & Mr John Winthrope, Jr.; had order to give Mr Emanuel
Downing the Oath of Freedom.

*Persons made free the 3rd May, 1639, the 22nd. 1639.

Mr Willi: Sergent, John Goffe, Thomas Ruggles, 22 May.
Mr Thom: Hawkins, John Musselwheit, Joseph Shave, [*254]
Mr Sam: Freeman, Steven Kent, Francis More,
Thomas Marten, John Rimington, Walter Edmonds,
Nichel: Guve, Thomas Browne, Willi: Bowstreete,
Mr Sam: Winsley, John Moulton, Hopesfield Fostere,
Steven Dumier, Hulling, Thomas Scotto,
John Osgood, Richd Waters, Willi: Adams,
376

MISCELLANEOUS RECORDS.

1639. Thomas Say, John Alderman, Griffin Bowen, John Spoer, Rich'd Hollidge, John Clarke, Giles Firman, Josua Tedd, Benjamin Felton, Jarvas Garfoard, Edward Breck,

William Clarke, Edmund Bloise, Willi: Osborne, John Miller, George Holmes, Mathewe Boyse, James Astwood, John Robt, Rich'd Peacocke, Edward Bridge,


23 May.
Mr' Ezechi: Rogers, Mr' Natha: Rogers,

Robert Saunders, Mr' Thom: Nelson.

Mr' Nathani: Sparhauke,

6 June.
The 6th 4th m, 1639, made free.

Steven Paine, James Garret.

6 September.
The 6th Day of the 7th m, 1639.

Mr Thomas Ginner, Mr Benia: Keayne, Job Swinnerton,

Laurence Southick, John Crosse, John Roffe,

William Lord, John Ellsley,


7 September.

Edmond Bridge, Richard Mellen,

Robert Tucke, Robert Saunderson.

1640.

*Peons made free the 13th, Ge, of the 3th m, 1640.

13 May.

John Haseldene, Franc: Lambert, Willi: Scales, John Burbanke, Willi: Bointon, John Jarrat, Micha: Hopkinson, Geo: Kilborne, Mr Thoma: Coytemore, Mr Thoma: Graves,

<table>
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<th>Name</th>
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<tbody>
<tr>
<td>Mr Edward Norrice</td>
<td>Jeremy Howchenes</td>
<td>Gouin Anderson</td>
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<tr>
<td>Mr Thom Ruck</td>
<td>Jonas Humphreys</td>
<td>John Bowles</td>
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<tr>
<td>Mr Willi Stevens</td>
<td>Thom Tolemann</td>
<td>Edw'd Passon</td>
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<tr>
<td>John Fairfield</td>
<td>George Weckes</td>
<td>Willi: Chanler</td>
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<tr>
<td>John Bachilo</td>
<td>John Farnum</td>
<td>John Hall</td>
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<tr>
<td>Robert Elwell</td>
<td>Rich'd Lipincote</td>
<td>John Trumbell</td>
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<td>Thom Watson</td>
<td>Rich'd Withington</td>
<td>Edw'd Bunstod</td>
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<td>Mark Formais</td>
<td>Rich'd Syckes</td>
<td>Joseph Wheeler</td>
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<tr>
<td>Thom Waterhouse</td>
<td>Clement Tapley</td>
<td>Tymo: Wheeler</td>
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The 13th, 3 day, 1640.

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<thead>
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<th>Name</th>
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<tbody>
<tr>
<td>John Chaundler</td>
<td>Thom Arnoll</td>
<td>Valentine Hill</td>
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<tr>
<td>Symon Rogers</td>
<td>Willi: Howard</td>
<td>Franc : Seyle</td>
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<tr>
<td>Michael Wood</td>
<td>Abra: Perkins</td>
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9, Jr'' : Scarbrow.
1640.

7 October.
Mr Samu: Dudley,
Josias Cobbitt,
Edmond Gardner,

James Barcker,
Henry Sands,

Rob't Hunter,
Willi: Stickney.

8 October.

John Page,

Samu: Morse,

Thomas Weight.

9 October.

Rob't Ring,

Isaac Buswell.

12 October.

Willi: Hudson,
James Oliver,

Thomas Painter,
Edward Fletcher,

Mr Willi: Bellingham,
Mr Willi: Hooke.

1641.

2 June.
Mr Henry Dunster,
Mr Rich'd Russell,
Mr John Allen,
John Maies,
Rich'd North,
John Seir,
John Stevens,
Mr Adam Winthrope,
William Barnes,
John Harrison,
John Lowell,
Thom: Davies,
John Emery,
Samu: Phümer,
Moses Payne,
Daniell Weld,
Samu: Bidfield,
Francis Eliot,
Abell Kelly,
Jacob Wilson,
Nicho: Wode,
John Harbert,
Thomas Lake,
Andrew Pitcher,

Rob't Holmes,
Goulden More,
Rich'd Cutter,
John Fossenden,
Willi: Woodberry,
Willi: Geares,
Philemon Dickenson,
Esdras Reade,
John Robinson,
Thom: Gardner,
Thom: Marston,
Rich'd Bartelmew,
Thom: Gould,
Thom: Wilker,
Rich'd Robinson,
John Marston,
Rob't Fuller,
Willi: Blanchard,
Willi: Bramhall,
Bozoun Allen,
Miles Ward,
Samu: Corning,
Jonathan Porter,
Rich'd Pattinggell,
John Goodnow,

Willi: Browne,
Samu: Chapun,
Christo: Stanley,
John Harrison,
Thom: Davenish,
Walter Harris,
Ellis Barrone,
Willi: Parker,
Philip Veren,
John Palmer,
Rich'd Parkery,
Edw'd Tinge,
Nehemia: Bourne,
Franc: Lawes,
Rob't Bridges,
John Baker,
Rob't Cooke,
Henry Dauson,
Willi: Tiff,
Willi: Briscoe,
Rich'd Sanford,
Augustine Walker,
Henry Archer,
Charles Glover,
MISCELLANEOUS RECORDS.


1644. 2 June.
APPENDIX.

LETTERS FROM THE GOVERNOR AND COMPANY OF THE MASSACHUSETTS BAY IN NEW ENGLAND.

Letter from Matthew Cradock, Governor of the Company.

[The following letter, in a very worn condition, is preserved loose in the first volume of the Colony Records; and although it bears no superscription, was evidently intended for Mr. John Endicott, who, at the date thereof, was in New England. The lost portions are restored chiefly from Prince's Annals, and the printed collections of the Massachusetts Historical Society.]

WORTHY S'rt, & my louinge Freynd: All dew commendations premised to yo' self & second self, with harty well wishes from my self & many others, well willers & adventurers in this oũ plantačon, to yo' self & the rest of yo' good company, of whose safe arryvall beinge now throughlie informed by yo' tres bearinge date the 13 Septemb' last, w'h came to my hands the 13 this instant February, we doe not a little rejoyce; & to heare [that] my good cozen, yo' wyfe, were pfectly recovered of her healthe would be [accepta]ble newes to vs all; w'h God grannt in his good tymne that wee may. Mea[nwh]ile, I am, in the behalf of oũ whole company, (w'h are much inlarged sence yo' departure out of England,) to give yo' harty thankes for yo' large advize [contained in thi]s yo' letter, w'h I haue fully imparted unto them, and, farther, to [give proof that] the intende not to bee wantinge by all good meanes to furd[er the] plantačon; to w'h purpose (God willinge) yo' shall heare more at [another time], & that speedily; there beinge one shipp bought for the co[mpany of] ≥≥0 tunnes, & 2 others hyred of about 200 tunns each of them, 1 of 19 [and I of] ≥0 pecces of ordnance, besides not unlike but one other vessell shall [come in] companie w'h theise; in all w'h shippes, for the ge- all stocke and proppy [of the ad]ventures, there is likelye to be sent thether twixt 2 & 300 psons, wee ho[pe to reside there, and about 100 head of cattell]; wherefore, as I wrote y'n in [full, and sent] by Mr. Allerton of New Plimoth in November last, soc y'n desire of them [is, that] yo' would endenour togett

1628-9. 16 February.
convenient howsinge, fitt to lodge as manye as yo\* can, against they doe come; and w\*all w\* bever, or other commoditie, or flisse, if (be meanes to serve it, can be gotten ready, to returne in the foresaid shipps; [and like]wise wood, if noe better ladinge be to be had; that yo\* would endeavor to get in [a real]lines w\* yo\* can, whereby our shipps, whereof twoe are to returne backe [direc]tlye heather, maye not come wholye emptye. There hath not bine a better tyme [for sa]le of tymbre these twoe seaven yeres then at present; & therefore pitty [these] shipps should come backe emptye, if it might be made ready \^ they neede [not stope 1 daye] for it; otherwise mens wages & victuals, together w\* the shipps, will quicklie rise too high, if to be reladen w\* wood, & \^ the same be not readie to [put] aboard as soone as the shipps are discharged of theire outward ladinge. [I] wishe alsoe \^ there be some sassafras and sarsaparilla sent vs, as a[loose good st]ore of shoomacke, if there to be had, as wee are informed there is. The [like do]e I wishe for a tun weight at least of silke grasse, & of ought elce \^ maye be vsefull for dyinge or in phisicke; to have some of ech sent, & advise given \^ all w\* store of each to be had there, if vent maye be found here for it. Alsoe, I hope yo\* will have some good sturgeon in a readines to send vs; & if it be well cured, 2 or 300 flirkins thereof would helpe well towards our charge. Wee are very confident of yo\* best endeavors for the gefall good; & wee doubt not but God will in \^ maye give a blessinge vp\* our labours; & wee trust yo\* will not be vnmind\*full of the mayne end of our planta\*on, by indevoringe to bringe \^ Indians to the knowledge of the gospell; w\*th\* , \^ it maye be speedier & better effected, \^ earnest desire of our whole comp\* is, \^ yo\* have diligent & watchfull eye o\* our owne people, that they live vunblamable & w\*out reprooe, & demeane themselves instlyc & curteous towards [\^ Indians], thereby to drawe them to affect our psongs, & consequentlye our religion; as alsoe to endeavour to gett some of their children to trayne up to readinge, & consequentlye to religion, whilst they are yonge; herein to yonge or olde to omit no good opportuni\*tye \^ maye tend to bringe them out of \^ woefull state and condition they now are in; in w\*th case of predecessors in this our land sometymes were, and but for \^ maye and goodnes of our good God might have continued to this day; but God, whose out of [the] boundles ocean of his maye hath shewed pittie and compassion to our land, he is alsufficient, & can bringe this to passe w\*h wee now desire in \^ countrye likewise. Onlie let vs not be wantinge on o\* fites, mow\*e wee are [called] to [this] worke of the Lords; neither, having put our handes to the [plowe, let vs look back, but goe on cheerfullye, and depend upon God for a blessing upon our labours]; whoe by weake instruments is able (if he see it good) to bringe glorious things to passe.
Be of good courage, goe on, and doe woorthilye, & the Lord 

[endavor].

It is fullie resolved, by Gods assistance, to send over twoe ministers, [at the least, with the] shippes now intended to be sent thether; but for Mr Peters, he is now [in Holland, from] whence his returne thether I hold to be vn Certaine. Those wee send sh[all be by the appro\haem] of Mr White, of Dorchester, and Mr Davenport. For 

[else you have given] advise, care shall be taken, God willinge, to pforme the needefull, as [neere as wee can], and the tymes will pniitt; whereof alsoe yo\a maye expect more ample advertisement, in] theire ge\fal] letter, when God shall send our shippes thether. The c[ourse you have takeu], in givinge our countrymen theire content in the point of pl[antinge tobacco] there for the present, (theire necessitie considered,) is not disallowed; [but, wee trust in] God, other meane will be found to imploie theire tymes more comfor\table, and profitable] alsoe in the end; and wee cannot but ge\falice approve and co\uend th[air good resolution] to desist fr\o the plantinge thereof, when as they shall discerne howe [to imploie theire] laboures otherwise, w\whee hope they will be speedi\ye induced vnto [by such precepts] & examples as wee shall give them. And now, mindeinge to conclude [this, I maye not] omitt to put yo\a in mynde, how e\f yo\a seeme to see\are noe enimies the[re, yet that you have] a watchfull eye for yo\a owne safye, and the safye of all those of [our nation with you], and not to bee too confident of the fidelilitie of the salvages. It [is an old proverb, yet] as true, The burnt childe dreads the fyre. Our countrymen [have suffered by] theire too much confidence in Virginia. Let vs by theire harms [learn to beware]; and as wee are co\uanded to be innocent as doves, soe w\whe more wee [are enjoined to be] wise as serpents. The God of heaven & earth 

[p\serve & keepe [you from all forayne] and inland enimies, & blesse & p\s plantacio\n, to the enl\argument of the kingdom] of Jesus Christ, to whose m\cfull p\ecc\n I reco\mend yo\a [and all your assciates] there, knowne or unknowne. And 

soe, tell my next, w\shall [be, God willinge, by our] shippes, whose I make account will be readie to set saile fro\m hence about the 20\th of] this next moneth of Marche, I end, and rest 

Yo\a assured loving friende] and cussen, 

MATHEWE CRADOCK.

[From] my howse in Swithens Lane, neere Lon-

don Stone, this 16\th Februarye, 1628,
stilo A[mg]\iae.

vol. i. 49

[This and the following letters, in the handwriting of Secretary Burgis, are evidently intended to be a portion of the records of the Governor and Company, and are preserved in the oldest volume of records in the Suffolk Registry of Deeds. The volume in which they are found is undoubtedly the "book of copies of letters" alluded to on page 37, and was converted to its present purpose soon after the removal of the Company to America.]

1629.

17 April.
To Capt John Endecott.

LAUS DEO!

In Gravesend, the 17th of April, 1629.

OIVING Freinds: Wee hartlyc salute yo’w. Wee haue [ceived your] tre of the 13th of Septemb, by w’t wee take notice [of your safe] arrireall, blessing God for it. Wee haue formerly [requested] Mr Cradock, o’ Coñno’s, to wryte yo’w of the receipt ther[cof, and to] giue advice how wee purposed to peceed in seting forward o’ plantaçon, whose tres, if they bee come to yo’ hande, (as wee hope they are,) will putt lyfe into yo’a affairs, and encourage yo’w to pryde for the entertainm’t of such as are now cominge.

Since yo’ departure, wee haue, for the further strengthening of yo’ grant from the counsell at Plymoth, obtayned a confirmacion of it from his ma’t by his tres patnets, vndr the broad scale of England; by w’t said tres patents wee are incorporated into a body politique, w’t ample power to goûne & rule all his ma’s subiects that reside w’t in the limitts of o’ plantaçon, as by the duplicate thereof vnder the broad scale, w’t wee haue delified to Mr Sharpe to bee delified to yo’w, doth fully appeare.

And for that the propagating of the gosple is the thing [wee] doe press above all to bee o’ ayme in seting this plantaçon, wee haue bin carefull to make plentyfull prision of godly ministers, by whose faithfull preachinge, godly conversacion, and exemplary lyfe, wee trust, not only those of o’ owne nation wilbe built vp in the knowledge of God, but also the Indians may in Gods appointed tymc bee reduced to the obedience of the gosple of Christ. One of them is well knowne to yo’selfe, viz’, Mr Skelton, whom wee haue the rather desired to beare a pt in this worke, for that wee are informed yo’selfe have forly received much good by his ministry; hee cometh in the George Bonadventure, Mr Thomas Cox. Another is Mr Higgeson, a graue man, & of worthy commendacion; he cometh in the Talbot. The third is Mr Bright, sometymes trained vpp vnder Mr Davenport, who cometh in the Lyons Whelp. Wee pray yo’w, accomodate them all w’t necessaryes as well as yo’w may, and in convenient tymc lett there bee houses built them according to the
APPENDIX.

1629.

17 April.

Wee have in practise of that good opinion wee have alway had of you, confirmed you Goffin of our plantaçon, and joined in commission with you the three ministers, namely, Mr. Francis Higgonson, Mr. Samuell Skelton, and Mr. Francis Bright, also Mr. John and Mr. Samuell Browne, Mr. Thomas Granes, and Mr. Samuell Sharpes; and for that wee have ordered that the body of the goffin there shall consist of 13 persons, wee are content the old planters that are now there with our plantaçon and limmits thereof shall choose 2 of the discreetest and judicall men from amongst themselves to bee of the goffin, that they may see wee are not wanting to give them fitting respect, in that wee would have their consent (if it may bee) in making wholesome constitucions for goffin; always pyved, that none shalbe chosen, or meddle in their choice, but such as will live amongst vs, and conforme themselves to our goffin. But if they shall refuse to pforme this direction, then wee hereby authorise you, & those nominated to bee of the counsell aforesaid, to nominate & elect two such men as in your opinions you shall hold meete for that place & office; and for the other three with wilbe wanting to make vpp the full number of 13, (where wee have styled the Counsell of the Massachusetts Bay,) wee hereby authorize [you], with the aforesaid seaven persons, to chuse and nominate them out of the whole body of the Companie, aswell of those that are there as of those that are to come now, not doubting but, all partialtie sett apart, you will make choice of such men as may bee most vsfull & carefull to advance the generall good of your plantaçon.

And that it may appeare, aswell to all the world as to the old planters themselves, that wee seeke not to make them slaves, (as it seemes by your letter some of them thinke themselves to bee become by meanes of your patent,) wee are content they shalbe takers of such privileges as wee, from his majesties especial grace, with great cost, gave of persons of note, & much labore, have obtained, and that they shalbe incorporated into this societie, and enjoy, not
only those lands with foribly they have manured, but such a further pporcion as, by th'advice and judgment of yosellie and the rest of the councell, shalbe thought fitt for them or any of them. And besides, it is still of purpose that they should have some benefit by the common stock, as was by ye first commision directed and appointed, with this addison, that if it bee held too much to take 30 p cent and the fright of the goods for and in consideration of of adventure & disbursements of monies, to bee paid in beos at 6 p lb, that yo moderate the said rate as yo, with the rest of the [councell.] shall thinke to bee agreeable to equitie & good conscience. And of further orders is, that none bee takers of any the aforesaid p'nuledges and pfitts but such as bee peaceable men, and of honest lyfe and conversation, & desirous to line amongst vs, and conforme themselves to good order and government.

And as touching the old planters their earnest desire for [the] present to continue the planting of tobacco, (a trade by the Company genially disavowed & vtterly dislayed by some [of the] greatest adventurers amongst vs, who absolutely declared themselues unwilling to have any hand in this plantation if wee intend to cherish or permit the planting thereof, or any other kinde than for a mans private vse for more necessities,) wee are of opinion the old planters will have small encouragement to that employ, for wee fynde heere, by late experience, that it doth hardly produce the fright and custome; nether is there hope of amendment, there being such great quantities made in other pts that ere long it is like to bee little worth. Nevertheless, if the old planters (for wee exclude all others) conceive that they cannot otherwise pryde for their livelyhood, wee leave it to the discretion of yosellie & the councell there to give way for the present to their planting of it in such manner, and with such restrictions, as yo and the said council shall think fittinge, having an especiall care, with as much conveniency as may bee, vtterly [to] suppress the planting of it, except for more necessities; but, however, wee absolutely forbid the sale of it, or the vse of [it], by any of owne or particular mens servants, unless vpon urgent occasion for the benefit of health, & taken privately.

Mr. John Oldham came from New England not long before ye arrivall there, by whom wee haue had noe small disturbance in ow business, having bin cast behinde, at the least, two months tyme in ow voyage, through the varetie of his vast conceptions of extraordinary gaine of 3 for one, ppounded to bee made & raised in 3 yeares, if hee might haue the managinge of ow stock, pffering to bee contented for his owne employm, soe hee might haue the overplus of the gaines; with whom, after long tyme spent in sundry treaties, fynding him a man altogethervnfitt for vs to deale with, wee haue at last left
APPENDIX.

1629.

17 April.

him to his owne way; and, as wee are informed, hee, with some others, are pryding a vessell, and is nynded, as soone as hee can despatch, to come for New England, trusting to settle himselfe in Massachusetts Bay, clayning a tytle and right by a grant from Sr Ferdinando Gorges son, with wee are well satisfied by good counsell is voyde in lawe. Hee will admitt of noe tearnes of agreem't, vnlesse wee leane him at libertie to trade for beavow with the [Indians], with wee deny to the best of owne planters; nether is hee satisfied to trade himselfe with his owne stock & meane, with wee concewe is so small that it would not much hinder vs, but hee doth interest other men, who, for ought wee knowe, are never likely to bee benefitall to the planting of the country, their owne peculiar fittis (though to the overthrowe of the generall plantacion) being their chiefe ayme and intent. Now, as wee shall unavoidingly doe any act in debaringe such as were inhabitants before vs of that trade, as in conscience they ought to enjoy, soo shall wee as unavoidingly pinnit any to appropriate that to their owne private lucar with wee, in owne religious intencons, haue dedicated to the common charge of building houses for Gods worship and efforts to defend such as shall come thither to inhabite. Wee feare that as hee hath bin obstinate & vvoletent in his opinions heere, soo hee will paist and bee ready to drawe a partic to himselfe there, to the great hinderance of the common quiett. Wee haue therfore thought fitt to give your notice of his disposition, to the end your may beware how your meddle with him, as also that your may use the best means your can to settle an agreeem't with the old planters, soo as they may not harken to Mr Oldham's dangerous though vaine ppossions. Wee fynde him a man soo affected to his owne opinion as not to bee removed from it, nether by reason nor any pswasion; and vnlesse hee may bear sway, and haue all things carried to his good likinge, wee haue little hope of quiett or comfortable subsistance where he shall make his aboad.

And therefore, if your shall see inst cause, wee hereby require your and the counsell there to exercise that power wee haue, and owne previledges will beare vs out in it, to supresse a mischiefe before it take too great a head. Not that wee would wrong him or any man that will live peaceably with the limits of owne plantacion; but as the service of owne previledges will chiefly depend (vnder God) vpon the first foundacion of owne govmtn, soo, if wee suffer soo great an affront as wee fynde is intended towards vs by the pceedings of Mr Oldham and his adherents in owne first beginnings, wee may bee sure they will take hart, and bee emboldned to doe vs a farr greater injurie hereafter. And therefore wee pray your and the counsell there to advise seriously togethether for the maintenance of owne previledges & peaceable govmtn, with, if it may be done by a temperate course, wee much desire it, though with some inconven-
yence, soe as o' goûnm & p'nuiledges be not brought in contempt, wishing rather there might bee such an union as might drawe the heathen by o' good example to the embracing of Christ and his gospel, then that offence should bee giuen to the heathen, and a scandall to o' religion, through o' disagree'm amongst o'schues. But if necessitie require a more severe course, when faire means will not ïvaile, wee pray yo" to deale as in yo' discretion yo" shall thinke fittest for the geall good and safety of the plantaçon & p'seruac'on of o' p'nuiledges. And because wee would not omit to doe any thing wth might strengthen o' right, wee would have yo" (as soone as these [shippes, or any] of them, arrive [with yo", whereby yo" may have men to do it]) send 40 or 50 [persons] to Massachusetts [Bay] to inhabite there, which we] pray yo" not to protract, but to doe it with [all] speede; and if [any] of o' Company in ñictier shall desire to sette themselves there, or to send servants thither, wee desire all accomodat'ın & encourag'm may bee giuen them thervnto, whereby the better to strengthen o' possession there against all or any that shall intrude vpon vs, wth wee would not have yo" by any means giue way vnto, wth this caution, notwithstanding, that for such of o' countrymen as yo" finde there planted, soe as they bee willing to liue vnder goûnm, yo" endeavor to giue them all fitting & due accomodat'ın as to any of o'schues; yea, if yo" see cause for it, though it bee wth more then ordinarie p'nuiledges in point of trade /

Mr Ralph Smith, a minister, hath desired passage in o' [shippes], wth was graunted him before wee vnderstood of his difference of judgm in some things from o' ministers. But his pvisions [for] his voyage being shipt before notice was taken therof, through many occasions where" those intrusted wth this business have bin employed, and forasmuch as from hence it is feared there may growe some distrac'ın amongst yo" if there should bee any syding, though wee have a very good opinion of his honesty, wee shall not, hope, offend in charitie to feare the worst that may grow from their different judgm. Wee have therefor thought fitt to giue yo" this order, that unless bee wilbe conformable to o' goûnm, yo" suffer him not to remaine wth in the limitts of [o'] graunt.

Wee take notice that yo" desire to have Frenchmen sent yo" that might bee experienced in making of salt & planting of vynes. Wee have enquired diligently for such, but ca[n]ot meete with any of that nation. Nevertheless, God hath not left vs altogether unprovyded of a man able to vndertake that worke, for that wee have entertained Mr Thomas Groves, a man commended to vs as well for his honestie as skill in many things very vseful. First, hee plesseth great skill in the making of salt, both in ponds and pans, as also
to fynde out salt springs & mynes; secondly, hee is well scene in mynes & mineralls, especially about iron ore & iron works; thirdly, hee is able to make any sort of fortysfication; fourthly, hee is well able to surveigh and sett forth lands. Hee hath bin a travillo\'r [in] divers forraigne p\'ts to gaine his experience. Therfore wee pray yo\'w take his advice touching the promises, and where yo\'w intend to sett downe in to fortysfic & build a towne, that it may bee qualified for good ayyre & water, according to yo\'s first instruc\'ons, and may haue as much naturall helpe as may bee, whereby it may w\'th the less labor and cost bee made fitt to resist an enemic. Soe soone as yo\'w haue made tryall of his sufficiencie, wryte vs yo\'r opinion how long yo\'w [conceive] it [will be fitt for vs] to continue him in our service; [for] that he is tyed to [serve] us one whole yeare absolutely, and two yeares more if wee should give him order to stay soe long. Soe wee hope to receve yo\'s advice tymec enough [to] give him order to stay out full 3 yeares, or to come home at [the end] of one yeare. His salarie costs this Companie a great so\'me of mony, besides w\'th (if hee remain w\'th vs) the transporting of his wyfe, and building him a house, wilbe very chargable, w\'th wee pray yo\'w take into yo\'r consideracon, that soe wee may continue or suercase this charge as occasion shal require.

In o\' next wee intend to send yo\'w a \'pcular of such as are to hane land allotted & sett out vnto them, that soe yo\'w may appoint vnto each man an equall ppor\'on by lott, according to what is to bee allowed in the first devident, touching w\'th wee shal then give yo\'w more large instruc\'ons. Meane while, for such as hane sent over servants and cattle in these shipps, and for such as hane more to come in two other shipps, w\'th wee hope wilbe ready to sett saile w\'thin ten daies, o\' desire is, they should ether bee accomodated at Nahumkecke or in the Mattachusets Bay, or in both places if they desire it, w\'th all the convenyence that may bee; and for such grounds as shall be allotted vnto them, that the same bee conveyed vnto them, if they desire it, at any tymec w\'thin one yeare after their entring vpon it, and to bee accomodated as p\' of their first devident. But if they shall dislike it at any tymec before a geffall distribucion bee made by lott to all the adventurers, then they may have librie to doe it, and take in lieu thereof as by lott shall fall out amongst other private adventurers.

Wee recomend vnto yo\'w Sr Richard Saltonstall and Mr Isack Johnson, who send over servants and cattle in these shipps, desiring yo\'w will take care for their \'sent accomoda\'on as aforesaid; and as for them, soe wee may not omit to pray yo\'w likewise to give all good accomoda\'on to o\' \'sent Gover-\'r, Mr Matthew Craddock, who, w\'th some \'pcular brethren of o\' Company, have deeply engaged themselves in their private adventures in these shipps.
1629. 17 April.

& those to come; and as wee hold these men that thus deeply adventure in their private to bee (vnder God) spetiall instrum’t for the advancing & strengthening of o’ plantaçon, w’th is done by them without any charge to the Companies geSell stock, wherein, now standing, they are as deepe or deeper engaged then any other, soe being contented to bee debarred from all private trading in furrs for 3 yeres, wee doe hold it very requisite in all other their desires to give them all accommodate & furtherance that reasonably may be ppounded by them, or any for them; their good beginings in the infancy of o’ plantaçon worthyie deserving of ye all favor and furtherance.

Woe have caused a coëion scale to bee made, w’th wee send by Mr Sharpe,

If yo’ want any swyne, wee have agreed w’th those of New Plymouth that they deliü yo’ six sowes w’th pigg, for w’th they are to bee allowed 9$ in accompt of what they owe unto Mr Goffe, Deputie; and for goats, wee have bought 42 for the geSell & particular mens accompts, w’th shalbe sent yo’ by these and the next ships, or at least wise soe many of them as they can conveniently carrie.

Woe have followed yo’ advice, and sent most of o’ guns snaphance, bastard muskett bore; and wee have also sent store of powder & shott, grayne for seed, both wheat, barley, & rye, in the chaff, &c. As for fruit stones and kernels, the tyme of the yeare fits not to send them now; soe we purpose to do it p o’ next. Tame turkyes shalbe now sent yo’ (if may bee); if not, p other shippes. Woe are disappointed of the previsions ordered to have bin sent yo’ for yo’selfe and Mr Endecote; but, God willing, they shall come by the next.

Woe have made o’ servants apparell of cloth & lether, w’th lether is not of oyle skins, for wee found them over deere; yett if this pve not pittable, vpon yo’ second advice woe will send yo’ oyle skins.

Apparel for servants.

For such of o’ nation as sell muniton, gunns, or other furniture, to arme the Indians against vs, or teach them the use of armes, wee would have yo’ to apfshend them and send them priso’es for England, where they will not escape seve severe punishma’, being expressly against the proclamaçon.

Yo’ have had fora caution gien yo’ to take heed of beeing too secure in trusting the Indians, w’th wee againe commend to yo’ care; and that yo’ may bee the better able to resist both foraigne enemies & the natives, if ether should assaye yo’, wee pray yo’ lett all such as line vnder o’ gofinment, both o’ servants and other planters & their servants, bee exercised in the use of armes, and certaine tymes appointed to muster them, in w’th business Mr Sharpe and Mr Graues wilbe assistant to yo’. Mr Sharpe is by vs entertained to bee my gunf of o’ ordnance, in w’th service hee is to employ soe much of
his tyme as the charge of that office doth require, and in the rest hee is to
follow other imployt of or goi6o & others, for whose employt hee is
particularly sent over.

Inclosed you shall receive a factory of such provision of victuall and other
necessaryes as wee haue sent for the gefall accompt, to which wee referre you, nothing doubting but you wilbe a pvident steward to husband or provisions to
the best advantage. Wee also send you the paticular names of such as are
entertained for the Companyes service, amongst which wee hope you will finde
many religious, discreet, & well ordered psions, which you must sett over the rest
devyding them into families, placing some with the ministers, and others vnder
such as, beeing honest men, and of their owne calling as neere as may bee,
may haue care to see them well educated in their gefall callings as Christians,
and paticular according to their seuell trades or fitness in disposition to learne
a trade. And whereas amongst such a number (notwithstanding care to
purge them) there may still remaine some libertines, wee desire you to be
carefull that such (if any bee) may bee forced, by inflicting such punishment as
their offences shall deserve, as to bee (as neere as may bee) according to
the lawes of this kingdom, to conforme themselves to good order; with whom,
after admonition giuen, if they amend not, wee pray you proceed without partiallitie to punish them as the nature of their fault shall deserve; and the like
course you are to hold both with planters & their servants, for all must liue vnder goi6o & a like lave. And to the end you may not doe any thing
contrarie to lawe nor the power granted vs by his ma6e tres patents, wee
haue, as aforesaid, sent you the duplicate of the tres patents, vnder the great scale of England, ordering and requiring you and the rest of the counsell there not to doe any thing, either in inflicting punishment on malefactor or otherwise, contrarie to or in derogation of the said tres patents; but if occasion require, wee authorise you and them to proceed according to the power you haue. Nevertheless, wee desire (if it may bee) that errors may bee reformed with lenitie or mylke correccion; and if any pve incorrigable, & will not bee reclaimed by gentle correccion, ship such psions home by the Lyons Whelp, rather then keep them there to infect or to bee an occasion of scandal vnto others; wee being fully pswaded that if one or two bee soe reshipped back, and certificate sent home of their misdemeanours, it wilbe a terror to the rest, and a means to reduce them to good conformitie. And, above all, wee
pray you bee carefull that there bee none in or pscinets pmitted to doe any
injurie (in the least kinde) to the heathen people; and if any offend in that
way, lett them receive due correccion. And wee hold it fitting you publish a
proclamation to that effect by leaving it fixed vnder the Companyes scale in

APPENDIX.

1629.

If April.

names of those
entertained for the Company.

To inflict punish-
ments upon of-
fendes.

Duplicate of
the patent
sent.

That noe inju-
rice bee done to
the heathens.

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some eminent place, for all to take notice, at such tyme as both the heathen themselves, as well as o' people, may take notice of it. And for the avoyding of the hurt that may follow through o' much familiarite w/th the Indians, wee conceive it fitt that they bee not permitted to come to yo' plantacion but at certaine tymes and places to bee appointed them. If any of the salvages pretend right of inheritance to all or any pt of the lands granted granted in o' patrent, wee pray yo' endeavo' to p'chase their tyle, that wee may avoyde the least scruple of intrusion./

To compound w/th the natiues.

The ministers. Wee haue, in the form pt of o' trec, certfyed yo' of the good hope wee haue of the lone and vnamimus agreemt of o' ministers, they having declared themselves to vs to bee of one judgment, & to bee fully agreed on the manf how to exercise their ministry, w/th wee hope wilbe by them accordingly pformed. Yet, because it is often found that some basic psons (led more by their will then any good warrant out of Gods word) take opportunitie [of] moving needless questions to stirr vp strife, and by that [meanes] to begett a question, and bring men to declare some different judgm't, (most co'nonly in things indifferent,) from w/th small beginnings great mischeifs haue followed, wee pray yo' and the rest of the councell, that if any such disputes shall happen among yo', that yo' suppress them, and bee careful to maintaine peace and vnitie./

Suppress vaine disputes.

Lawrence Leech.

Wee haue sent six shipwrights, of whom Robert Molton is cheif. These mens entertainm't is very chargable to vs; and by agreem't it is to bee borne two thirds at the charge of the gefall Companie, and the other third is to bee borne by Mr Cradock, o' Goimo', and his societats interested in a private stock. Wee hope yo' wilbe careful to see them soe employed as may countervail the charge, desiring yo' to agree w/th Mr Sharpe that their labo' may bee employed 2 for the gefall Companie, and 2 for Mr Cradock and his societats; praying yo' to accomodate the s' Mr Cradocks people in all fitting manf, as hee doth well deserve./

Shipwrights.

Cattle.

Such cattle, both hors, mares, cowes, bulls, and goates, as are shipped by Mr Cradock, are to bee devyled in equall halves twixt him & the Companie, w/th was omitted to bee done here for avoyding partialitie; see yo' must doe it equally there/

To make returns.

Wee pray yo' to bee careful to make vs what returns yo' possibly may, the better to enable vs to send out a fresh supply. Wee hope yo' haue con-
verted the commodities you carried with you for truck into beaver, otter, or other furs, you pray you send vs by ye Talbot, as also any other commodities you have pryed in readiness against the shippes coming thither; but you do not detain her any longer time to cutt timber or any other gross ladinge, for she is at 150 a mouth charges, will some eat out more then the goods shee should stay for is worth. Wherefore, pray make what expedicion you can to vnlade her goods, and to put such things aboard her as you have ready, and send her hetherward againe as soon as you may.

Wee have sent fine weigh of salt in the Whelpe, and ten weigh in the Talbot. If there bee any shalloppes to bee had to fish with, and the season of the yeare fitt, pray lett the fishermen, (of you sent 6 from Dortchester,) togeather with some of the shippes company, endeavours to take fish, and lett it bee well saued with the said salt, and packed ypp in hogsheads or otherwise, as shallbe thought fitt, and send it home by the Talbott or Lyons Whelpe. Now, forasmuch as the Lyons Whelpe belongeth to the Companie, you may (if there bee hope to doe good by it) keepe her there some tyme after the Talbott; but unless it bee to very good purpose, doe not detain her, but lett her come home in companie of the Talbott. The Geo: Bonaventure is to land her passingers & other things belonging to the geffall Companie or to paticuler men, and soe sett sayle for New Found Land; and wee pray you lett it be you care to dispatch her as soone as may bee.

William Ryall and Thomas Brude, coops and cleavers of timber, are Coopers, N B. entertained by vs in halues with Mr Cradock, or God. Pray ioyne others that can assist them unto them, and lett them prade vs some staves and other tymber of all sorts, to bee sent vs by the Talbott, Whelpe, or the other 2 shippes that come after. But wee pray you consider the charge of these shippes, & detain them not for small matters. Rather use all diligence to send them away.

If, at the arivall of this shipp, Mr Endecott should bee deject this lyfe, Authoritie to others in case of Mr Endecotts death.

If it shall please God to take away by death any of the 13 that shall be chosen and appointed for the counsell, (of youselfe or you successor is to death, &c.)
1629. 

17 April.

were one, & the surviving council shall from time to time make choice of one or more to supply the place of such as shall be wanting; and that there may no difference arise about the appointing of one to bee minister wth those yo" send to inhabit at Mattachusetts Bay, wee will haue yo" (in case the ministers cannot agree amongst themselves who shall vndertake that place) to make choice of one of the three by lot; and on whom the lot shall fall bee to goe with his famylye to pforme that worke.

Coops.

There is one Richard Ewstead, a wheelwright, who was commended to vs by Mr Davenport for a very able man, though not without his impfectons. Wee pray yo" take notice of him, and regard him as bee shall well deserve. The benefit of his labo' is to bee [3] for the gefall Companie, and 3 for Mr Cradock, or Goïno', being his charges is to bee borne according to that pporcon; and wthall wee pray yo" take care that their charges who are for partable employ', whether in halves or thirds, may bee equally defrayed by such as are to haue benefitt of their labo"; according to each ptyes pporcon. Their gefall agreem', or the coppyes thereof, shalbe (if God pmitt) sent yo" by the next shipps.

A chirurgion sent over.

Wee haue entertained Lambert Wilson, chirurgion, to remaine [wth] yo" in the service of the plantacon; wth whom wee are agreed, that bee shall serve this Companie and the other planters that live in the plantacon for 3 yeares, and in that time apply himselfe to cure not only of such as came from hence for the gefall and paticuler accomplts, but also for the Indians as from tyne to tyne bee shalbe directed by yo'self or yo' sucessor' & the rest of the counsell. And, moreover, bee is to educate & instruct in his art one or more youths, such as yo" and the said counsell shall appoint, that may bee helpfull to him, and, if occasion serve, succeed him in the plantacon; wth youth or youths fitt to learne that pession lett bee placed wth him; of wth Mr Hughes's sonne, if his father approne therof, may bee one, the rather because hee hath bin trayned vp in litterature; but if not bee, then such other as yo" shall indg most fittest, c.'/

21 April.

The 21 of Apr, in Grauesend.

The aforewritten is, for the most pt, the coppie of o' genall tre sent you together wth o' patent, under the broad scale and the Companyes scale in
siluer, by Mr Samuell Sharpe, passinger in the George, who wee thinke is yet ridding in the Hope; but, by meanes of stormy weather, the Talbot & Lyons Whelpe are yett att Black Wall. By these shippes that are to follow wee intend, God willing, to supply both in o' advice and in o' provisions what is wanting now. In the meanwhyle wee pray yo'w accommodate business wth yo' true endeavours for the several good in the best and discreetest maner that yo'w may. For the better accommodateon of businesses, wee have devyded the servants belonging to the Company into sevall famlyes, as wee desire and intend they should line togethe're; a copypy whereof wee send yo'w heere inclosed, that yo'w may accordingly appoint each man his charge and dutie. Yett it is not o' intent to tye yo'w soe strictly to this direccon but that in yo'o discretion, as yo'w shall see cause from tyme to tyme, yo'w may alter or displace any as yo'w shall thinke fitt.

Of earnest desire is, that yo'w take speziall care, in setlinge these s'families, that the cheife in the famlye (at least some of them) bee grounded in religion; whereby morning and evening famlye dutyes may bee duly performed, and a watchfull eye held over all in each famlye by one or more in each famlye to bee appointed thereto, that soo disorders may bee prevented, and ill weeds nipt before they take too great a head. It wilbe a business worthy yo' best endeavours to leke vnto this in the begininge, and, if neede bee, to make some exemplary to all the rest; otherwise yo' govern'mwilbe esteemed as a scar crowe. O' desire is to use lenitie all that may bee, but, in case of necessitie, not to neglect the other, knowing that correctie is ordained for the floodes back; and as wee intend not to bee wanting on o' parts to pryde all things needful for the maintenance and sustenance of o' servants, see may wee instyly, by the lawes of God & man, require obedience and honest carriage from them, wth fitting labours in their sevall employments; wherein if they shalbe wanting, and much more if refractory, care must bee taken to punish the obstinate and disobedient, being as necessary as food and raym'. And wee harteely pray yo', that all bee kept to labours, as the only meanes to reduce them to civill, yea, a godly lyfe, and to kepe youth from falling into many enormities wth by nature wee are all too much enclined vnto. God, who alone is able and powerfull, enable yo' to this great worke, and grant that o' cheifest ayme may bee his hono' and glory. And thus, wishing yo'w all happy and prosperous success, wee end, & rest

Yo' assured lo: freinds,

The Govn'r & Deputie of the New Engl: Company for a Plantacion in Massachusetts Bay.
1629.

21 April.
Mr. John & Mr. Sam: Browne.

Mr. Oldhams graunt.

Through many businesses wee had almost forgotten to recommend unto you 2 brethren of our Company, Mr. John & Mr. Sam: Browne, who, though they bee noe adventurers in the geffall stock, yet are they men wee doe much respect, being fully persuaded of their sincere affections to the good of our plantation. The one, Mr. John Browne, is sworne an Assistant here, & by vs chosen one of the counsell there—a man experienced in the lawses of our kingdome, & such an one as wee are persuaded will worthily deserve your favour and furtherance, with wee desire hee may haue, and that in the first division of lands there may bee allotted to either of them 200 acres.

I finde Mr. Oldhams graunt from M' Gorge is to him & John Dorrell for all the lands within Mattachusets Bay betweene Charles River and Abousett River, conf. in length, by a streight lyne, 5 myles vp the said Charles River, into the maine land north west from the border of the s't bay, including all creeks and points by the way, and 3 myles in length from the mouth of the foresaid river of Abousett vp into the maine land, vpon a streight lyne s: w., including all creeks and points, and all the land in breadth and length betweene the foresaid rivers, withall prerogatives, ryall mynes excepted. The rent reserved is 12d. on every 100 acres of land that shall be vsed; Wm. Blaxton, cler, and Wm. Jeffryes, gent, authorised to put John Oldham in possession. Having a sight of his graunt, this I found, though I hold it voyde in lawe, yett, his clayne being to this, your may in your discretion prevent him by causing some to take possession of the cheife part thereof.


London, 28 May, 1629.

AFTER of harty commendations: Of last vnto you was of the 17th and 21st April, sent by the last ships, viz., the Geo: Bonaventure, Thomas Cox m't, who set saile from th'Isle of Wight the 4th of this month, and seconded by the Talbott, Thomas Beecher master, & the Lyons Whelpe, John Gibbs m't, who set saile also from th'Isle of Wight about the 11th of this month; with care, being large and consisting of many particulars, hath bin confirmed here; and hereunto you shall receive a copy thereof, desiring you to take especiall care of the performance and putting in execution of all things material.
therein mentioned, and particularly, amongst others, that point concerning publication to bee made that noe wrong or injurie bee offered by any of o' people to the natives there. To wth purpose wee desire yo', the Goño's, to advise wth the counsell in penning of an effectual edict, vpon penalty to bee inflicted vpon such as shall transgress the same; wth being done, o' desire is the same may bee published, to the end that all men may take notice therof, as also that yo' send a copy thereof vnto vs by the next returne of the ships.

Wee haue, sithence o' last, and according as wee then advised, at a full and ample Court assembled, elected & established yo', Captaine John Endecott, to the place of present Goño's in o' plantaçon there, as also some others to bee of the counsell wth yo', as more particularly yo' will perceive by an act of Court hereuwth sent, confirmed by vs at a Geiull Court, and sealed wth o' common scale; to wth act wee refer yo', desiring yo' all punctually to observe the same, and that the oathes wee hereuwth send yo', (wth haue bin heere penned by learned counsell,) to bee administered to each of yo' in yo' several places, may bee administered in such manife & forme as in & by o' said order is particularly expressed, and that yo'selves do frame such other oathes as in yo' wisdomes yo' shall thinke fitt to bee administered to yo' Secretary or other officers, according to their several places respectively.

Wee haue further taken into o' consideration the fittness and conveniency, or rather a necessitie, of making a devident of land, and allotting a pporeçon to each adventurer, & otherwise, and to this purpose wee haue made and confirmed an act, and sealed the same wth o' common scale, to the particulars whereof wee refer yo', desiring yo' wth all convenient expedition to put the same in execution; and for yo' better direction in the allotment, wee haue hereuwth sent yo' (as by o' last wee promised) a list of all the several adventurers, and of the some by each of them adventured, desiring that vpon the devydent each adventurer may haue his allotm' of land, as also such others as are noe adventurers, coming in upon at their owne charge, and the servants of adventurers sent over to reside vpon the plantaçon, may haue such a pporeçon of land allotted vnto & for them as by o' said order is appointed.

And whereas divers of the Companie are desirous to haue the lands lye together, wee, holding it fitt herein to give them all accomodaçon, as tending to the furtherance of the plantaçon, doe pray yo' to give way therunto for such as shall desire the same, whether it bee before a devident bee made according to o' direccçon or at the tyme of the allotm' to observe the same course.

Yo' shall also receive hereuwth the coppys of all the several agreements made wth the servants and others sent over in the 3 last shippes for accompl of the
ArPENDIX.

28 May.

Companie, togethuer wth their settall names, for yo\textsuperscript{w} better direcion in employing them in their settall places according to those agreemts, as also the names of the servaunts of such piticuler members of the Companie as went over in the said shipps; desiring yo\textsuperscript{w} that a due register bee taken and kept from tyme to tyme of all the pson\textsuperscript{s} for\textdagger\textshilling sent over, or that shall hereafter come to the planta\textdagger\textshion, both of the names, & qualitie, and age, of each piticuler pson, & for or by whom they are sent over./

Wee send yo\textsuperscript{w} also herew\textsuperscript{b} a piticuler of all the goods and cattle sent in those forenamed shipps, as also of what goods, cattle, or other provisions, wee now send vpon these 3 shipps, viz\textsuperscript{2}, the Mayflower, of Yarmouth, Willm Peirse m\textsuperscript{t}, the Fower Sisters, of London, Roger Harman m\textsuperscript{t}, the Pilgrim, of London, Willm Wobrigge m\textsuperscript{t}, amongst wth wee have remembred yo\textsuperscript{w}, the Goflno\textsuperscript{w} there, wth certaine necessaries prised by o\textsuperscript{r} last; and if in ough wee have bin now wantinge, wee shall, vpon notice from yo\textsuperscript{w}, see the same supplied by o\textsuperscript{r} next./

Whereas in o\textsuperscript{r} last wee advised yo\textsuperscript{w} to make composicion wth such of the saluages as did p\textdagger\textshend any tytle or lay clayne to any of the land wthin the territories granted to vs by his ma\textsuperscript{t} charter, wee pray yo\textsuperscript{w} now bee carefull to discover & finde out all such p\textdagger\textshendors, and by advice of the counsell there to make such reasonable composicion wth them as may free vs and yo\textsuperscript{w}selues from any scruple of intrusion, and to this purpose, if it might bee conveniently done, to compound & conclude wth them all, or as many as yo\textsuperscript{w} can at one tyme, not doubting but, by yo\textsuperscript{r} discreet ordering of this business, the natu\textdagger\textshines will be willing to treat & compound wth yo\textsuperscript{w} vpon very casy conditions./

Wee pray yo\textsuperscript{w}, as soone as these shipps are discharged, to cause a piticuler to bee taken, and sent vs at their returne for England, of the names of all such psons as come vpon them to remaine in the country, as also a note of the cattle and all man\textdagger\textsh of goods of what kinde soeuer landed out of them, wth the settall marks and names of the owners thereof; the like whereof wee desire to receive from yo\textsuperscript{w} of the form\textsuperscript{t} 3 shipps, viz\textsuperscript{2}, the George, Talbott, & Lyons Whelpo, to the end wee may compare the same wth the invoyses heere, and receive frught, if any bee omitted./

The charge wee are at in sending over servants for the Companie is very great, the recompense whereof (under God) depends vpon their labo\textsuperscript{r} and endea\textdagger\textshors; and therefore o\textsuperscript{r} desire is, that yo\textsuperscript{w} appoint a carefull and diligent overseer to each familie, who is to see each pson employed in the business hee or they are appointed for. And to the end both yo\textsuperscript{w}selues there and wee heere may from tyme to tyme haue notice how they employ their tyme, wee haue sent yo\textsuperscript{w} duries paper bookes, wth wee pray yo\textsuperscript{w} to distribute to the said
overseers, who are to kepe a perfect register of the dayly worke done by each pson in each familie, a copy whereof wee pray you send unto vs once every halfe yeare, or as often as conveniently you may. But if you conceive that the said register may bee too much to wryte particularely every day, wee desire that a suumary may bee taken therof at the least evry weeke, registred in the booke kept for that familie, and at each weeks end the same to bee examined & subscribed by two, three, or fewer such discreet psongs as you shall thinke fitt to appoint for that purpose.

And for the better goeing and ordering of o's people, especiallie such as shalbe negligent and remiss in performance of their dutyes, or otherwise exorbitant, o's desire is, that a house of correction bee erected and set vpp, both for the punishment of such offender's, and to deterre others by their example from such irregular courses.

Richard Claydon, a wheelwright, recommended unto vs by Dr Wells to bee both a good and painfull workman, and of an orderly lyfe and conversation, o's desire is, that vpon all occasions hee may have yo' furtherance and good accommodation, as you shall finde him by his endeavours to deserve; to whom, as to all others of fitness & judgment, lett some of o's servants bee committted, to bee instructed by him or them in their several arts, \\

There is also one Richard Haward and Richard Inkersall, both Bedfordshire men, lyred for the Company, with their families, who wee pray you may bee well accommodated, not doubting but they will well & orderly demeane themselves.

O's Goçnors, Mr Cradock, hath entertained 2 gardnos, one of w'h hee is two gardnos. content the Company shall have use of if neede bee; and wee desire that Barnabie Claydon, a wheelwright, may serve Mr Sharpe for o's said Goçnor heere, or some other pson in lieu of him, that may give him content.

Some things wee are desired by Mr Whyte, the minister, to recommend vnto yo' care, viz: that you would shew all lawfull favour and respect vnto the planters that came over in the Lyons Whelpe out of the countyes of Dorset and Somerset; that you would appoint vnto William Dodge, a skilfull and painfull husbandman, the charge of a teame of horses; to appoint Hugh Tillie and William Eedes for servants to Sr Richard Saltonstall; to give approbation and furtherance to Francis Webb in setting vpp his saw mill; and to take notice that all other psongs sent over by Mr Whyte are servants to the Company, whatsoever hee hath written to the contrary, this being now his owne desire.

The charge of these 3 shippes now sent, though every man that hath any private adventure in them is to pay for his particular, yet the hazard of pit.
and loss by the freighting of them all, and mens wages and victuall, with victuall for the passengers, is to bee borne \( \frac{1}{2} \) by the Companies geffall stock, & \( \frac{1}{2} \) by the Goyno\(^r\) and his \( p^t \)ners their private stock; soe is also the fishing to bee returned by them, as the salt sent in them is. Wherefore wee pray yo\( w \), when yo\( w \) shippes are discharged, if any surplus shalbe in victuals that they can spare, as also of other provisions that was provied for the passengers accomoda\( d \)un, lett the same bee equally devyded, \( \frac{1}{2} \) to the Goyno\(^r\) there for the Company, th'other halfe to Mr Samuell Sharpe for the vse of Mr Cradock, \( o^r\) Goyno\(^r\), and his \( p^t \)ners. All provisions for the fishing at sea is heere equalie borne in halfe; soe are all the provisions for shipping of all the cattell in these 3 shippes; and accordingly wee desire the deales & cask may be devyded there.

The provisions for building of shippes, as pitch, tarr, rozen, okum, old ropes for okum, cordage, & saycloth, in all these shippes, with 9 flerkins and 5 halfe barrells of nayles in the 4 Sisters, are \( \frac{3}{4} \) for the Company in geffall, and \( \frac{1}{2} \) for the Goyno\(^r\), Mr Cradock, and his \( p^t \)ners, as is also the charge of one Georg Farr, now sent over to the six shipwrights forinly sent. O\( r \)'s desire is, a storehouse may bee made apt for the provisions of the shipwrights and their tooles, whereof Robert Moulton to have the chiefie charge, and an inventory to bee sent vs of all the tooles, the new by themselves and the old by themselves, that are sent over for the vse of the \( s^t \) shipwrights, or any of them, in these and the forni shippes, in like manife of all provisions any way concerning shipping, to the end wee may heere examine & fynde that the Company may bee duly charged with their \( \frac{3}{4} \) pts of the charge, & noe more, and the Goyno\(^r\) likewise and his \( p^t \)ners with \( \frac{1}{2} \) pt, and noe more; and o\( r \)'s desire is, that these men bee kept at worke togethe, adding to their helpe such of the Companyes servants as yo\( w \) shall fynde needfull, & pportionably \( \frac{1}{2} \) as many of Mr Cradocks, with course wee hold most equall, and that accordingly as any vessels bee built, first that both \( p^t \)yes may bee accomodated for the \( s^t \)sent occasion, but soe soone as 3 shallop shalbe finished, two of them to bee sett out for the Company by lott, or as yo\( w \) shall agree there to make an equall deviation, and one for \( o^r \) Goyno\(^r\) & his \( p^t \)ners, with whose agent, Mr Sharpe, if yo\( w \) shall thinke fitt to agree vpon equall tarmes, ether in thirds or halfe, to fish togethe when yo\( w \) shall haue vessells fitting, or for setting any other designe forward that may conduce to the good of all \( p^t \)yes, the charge to bee borne indifferently by each partye pportionably, wee leave to yo\( w \) care and good discre\( c \)ons, desiring and hartely praying that lone and vnitie may bee continued without any hartburninge. And as our Goyno\(^r\) hath engaged himselfe beyond all expectacion in this business, not only in his \( p^t \)iculer, but by great somes
APPENDIX.

The cattle now and forály sent have bin all pryded by the Goúno', excepting 3 mares that came out of Lecestershire; but aswell those as all the rest are agreed vpon to bee shippt, the one halfe at the charge and vpon the adventure of the gefiall Company, the other  $ for the Goúno' and his ijtners.  
And because all occasions shalbe avoYed of iust excepeçon in their deuision, it is agreed, the deuision shalbe made after the arrivall there, that see whatsoever it shall please God to send thither in safety, a deuision may bee then made therof by lott, or in such equall manfa as yo', the Goúno' there, and Mr Sharpe, shall hold to bee indifferent; and in case Mr Samuel Sharpe should bee sick or absent, the Goúno's desire is, that Henry Haughton supply his place herein, & in other his occasions there/

And as in o' forme, see now againe wee especially desire yo' to take care that noe tobacco bee planted by any of the new planters vnder yo' goúnm, unless it bee some small quantitie for meere necessitie, and for phisick, for the servaçon of their healths, and that the same bee taken privately by amittent men and none oth', and to make a gefiall restraint therof, as much as in yo' is, by psawing the old planters to employ themselves in other business, according to o' example, and not to punitt that any tobacco bee laden there vpon our shippes/

Since th'abover written, wee haue, vpon further consideraçon, resolved, that the charge of the six fishermen sent over in the Lyons Whelpe, and 3 more now sent by o' Goúno', should bee borne,  $ by the gefiall Company, and  $ by Mr Cradock & ijtners; the like for salt & other necessaries for fishing.  
In consideraçon wheref, and for that they will haue a like interest in the shallops, o' desire is, that the benefit of their labo'r, both in fisinginge & otherwise, (the trade of beavo'r excepted, in wth, if yo' vse any of these fishermen as scamen, yo' must recompençe their labo' by other men to supply their place,) bee equally deyvved,  $ for th'use of the gefiall Company, and  $ for o' Goúno', Mr Cradock, & ijtners, proporçonably; and for such others as are to bee assisting to these men in the fising, yo' are to appoint  $ of them to bee of the gefiall Companyes servants, &  $ of the servants of Mr Cradock and his ijtners, accordingly/

The charge of the fraft of these 3 shippes, their men, victualls, &c, will beo to send retumres for exaing the charge.

Wherfore we pray yo' to case it what yo' may by send-
1629.

28 May.

Salt sent.

Fishinge.

Inventory to bee kept of the implement for fishinge.

Tho: Beard & Isack Rickman.

ing vs returns in fish or other lading; and wee desire you to give them all expediçon, for otherwise their monthly pay, being about 400l. p month for these 3 shipps, will soone swallow vp the gaines wee shall make of any thinge they may bring home from thence;

Wee have now sent by these 3 shipps 29 waigh of salt, viz, 11 weigh in the May Flower, 15 in the Power Sisters, and 3 weigh in the Pilgrim, togethjer wth lynes, hookes, knives, bootes, & barrels, necessary for fisshinge; desiring of men may bee employed, ether in harbor or vpon the banke, to make vse thereof for lading of shipps; wherein wee desire yo to conferr and advise wth Mr Peirce, who hathformerly fisshed there. And if yo send the shipps to fish at the banck, & expect them not to returne againe to the plantacion, that then yo send of barke, that is already built in the country, to bring back of fisherme and such provisions as they had for fishing, viz, of salt, if any remainder bee, as also of hookes, lynes, knives, bootes, and barrels, wth to them wilbe of noe vse, their fishing being ended, but may bee of vse to yo vp all occasions;

And as wee haue hereby desired that a storehouse bee built for the scribes & their provisions, & an inventory kept thereof, soe wee desire likewise that the same course bee observed for the fishermen, and an inventory bee duly kept of all the provisions & implements for fisshinge, and a coppy thereof to bee sent vnto us, and that such a carefull person bee appointed to take care & charge thereof, to preserve the same from loss & spoyle, as yo in yo disereçons shall thinke fitt, wth wee pray yo take into yo especiall care and consideration, and soo to order this & other business, by distributing the care thereof to settial persons, that the burthen bee not too heavy to any particular, and soo the business itselfe suffer. And this care wee desire may bee taken, for that wee know not how soone wee may resolute of some other division.

Thomas Beard, a shoemaker, and Isack Rickman, being both recommended to vs by Mr Symon Whetcombe to receive their dyett & houseorne at the charge of the Companie, wee haue agreed they shall be wth yo, the Guimo, or placed elsewhere, as yo shall thinke good, and receive from yo, or by yo appointment, their dyett & lodging, for wth they are to pay, each of them, after the rate of 10l. p anu. And wee desire to receive a certificate, vnder the hand of whomsoever they shall bee dyetted & lodged wth, how long tymne they have remained wth them, in case they shall otherwise dispose of themselves before the yeare bee expired, or at least wise at the end of each yeare, to the end wee may heere receive payme according to the s' agreement. The said Tho: Beard hath in the shipp the May Flower divers hydes, both for soles and vpp leathers, wth bee intends to make vpp in bootes and shoes there in
the country. Wee pray yo\textsuperscript{w} let Mr Peircce, the mt of the said shipp, viewe the said leathre, & estmate what tonnage the same may import, that soo the said Beard may ether pay unto yo\textsuperscript{w} there after the rate of 4\textsuperscript{t} p tonn for fright of the same, the like for his dyett if there bee occasion to vse any of his commodities, or otherwise, vpon yo\textsuperscript{w} advice, wee may receive it of Mr Whetcombe, who hath praised to see the same discharged. Wee desire also the said Tho: Beard may have 50 acres of land allotted to him as one that transports himselfe at his owne charge. But as well for him as all others that shall have land allotted to them in that kinde, and are noe adventurers in the co\textsuperscript{m}on stock, w\textsuperscript{h} is to support the charge of iffortyfica\textsuperscript{t}ons, as also for the ministrie & divers other affaires, wee holde it fitt that these kinde of men, as also such as shall come to inherit lands by their service, should, by way of acknowledgm\textsuperscript{t} to such from whom they receive these lands, become lyable to the performance of some service certaine dayes in the yeare, and by that service they and their posteritie after them to hold and inherite these lands, w\textsuperscript{h} wilbe a good means to enjoy their lands from being held in capite, and to support the planta\textsuperscript{c}on in gefall and particulr.\textsuperscript{e}

Wee may not omitt, out of o\textsuperscript{t} zeale for the gefall good, once more [to] putt yo\textsuperscript{w} in mynde to bee very circumspect, in the infancie of the planta\textsuperscript{c}on, to settle some good orders whereby all psons resident vpon o\textsuperscript{t} planta\textsuperscript{c}on may apply themselues to one calling or other, and noe idle drone bee pnett to lune amongst vs, w\textsuperscript{h} if yo\textsuperscript{w} take care now at the first to establish, wilbe an vn doubted means, through Gods assistance, to \textsuperscript{f}event a world of disorders and many gremium sinns & sin[ners].\textsuperscript{e}

The course we have scribed for keeping a dayly register in each familie Register. of what is done by all and every psn in the familie wilbe a great help & remembrance to yo\textsuperscript{w}, and to future posteritie, for the vpholding and continuance of this good act, if once well begun and setled, w\textsuperscript{h} wee hartely wish & desire as aforesaid.\textsuperscript{e}

And as wee desire all should lune in some honest calling and profession, soo wee pray yo\textsuperscript{w} to bee vpartiall in the administr\textsuperscript{c}on of justice, and endeavo\textsuperscript{r} that noe man whatsoever, freeman, or servant to any, may haue just cause of complaint herein. And for that it cannot be avo\textsuperscript{d} but offences wilbe given, wee hartely pray yo\textsuperscript{w} to admitt of all complaints that shalbe made to yo\textsuperscript{w}, or any of yo\textsuperscript{w} that are of the connell, bee the comp\textsuperscript{t} never soe meane, and pass it not sleightly over, but seriously examine the truth of the business, and if yo\textsuperscript{w} fynde there was just cause for the complaint, endeavo\textsuperscript{r} to right the oppressed in the best man\textsuperscript{f} yo\textsuperscript{w} can. But, howsoever, take some strict course to \textsuperscript{f}uent the like; and such as are by vs put in authoritie as subordinate

APPENDIX.

1629.

28 May.

50 acres of land to bee allotted to Tho: Beard.

Some suite or service to bee done by those to whom land is allotted, being noe adventurers.

settling of good orders there.

To admitt of comp\textsuperscript{t} & punish offenders.
1629. 28 May.

Goyna's of familyes, if they shall abuse any under their goynm, and after a gentle admonicion doe not reforme it, fail not speedily to remove them, as men more fitt to bee goyned then to goyne others, and place more fitt and sufficient men in their stead. But if yo wynde any comp w to bee made without just cause given, lett not such a fault escape without severe punishment, and that forthwith, and in publique, whereby to terfy all others from daring to complaine against any that shall be sett over them without a just cause. Wee pray yo w take this earnestly to hart, and neglect not the due execution thereof upon plaintiff or defendant, according to the nature of the offence. It wilbe a meanes, through Gods mercy, of preventing many inconveniences and disorders that otherwise will undoubtedly befall yo w and the whole goynm there.

And amongst other sinns, wee pray yo w make some good lawes for the punishing of swearers, whervnto it is to bee feared too many are addicted that are servants sent over forcibly and now. These and other abuses wee pray yo w who are in authoritie to endeavo' seriously to reforme, if ever you expect comfort or a blessing from God upon o' plantaçon.

Wee have discharged divers servants here that wee had entertained, and bin at great charges w th some of them, yet, fearing their ill lyfe might bee prejudicial to the plantaçon, wee rather thought fitt to dismiss them, and loose o' charges, then to burthen the plantaçon w th them. Amongst others in like mani dismissed by the Goino, 2 of the 3 fisherme of his, formerly mentioned, are gone. Wee doubt not but God will in due tyme proude vs sufficiently w th honest and able servants; and wee hope these sent wilbe conformable to good goynm, w th if they doe willingly and cheerfully wilbe the greater comfort to yo w and vs; if otherwise, we doubt not but yo w, in yo' good discreçons, will know how to preceed w th such. Wherin, and in all things els yo w goe about, wee beseech the Almighty soc to direct yo w as that God alone may have the glory, and yo w and wee comfort heree temporally and hereafter ppetually.

Wee pray yo w to take notice that in these and the former shippes ther is shipped in cattle and other provisions according to particular invoices heree inclosed; but whether all things bee inserted in the same invoices wee make doubt, and therfore pray yo w to bee carefull a due register bee kept of all putt ashore.

Wee pray yo w endeavo' though there bee much strong waters sent for sale, yeit soc to order it as that the salvages may not for o' here sake bee induced to the excessive vse, or rather abuse of it, and at any hand take care o' people gine noe ill example; and if any shall exceed in that inordinate
APPENDIX.

kine of drinking as to become drunk, we hope yo\textsuperscript{w} will take care his punish\textsuperscript{m} be made exemplary for all others. Let the lawes be first published to forbid these disorders, and all others yo\textsuperscript{w} feare may growe vp, whereby they may not pretend ignorance of the one nor pun\textit{fle}d to offend, and then feare not to putt good lawes, made vpon good ground and warrant, in due execution. And soe, re\textit{comm}ending yo\textsuperscript{w} and all yo\textsuperscript{r} affaires to the protection of the Almighty, wee conclude, and rest

Graucesend, 3 June, 1629.

To the Worlp\textsuperscript{h} of very loving freinds, Cap\textit{p} Jo:
Endecott, Es\textit{p}, Gof\textit{n}o\textsuperscript{r}, Fr: Higgenson,
Samuell Skelton, Fr: Bright, Jo: & Sam:
Browne, Sam: Sharpe, Tho: Grauces, & the rest of the Councell for Londons Planta\textit{con} in the Mattachusetts Bay, in New England./

Letter from the Governor and Company to the Ministers.

R\textsc{everend} Freinds: There are lately arrived heere (being sent from the Go\textit{n:no\textsuperscript{r}}, M\textsc{r} Endecott, as men \\textit{faction}eous and e\text{v}il conditioned) John and Samuell Browne, being brethren, who, since their arrival, haue raised rumo\textsuperscript{s} (as wee heare) of divers scandalous \& intempate speeches passed from one or both of yo\textsuperscript{w} in yo\textsuperscript{r} publique sermons or prayers in N: England, as also of some i\textit{n}ova\textit{c}ons attempted by yo\textsuperscript{w}. Wee haue reason to hope that their reports are but slanders, fy for that yo\textsuperscript{r} godly and quiett conditions are well knowne to some of vs, and also for that these men, yo\textsuperscript{r} accusers, seeme to bee imbittered against yo\textsuperscript{w} \& Cap\textit{p} Endecott for injuries w\textsc{th} they conceive they haue received from some of yo\textsuperscript{w} there. Yett, for that wee all knowe that the best advysed may overshoothe themselves, wee haue thought good to informe yo\textsuperscript{w} of what wee heare, that if yo\textsuperscript{w} bee i\textit{n}ocent yo\textsuperscript{w} may cleare yo\textsuperscript{r}-selues, or, if otherwise, yo\textsuperscript{w} may heerely bee entreated to looke back vpon yo\textsuperscript{r} miscarriage w\textsc{th} repentance, or at least to take notice that wee vitally disallowe any such passages, and must and will take order for the redress therof, as shall become vs. But hoping, as wee said, of yo\textsuperscript{r} vnblameableness heerein, wee desire only that this may testyfy to yo\textsuperscript{w} \& others that wee are tender of the least a\textit{sp}ion w\textsc{th}, either directly or obliquely, may bee cast vpon the state

16 2 9.

28 May, 
& to punish offend\textit{ers} in that kind, &c.
heere, to whom wee owe soe much duty, and from whom wee have received
soe much favo" in this plantaçon where yo" now reside. Soe, wth o" lone and
due respect to yo" callings, wee rest.

Ye" loving freinds,


R: SALTONSTALL, MATT: CRADOCK, Go',
ISA: JOHNSON, THO: GOFF, Dep',
GEO: HARWOOD, Trér, JOHN WINTHROP,
THO: ADAMS, SYM: WHETCOMBE,
WILL: VASSALL, W" PINCHION,
JOHN REVELL, FRANCIS WEBB.

Mr Skelton & Mr Higgison/

Letter from the Governor and Company to Governor Endecott.

Sr: As wee haue written at this tyme to Mr Skelton & Mr Higgison
touching the rumo's of Jo: and Sam: Browne, spread by them upon
their arrivall heere, concerning some vnadvysed and scandalous speeches
uttered by them in their publique sermons or prayers, soe haue wee thought
meete to advertise yo" of what they have reported against yo" and them
concerninge some rash iûovaçons begun & practized in the civill and ecclesias-
ticall goûm'. Woe doe well consider that the Brownes are likely to make
the worst of any thing they have observed in N: England by reason of yo"
sending them back against their wills for their offensive behavio', expressed
in a gefall ire from the Company there. Yett, for that wee likewise doe con-
consider that yo" are in a goûm' newly founded, & want that assistance w" the
weight of such a business doth require, wee may haue leave to think that
it is possible some vn digested counecells haue too sodainely bin put in execu-
çon, w" may haue ill construcCanon w" the state heere, and make www obnoxious
to any adversary. Lett it, therfore, seeme good vnto yo" to bee very sparing
in introducing any lawes or comands w" may render yo' selve or vs distaste-
full to the state heere, to w" (as wee ought) wee must and will have an obse-
quious eye. And as wee make it o' mayn care to haue the plantaçon soe
ordered as may bee most for the hono" of God & of o' grations somaigne,
who hath bestowed many large p'uiledges and royall favo's vpon this Com-
panie, soe wee desire that all such as shall, by word or deede, doe any thing
to detract from God's glory or his majesty's honor, may be duly corrected, for
their amendment and the terror of others. And to that end, if you know any
thing which hath bin spoken or done, either by the ministers (whom the
Brownes doe seeme tacerly to blame for some things uttered in their sermons
or prayers) or any others, wee require you, if any such thinge bee, that you
forme due process against the offender, and send it to vs by the first, that
wee may, as our duty bindes vs, use means to have them duly punished.
Soe, not doubting but wee haue said enough, wee shall, repose o'selves upon
you' wisdom, and doe rest

You' loving freinds.

Dated and signed as the former to Mr. Skelton & Mr. Higgison/
To the God's, Capt. Endecott./

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