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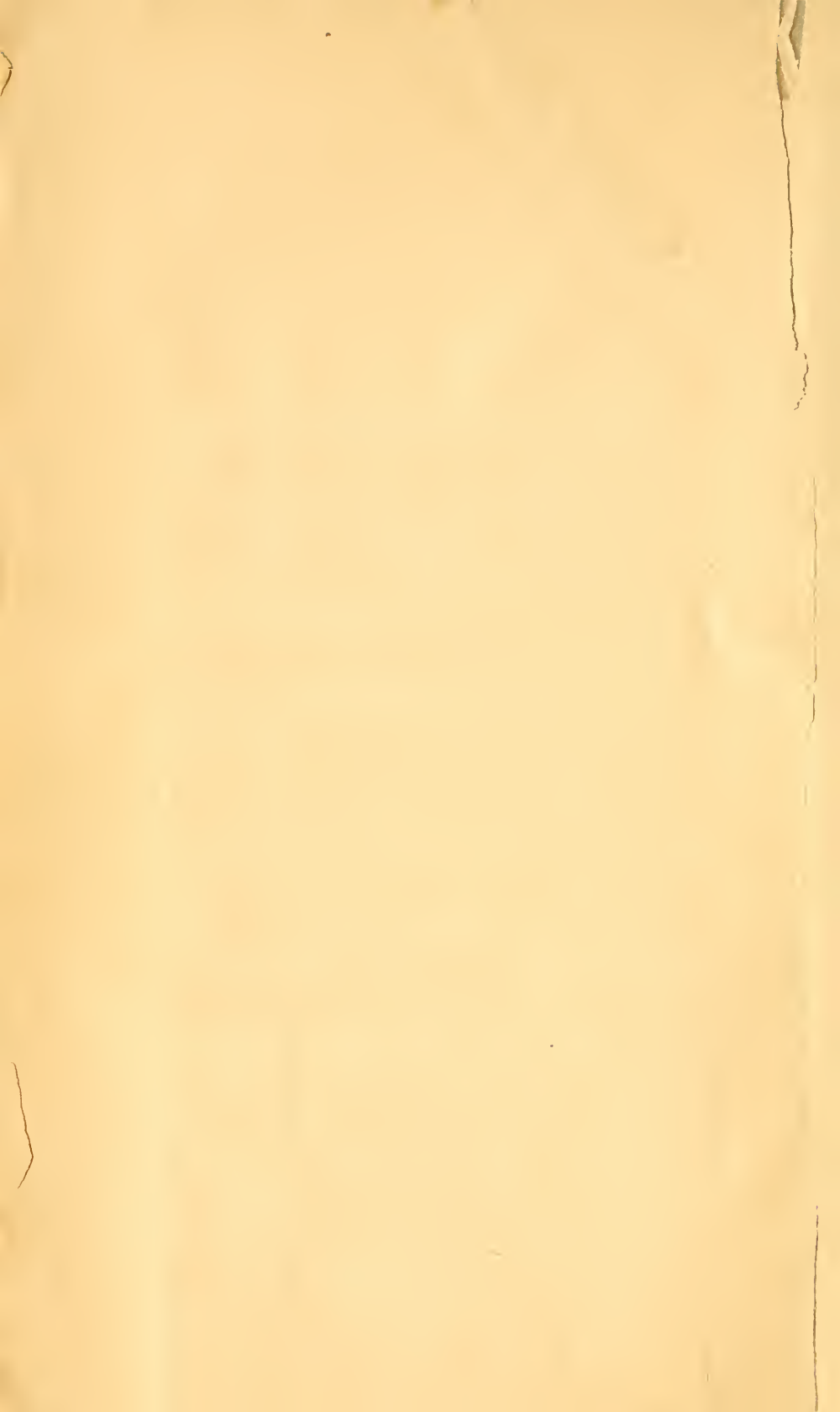
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AN

HISTORICAL MEMOIR

OF THE COLONY OF

NEW PLYMOUTH,

FROM THE FLIGHT OF THE PILGRIMS INTO HOLLAND IN  
THE YEAR 1608, TO THE UNION OF THAT COLONY  
WITH MASSACHUSETTS IN 1692.

BY FRANCIS BAYLIES.

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WITH SOME CORRECTIONS, ADDITIONS, AND A  
COPIOUS INDEX,

BY SAMUEL G. DRAKE.

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VOLUME I.

CONTAINING PARTS ONE AND TWO.

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AMHERST, MASS.



# C O N T E N T S .

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## VOLUME I.

PART I.—Preface, . . . . .	Pages i. to xii.
From the time of Henry VIII. to the end of twenty years from the Landing at Plymouth, . . . . .	1 to 321
PART II.—From 1641 to the commencement of the War with King Philip, . . . . .	1 to 286

NOTE BY THE EDITOR.

In order to equalize the size of the volumes as far as possible, all the Editor's additions have been formed into a FIFTH PART, and placed at the end of the work.

## P R E F A C E .

SOME of the towns which were once included within the ancient colony of New Plymouth, contain at the present day a population more numerous than the whole population of that colony at any time during the first twenty years of its existence.—But no small commonwealth, not even a Greek republic, ever afforded to history in so short a period, so many materials alike interesting and instructive.

In the earliest period, the colonists of Plymouth are to be considered rather as a voluntary association of independent individuals, than as subjects of the crown of England receiving protection, and yielding allegiance.

Their history may properly be divided into four periods.

During the first they enacted laws, entered into treaties, made war and peace, and exercised all the powers of sovereignty almost escaping the notice of the English government.—They were alone in a wide wilderness, and they assumed sovereign power from necessity rather than choice :—this period is full of events :—difficulties with the natives ;—domestic factions ;—religious quarrels ;—repeated attempts to obtain a royal charter, and a continued effort to save themselves from the desolations of war, and the sufferings of famine.

At this period trifling incidents assume a character of importance far transcending their intrinsic interest, inasmuch as they serve to indicate that active and energetic spirit, that patient fortitude, that stern yet submissive religion, which taught the pilgrims to endure and to hope, and while they relied on divine protection, not to neglect the 'human means.'

So full of dangers was this period, that it was only by the consummate prudence of Bradford, the matchless valor of Standish, and the incessant enterprise of Winslow, that the colony was saved from destruction.

The submissive piety of Brewster, indeed, produced a moral effect as important in its consequences, as the active virtues of the others.

These were the men who produced a greater revolution in the world than Columbus. He in seeking for India discovered America.—They in pursuit of religious freedom established civil liberty, and meaning only to found a church, gave birth to a nation, and in settling a town commenced an empire.

The colonists after surmounting the earliest difficulties, suppressing the faction of Oldham and Lyford, and quieting the natives by exciting their fears, and winning their affections, undertook, in 1636, to establish a criminal code; to define and limit the power and authority of their rulers, and to ascertain and declare the extent of their own rights and privileges by law.

In 1639, a change was effected in the government which at the time scarcely attracted notice, it being considered as an affair of convenience only; and yet it substituted a representative for an actual democracy, by vesting in the deputies of seven towns the power which had been previously exercised by the whole people:—the extension of the settlements virtually prevented

them from exercising their legislative rights in person, and to distribute legislative power in fair and equal proportions it became necessary to delegate it.

Having, under the patent of 1629, obtained (as they supposed) a title to the soil comprised within their limits, the colonists proceeded as their increasing population required, to occupy vacant lands, and to extinguish the Indian title to others by mutual agreement, and by the payment of an equivalent.

The surrender of the patent (which had been taken in the name of Governor Bradford) to the whole company, and the issuing of the charters to the several towns in the colony in 1640, terminates the first period of this history.

From 1641 to 1675, a period of more than thirtyfour years, the history of the colony (with one exception) presents but few momentous events. During this second period, a profound peace was maintained with the natives. English settlements incorporated as towns were extended in every direction, and the territory was nearly covered by English grants. There were no domestic feuds or ecclesiastical controversies. Sectarians it is true occasionally disturbed the tranquillity of the inhabitants of this little commonwealth; but persecution with them assumed its mildest form, and their annals have escaped that deep and indelible stain of blood, which pollutes the pages of the early history of their sterner and more intolerant brethren of Massachusetts.— They were somewhat apprehensive of the commissioners who were sent out by King Charles II. to examine the condition of the colonies, and to correct abuses, but in Plymouth there were no complaints, because there were no wrongs. In 1643 a union or confederation was effected between the colonies of Plymouth, Massachusetts, Connecticut, and New Haven, to which at first

Saybrook, then a separate and independent settlement on Connecticut river and which had been granted to Lord Say and Sele, Lord Brook, and Sir Richard Saltonstall, was admitted as a party, but which soon after lost its distinctive political character by a union with Connecticut. The principal objects of this confederation were to secure a harmonious cooperation in religious affairs ;—to adopt means for the surrender of servants, criminals, and fugitives from justice, escaping from one jurisdiction into another : by establishing an alliance offensive and defensive to provide for the common defence in war, for which soldiers were to be raised and money assessed in ascertained proportions, and for the prevention of wars, no colony was to wage one individually or without the consent of six out of the eight commissioners.

The spirit of enterprise which found its first employment in controversies with the natives took another direction, and in the prosecution of commerce found the real source of prosperity and wealth. Frugal and prudent from necessity, and industrious from habit, the colonists continued to advance by sure and certain steps in their career of successful exertion, until the breaking out of that horrible war which bears the name of its author, and which terminates the second and commences the third period of this history.

Romantic indeed is the history of this third period, full of incident, exciting events, and high and heroic action. The war which fills this period of colonial history was a contest for existence.—It was the death struggle between the white and the red races, and the fate not only of Plymouth but of all New England was involved in the issue. Philip, the Tecumseh of his age, was the chief of a confederacy which embraced nearly all the tribes of New England ; but his own residence and that of his native

tribe was within the territorial jurisdiction of Plymouth, and therefore much of the danger and much of the suffering which were occasioned by the war, fell upon that colony.—The whole population were transformed into soldiers.—Every settlement contained garrisoned houses, and the martial spirit was kindled even in the bosoms of the women and children. The success of the English gave to them the disposal of the remaining lands of the Indians. They permitted a few miserable natives to hold some narrow possessions on sufferance, (an evidence of their conquest and debasement,) within that ample domain, once the heritage of their ancestors. Their numbers lessened.—They mingled with the blacks:—their distinctive character was lost, and the only physical evidences which now remain of a ‘previous people,’ are their uncoffined skeletons, which are occasionally exhumed, as though fate had determined to deny even to their bones, a resting place in that soil over which they once had roamed, the proud and solitary lords of the primeval forest.

The dominion of the colony was now firmly established, and the colonists were relieved from all apprehensions of Indian hostility, and the fourth period in their history commences.

During that period they in common with the other colonies of New England, suffered under the oppression of Sir Edmund Andross, and rejoiced in his overthrow. The revolution of 1688, restored them to independence. After the accession of William and Mary to the throne of Great Britain, but little regard was manifested for their peculiar rights, and as a measure of political convenience this colony was annexed to the younger but more powerful sister colony of Massachusetts in 1692, having existed as an independent government for a period of seventyone years.

The people of Plymouth submitted to this arrangement with reluctance, but as the evil was unavoidable, they bore the loss of their independence with equanimity, and deported themselves as loyal subjects of the crown, and as good citizens of the Province, and as the laws, religion, customs, and principles of the Massachusetts' colonists were nearly similar to their own, they soon amalgamated and became one people.

It would be presumptuous perhaps to call this humble work a history: its relations are so minute, and to many may appear so trifling, that the common usage of the world would require that it should assume no higher name than that of memoir, yet a narrative of the earliest settlement of Rome or England as circumstantial, as minute, and as accurate as that which now exists respecting the settlement of New Plymouth, would be prized by scholars and antiquarians as the most precious of all the treasures of history. Events which are obscured by the duskieness of antiquity excite an indescribable, peculiar, romantic, and mysterious interest, and could the very field be now pointed out through which a Roman consul had guided the plough:—could the very spot be ascertained where a Dictator had entered the *eternal city* in all the honors of a lawful triumph:—could the wild, dark haunts of the Druids be opened to the light, or the places identified where the soil of England had been pressed by the feet of Julius Cesar, or of Hengist and Horsa, or of William the Conqueror, the enthusiasm of the age would consecrate such ground, and no divine information would be required to proclaim its holiness.

An attempt to arrange events which now are scattered through various books, although it may at best be considered but an effort at compilation, is entitled as the author apprehends to some



favor.—Time has already begun to throw his shadows over the earlier part of American history, and before the light fades entirely away, the slightest effort to arrest the fall of that dark curtain, which like the funeral pall covers all that have lived, and to present men and things as they actually were without leaving the future historian like the historian of antiquity, to grope his uncertain way by the dim and hazy light of an age fabulous, and heroic, is entitled not only to favor but to indulgence.

Fortunately an account of the earlier proceedings of the Plymouth colonists exists in the relations of Mourt and Edward Winslow: to these relations the annals of Prince are an invaluable appendage as they contain the only portion of the history written by Governor Bradford which terminated in 1646, and which contained a full, accurate, and minute account of all the transactions of the colony to that period.—This history is lost, and no trace of it remains except in these annals, which are only extended to the beginning of August, 1633, although it was the intention of the author to have brought them down to 1730. Both Winslow and Bradford were personally concerned in all the transactions which they related, and as their veracity was unimpeachable, their writings are entitled to unlimited credit.

The work of Secretary Morton called the New England Memorial, contains much valuable information, although it has not the minuteness of detail which characterises the works of the others. It is rather like an official record interspersed with accounts of remarkable events, and special interpositions of Providence. Many interesting facts have been collected from the notes and appendix in the last edition of this work by the Hon. John Davis.

Some interesting matter touching the history of this colony is found in Winthrop's Journal, particularly in the notes to the last Edition by the Hon. James Savage, and in Mather's *Magnalia*, and Hubbard's history, as well as in the narrative which the latter has written of the Indian wars.

Some valuable information has been gleaned from the collections of the Historical Society of Massachusetts, especially from such as relate to the settlement of the ancient Towns in the Colony, and their ecclesiastical and local history.

A homely narrative of the transactions in which Colonel Church was personally engaged during Philip's war, of which he was the hero, has been consulted.—This narrative was written by a son of Church, from the notes and information of the father, and under his inspection, and was published during his life. It may therefore be relied on for its accuracy.

Hutchinson's History of Massachusetts, Trumbull's History of Connecticut, and the second volume of Belknap's Biography, have been examined, — particularly the last, in which the author has condensed in a clear, perspicuous and elegant manner, almost all the earlier history of the Colony from Mourt, Winslow, Prince and Morton.

Much information as to the laws has been gained from the ancient manuscript records.

With a view to the history of Philip's war, three very scarce tracts which were all published in London, in 1675 and 1676, and which were once in the library of Sir Walter Scott, and were by him presented to an American gentleman, have been examined. The first is entitled 'The Present State of New England with respect to the Indian War.—Wherein is an account of the true reason thereof, (as far as can be judged by men.)

Together with the most remarkable passages that have happened from the 20th of June, till the 10th of November, 1675. Faithfully composed by a merchant of Boston, and communicated to his friend in London.\*

This work is full of errors, and it cannot be trusted except where the Author was an eye-witness to what he relates. Saussaman is said to have been sent by the Governor of Plymouth to convert Philip to Christianity, and that for this he was seized and sent to Plymouth by Philip, and while on his way there exhorted his guard to receive the gospel, which so much incensed them that they put him to death, and that it was not until two or three months after his death that his body was taken from its grave! Massasoiet is called the grandfather of Philip! In this history is contained the account of the exploits of Cornelis the Dutch pirate, which Hutchinson has quoted.

‘The second tract is entitled “A new and further Narrative of the State of New-England being a continued Account of the Bloody Indian War from March till August, 1676. Giving a perfect relation of the several devastations, engagements, and transactions there; as also the great successes, lately obtained against the Barbarous Indians, the reducing of King Philip, and the killing of one of the Queens, &c, together with a Catalogue of the losses in the whole, sustained on either side, since the said War began as near as can be collected.’†

This account is far more correct than the first. It generally coincides with the other histories, and some facts not mentioned in

\* Printed for Dorman Newman, at the King’s Arms in Poultry, and at the Ship and anchor, at the Bridge-foot, on Southwark side 1675.

† London printed by F. B. for Dorman Newman, at the King’s Arms in the Poultry, 1676.

those are disclosed which bear strong marks of authenticity. It was written July 22, 1676, and appears to have been preceded by two other letters.

The third is entitled 'A true Account, of the most considerable Occurrences that have hapned in the Warre between the English and Indians in New-England, from the fifth of May, 1676 ; to the fourth of August last ; as also the successes, it hath pleased God to give the English against them, as it hath been communicated by letters to a friend in London. The most exact account yet printed.'\*

This short account, although it was written before the war had terminated, and when there were many crude reports in circulation, is very accurate, and agrees in most respects with the subsequent histories.

All these tracts appear to have been written in the form of letters by residents in Boston to their friends in London.

From these sources this Memoir has been compiled, its merit is not in its novelty, as nothing now can be gleaned from tradition. It is a collection of historical facts which are scattered through many works, and is the first attempt to embody a connected history of the most ancient colony in New-England.

\* London, printed for Benjamin Billingsley, at the Printing Press in Cornhill, 1676.

HISTORICAL MEMOIR  
OF  
PLYMOUTH COLONY.

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CHAPTER I.

Quarrel between King Henry VIII. and the Pope.—Protestant Schism.—Edward VI. Favors the Protestants.—Persecution of the Protestants in the Reign of Queen Mary.—Persecution of the Puritans in the Reign of Queen Elizabeth.—Robert Brown, Richard Clifton, and John Robinson, gather a Congregation amongst the People of Lincoln, Nottingham, and Yorkshire.

WHEN Henry VIII. threw off the yoke of the Roman Church, he retained many of its tenets. Although the principles of Wickliffe, the earliest of the English reformers, had made some progress in some of the preceding reigns, yet at the commencement of his, the Protestants, were not known as a sect. The passions of the monarch produced a more thorough revolution in England, than was effected on the continent by the zeal and learning of the early reformers, instructed and animated as they were by the gigantic intellects and matchless courage of Luther and of Calvin. Frustrated in a favorite project in which his heart was concerned, the rage of the monarch was in-

flamed to an implacable degree against the Pope. Resolute, fearless, and revengeful, none but one like him could have overthrown that mighty fabric of ecclesiastical power, which was engrafted on all the national institutions of Europe, and which it had been the work of centuries to rear. By declaring himself the supreme head of the Church of England, he discovered a disposition reckless of consequences and daring to the verge of desperation. This revolution was not caused by any dislike which the king entertained to the creed, or the ceremonies of the Church of Rome, for in early life he was attached to its doctrines with all the zeal and fondness of an enthusiast, and the title of 'Defender of the Faith' first bestowed on Henry by Leo X. for his zeal and orthodoxy in combating the doctrines of the heretic Luther, still distinguishes the protestant kings of England. Many of the ceremonies of the papal church were preserved, and most of its articles of faith, and the reformed church of England still maintained in its form of worship a degree of splendor far surpassing that of the simple and intellectual worship of the followers of Calvin. The hierarchy was retained, the people still continued to reverence the arch-bishops, the bishops, and the other grades of prelates of the new establishment; but the Catholic religion had received a mortal blow,—the protestant church acknowledged no earthly head but the King, and the dominion which the Popes had maintained over the feelings, opinions, and passions of the people, so powerful at times as to overcome their principles of loyalty, and their oaths of allegiance to their own sovereigns, was completely subverted. The avarice of the King completed the work which his anger commenced; the suppression of the monastic establishments established his power on a firmer basis, and their spoils enriched his treasury: the law permitting the

clergy to marry, and the general diffusion of the holy scriptures amongst the people completely destroyed the connexion, political and ecclesiastical, between the kingdom of England and the church of Rome; and while the monarch defied, the people learned to despise the anger of the Pope.

In the reign of Edward VI, the son and successor of Henry, the articles of faith were conformed more to the doctrines of Calvin, but the church retained its magnificent form of worship: the higher dignitaries of the establishment represented their order in the aristocratic branch of the national councils and mingled on equal terms with the peers of the realm, although Hooper, a man of great eloquence and learning, even in that reign, had resolved to refuse a bishopric rather than suffer himself to be clothed in an episcopal habit.

The bigotted Mary drove into exile many of the ablest and most learned protestants, and the sufferings of their brethren who remained, and maintained their faith at the stake, and obtained the crown of martyrdom in the flames, excited all the sympathy of the protestants on the continent. The exiles were received with hospitality and affection by the Calvinistic churches of Frankfort, Geneva, Basil and Strasburgh. A church was gathered at Geneva, by the famous William Whittingham, who fled from the persecution of Mary, and abandoned a great estate in England,—which, in its discipline, government, and form of worship, is said to have varied but little from that of the congregational churches of the present day. Suffering under the persecutions of the Catholics and their bloody Queen, the exiles imbibed an unconquerable dislike to all the modes of worship which had the slightest resemblance to that of Rome. After the death

of Mary and the accession of Queen Elizabeth, they returned home inflamed with a sense of their wrongs, and disgusted with the ceremonies of the English church, reestablished as it was on a protestant foundation, because they thought those ceremonies savored too much of the superstition, and mummary, and idolatry of Rome—ardently attached to the more simple mode of worship which they had seen, and practised abroad, and cherishing the deepest veneration for the doctrines of the people with whom they had dwelt during their exile. The love of equality, a feeling natural to the human mind, was gratified with the idea that as in the kingdom of Heaven there was no respect for persons, and as the disciples and primitive Christians acknowledged no earthly rank, and only adored the God of the Heavens and the Earth, and revered their master and mediator, as his son, so on earth there should be no ecclesiastical rank, and men should be esteemed only in proportion to their spiritual gifts and attainments. Elizabeth was obliged at the commencement of her reign to humor these notions. A large proportion of her subjects still adhered to the Catholic doctrines, and she was threatened from abroad with the hostility of the Pope, and of all the Catholic Princes of Europe, and many of her ablest and most faithful servants had embraced the doctrines of the exiles; but the Queen (having established herself firmly on the throne, and having overawed all her foreign enemies, and being respected as the head of the protestants throughout Europe,) felt secure from all danger of rebellion:—fond of magnificence, and having the power under the laws of the realm, severely to punish non-conformists, arbitrary in her principles, and stubborn in her opinions, she soon resorted to her legal powers to punish those who dared to think for themselves on the subject of religion, and the *Puritans*, a name



which this class of people had received from their pretensions to superior piety in religion and purity of conduct, were persecuted for what was termed error in opinion,—the clergy of this sect were deprived of their benefices, fined and imprisoned, and some were even put to death. Although the avowal of their opinions hazarded their safety, yet persecution inflamed their zeal, and strengthened their inflexibility; they studied the scriptures day and night, and they imagined that their opinions respecting church government, were supported by the authority of inspiration and by the mandates of the divine Author of their religion. They discovered no external marks of splendor in the primitive christian churches; the gospel was taught from the mouths of the poor, and the lowly. But the christian religion as felt and practised in the days of Queen Elizabeth, shed none of its mild, peaceful, and charitable influences upon the hearts of men;—sectarian zeal smothered the zeal for gospel truth, and religion was only another name for party.—The Puritans possessed as little toleration as their persecutors, and felt no pity for the Arian, or the Anabaptist, when writhing in the flames for imputed heresy. Almost every religious sect has had its martyrs, and its miracles, its infallible creed, its persecutions, and its catalogue of damnable heresies, and like the fabled sphynx has ever been ready to destroy those who could not explain the riddles, into which, they had transformed the plain truths of the gospel. Elizabeth a princess of uncommon sagacity, seemed to have lost it all on the subject of religion;—hating the Catholics on one hand, and despising the Puritans on the other, she would herself set up the standard of orthodoxy, to which she had determined that all should conform. At her instigation, the two houses of Parliament, obsequious to her will, consented to an act ‘by which every person who should absent him-

self from *church* during a month was subjected to fine and imprisonment; and if after conviction, he did not within three months renounce his erroneous opinions, and conform to the laws, he was obliged to abjure the realm — but if he either refused to comply with this condition, or returned from banishment, he should be put to death as a felon, without the benefit of clergy.' This tyrannical and persecuting law was followed by the usual consequences of such laws.

All who had favored the Puritans were then induced to believe, that if in their distresses they deserted them it would be at the expense of honor, and at the risk of infamy.

From an apprehension that their principles might be abandoned through fear, their consciences became sensitive. Deliberate opinions grew out of doubtful predilections,—and wavering inclinations. Those opinions soon became fixed and ruling principles, influencing all their conduct, absorbing all their attachments, and exciting all their enthusiasm. The moral man was changed, and he existed but for one purpose.

To understand the principles and motives of human action, it would be well to revert to the origin and progress of the christian religion. After the Almighty had ceased to manifest his power by miracles, and his will by inspiration,—after giving to man a basis for his faith, in the birth, acts, sufferings, death and resurrection of his son, and the miracles of the apostles, he withdrew his visible glory from the earth, and left the remainder of his designs to the operation of human reason and of natural causes. The primitive Christians opened the prospect of a paradise on earth, but when their successors had won their way to temporal power, and had grasped with eager hands the pillars of the throne, the frailties of humanity

mingled with devotion, and the articles of faith were imposed by the sword. When the barbarians who subjected the Roman Empire knelt at the altar, and embraced the cross, their rude minds unable to realize the pure doctrines of him 'whose kingdom was not of this world,' and yet reverencing those who had diverted them from the senseless worship of a sabre, or the bloody worship of Woden, and had led them to the fountains of immortal life, in the warmth of gratitude and devotion, invested these spiritual teachers with temporal power, and the bishops became princes;—hence politics were blended with religion, hence the union of church and state. The intrigues of the statesman suspended the devotion of the warrior, and the votaries of the gospel, instead of seeking the kingdom of heaven, sought kingdoms on earth. The study of the scriptures was neglected for the study of politics, the clerical character was slighted—priests became statesmen and courtiers and candidates for civil distinctions, and cardinals often guided the councils of the Italian states, of Spain, France, Scotland, and England. The Popes pursued their career of ambition and aggrandizement with all the zeal and energy of temporal monarchs, and succeeded in establishing a despotism over the mind, more thorough than that which was established by their republican and imperial predecessors over the liberties of mankind. The prelates of the reformed religion enjoyed some portion of the consideration, respect, and power, which had attended their predecessors, but they were unable to stay the spirit of reformation in its progress.—When the human mind is released from the restraint of ancient and long settled opinions, and its accustomed habits of obedience, it is apt to run riot with numberless vagaries and fantasies—with new and crude notions. In the breaking up of the great deep, many novel and

strange appearances are presented, and in the feverish excitement of the time, whatever floats on the surface, whether worthless or valuable, is grasped with eager hands. So various are the lights in which the subject of religion is viewed by different persons, so various are the modes by which the mind is brought to its conclusions, and so many arguments may be drawn from the holy writings to favor the pretensions of different sects, that it is not a matter of wonder that the christian world has been divided into numberless parties, each maintaining with all the zeal of conviction the truth of the system embraced by themselves. Men of rank, and of wealth, fearful that the introduction of new opinions will disturb the tranquillity of society, always resist innovations, and always sustain the established institutions both in church and state : hence it is, that novel notions either in religion or politics generally germinate in the humbler ranks of society, and the energy and perseverance with which they are pursued, are in the ratio of the zeal with which they are embraced.

Amongst the most zealous of the Puritans was a preacher of the name of Robert Brown, a man of bold and ready eloquence, and of showy and popular talents ; he was the first who taught the people the perfect equality of all those who joined the church of Christ, and he refused to acknowledge any authority in church government,—maintaining the new and daring doctrine, that his church was amenable to none, and that any one might be consecrated and set apart for the priesthood by the election of the brethren without any sanction from an archbishop, bishop, or synod, or any authority whatever out of the church itself, and that no form was necessary for the consecration of a pastor but the imposition of hands. Although this daring innovator afterwards abandoned his principles, conformed to the established religion, and re-

ceived a benefice, yet his early opinions favoring the popular notions of equality in church government, took deep root amongst the humbler descriptions of the people, many of whom, living on the confines of Lincoln, Nottingham, and Yorkshire, were gathered into a congregation by the influence and preaching of Richard Clifton and John Robinson, about the year 1602 : they entered into a solemn covenant, devoting themselves to the service of God, and to the aid and comfort of each other, and endeavored to conform to the practice and the doctrines of the primitive church of Christ ; they were more rigid in their practice than the other Puritans, and totally separated themselves from the established church ; they were popularly known at first by the name of BROWNISTS, a name derived from their founder, but which they always disclaimed as a distinctive appellation.

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## CHAPTER II.

Persecution of the Puritans in the Reign of James I.—Clifton and Robinson's Congregation escape into Holland.—Are established at Leyden.—Doctrines maintained by Robinson's church.

WHEN James I. came to the throne of England, Bancroft was the Arch-Bishop of Canterbury ; the king was influenced by his counsels, and the Puritans experienced all the terrors of persecution ; some were imprisoned, and all were harrassed by oppressive laws ; many were compelled to abandon their occupations, and to confine themselves to their houses.

Wearied at last with these continual persecutions, Robinson's church determined to abandon their country, and to seek some other in which they might enjoy their worship, and their opinions unmolested. After some abortive attempts to leave England, in which they were detected, and for which they suffered severely, they succeeded in the spring of 1608 in hiring a Dutch vessel to transport them to Holland :— the sagacity of the rulers of this commercial Republic had made them sensible of the advantages of universal toleration, at a time when that policy was rejected by the whole christian world.

A part of Robinson's society having embarked, the captain of the ship was intimidated by the appearance of an armed force on the coast, and put to sea without waiting for the remainder, and after a voyage of fourteen days

arrived at Amsterdam. The wives and families of those who had embarked, soon joined them, and the remainder of Robinson's church went over in the summer of 1608. They were joined in the same year by their venerated pastor. The aged Clifton died previous to their embarkation.

A congregation of English puritans under the care of John Smith, had been gathered at Amsterdam previous to the arrival of Robinson, but some dissensions happening amongst them the church was dissolved. Robinson, fearful of the effects which might follow from such an example, persuaded his church to remove to Leyden, which they did after remaining a year at Amsterdam.

At Leyden they lived harmoniously amongst themselves, and were greatly respected by the Dutch for their diligence, fidelity, and good morals; the magistrates having occasion to reprehend some of the French Protestants who also resided in their city, made this public declaration, 'these English have lived amongst us ten years, and yet we never had any suit or accusation against any of them.' Their numbers were increased, and at the end of eleven years the church had three hundred communicants.

Robinson was a learned and pious man, well versed in theology, and a subtle disputant. He had adopted the creed of Calvin, and a dispute having arisen between the two professors of theology in the university, one being a disciple of Calvin and the other of Arminius, the people entered zealously into the dispute, and the aid of Robinson was sought by the Calvinists, and according to the account of Bradford, who was present, (but a partial witness however,) completely foiled Episcopus the Arminian professor. He relaxed however from his rigid principles of separation, and allowed the pious members of the Church of England, and of the reformed churches gene-

rally, to communicate with his, making this public declaration, that he separated from no particular church, but from the corruption of all churches. The particular sentiments as to ecclesiastical government which were held by the church over which Robinson was pastor, and which had a peculiar influence upon the conduct and character of the settlers of Plymouth, have been comprised under the following heads.\*

(1) 'That no church ought to consist of more members than can conveniently meet together for worship and discipline.'

(2) 'That every church of Christ is to consist only of such as appear to believe in and obey him.'

(3) 'That any competent member of such, have a right, when conscience obliges them, to form themselves into a distinct church.'

(4) 'That this incorporation is by some contract or covenant, express or implied.'

(5) 'That being thus incorporated, they have a right to choose their own officers.'

(6) 'That these officers are *Pastors*, or teaching Elders, *Ruling Elders*, and *Deacons*.

(7) 'That Elders being chosen and ordained, have no power to rule the church but by consent of the brethren.'

(8) 'That all elders and all churches are equal in respect of powers and privileges.'

(9) 'With respect to ordinances, they held that *baptism* is to be administered to visible believers, and their infant children; but they admitted only the children of communicants to baptism. That the Lord's supper is to be received sitting at the table, (whilst they were in Holland they received it every Lord's day.) That ecclesiastical

\* Dr Belknap's Life of John Robinson.



censures where wholly spiritual, and not to be accompanied with temporal penalties.' .

(10) 'They admitted no holy days but the Christian sabbath, though they had occasionally days of fasting and thanksgiving; and finally, they renounced all right of human invention, or imposition in religious matters.'

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## CHAPTER III.

Robinson's Congregation resolve to Emigrate to America.—Negotiations with the Virginia Company.—Robinson's Sermons to those who had resolved to go.—Pastoral Letter.—Part of the Congregation embark for England, and afterwards for America.—Their Voyage across the Atlantic.—Treachery of the Captain.—They reach Cape Cod Harbor.—Subscribe a Governmental Compact.

ROBINSON and his church, after a residence of eleven years at Leyden, came to a determination to emigrate to America. The reasons which induced them to adopt this bold design, were such as reflect much honor upon their moral and patriotic character. The loose habits of the commercial people with whom they sojourned, and their careless observance of the sabbath, produced in the minds of these austere and pious people an apprehension that their children might be contaminated by the effects of evil intercourse, and might be drawn by the prospect of commercial advantages or by the allurements of pleasure (which a great city so abundantly affords) from their habits of religious simplicity, and from the contemplation of those subjects to which they had devoted all their affections, and on which they considered their eternal welfare to depend. Although England had driven them from her bosom, yet their long absence had not destroyed that devoted attachment which they cherished in their hearts to the land which gave them birth: they could not endure the reflection that their children would lose their national

character and the language of their fathers. They wished to live under the dominion of their native sovereign, in any part of his empire in which they could enjoy their religious faith unmolested, and they cherished a lively hope that they should be able to rear the true church of Christ in the American wilderness, and still form a part of the English nation.

Some other considerations strengthened their resolution to abandon Holland, amongst which were the extreme difficulty of subsisting themselves ; many who came over from England with fair fortunes, after exhausting them, were either compelled to return, or to live meanly there ; they considered the climate as unfavorable to health, and having been educated to husbandry, they could not readily accommodate their habits to those of the mechanical and commercial people of Leyden, and many fell into premature old age from excessive labor. Influenced by all these considerations, they persisted in their determination to emigrate, but hesitated some time as to the place.

The Dutch made them advantageous offers if they would settle in some of their foreign plantations, but so invincible was their attachment to England that their offers were rejected. Some were for settling in Guiana. After several days of fasting and humiliation, in which they humbly sought the Lord to throw light on their paths, it was resolved to emigrate to that part of America which was then known by the name of Virginia, and which, at that time, included all that part of North America which was claimed by the English. Although they entertained many apprehensions respecting this course, yet, they seemed to have but a choice of difficulties. In addition to the moral reasons for removing to that part of America, they were under some apprehensions that the war between the Spaniards and the Dutch might be renewed, as the truce which had

existed between those nations for nearly twenty years was about expiring, and if the Spaniards were successful, their situation would be deplorable. This consideration induced them to take the chance of living in a country which might be considered as under the jurisdiction of the throne of England, and reconciled them to the prospect of their toils in subduing a wilderness, and of encountering the difficulties and dangers of savage warfare.

Induced by these considerations, they appointed John Carver and Robert Cushman their agents to go to England for the purpose of making an application to the Virginia company, and also to ascertain whether King James was disposed to tolerate them in the practice of their religion, in the uninhabited wilderness which they proposed to occupy.

The agents proceeded to England with letters from the congregation to Sir Edwyn Sandys and Sir John Worstenholme, two principal members of the Virginia Company.

In simple and touching language they described their feelings and the reasons which induced them to emigrate. 'Weaned from the delicate milk of their own country, and so inured to the difficulties of a strange land, that no small things would discourage them, or make them wish to return home, they had acquired habits of frugality, industry, and self-denial; and were united in a solemn covenant, by which they were bound to seek the welfare of the whole company, and of every individual person.' The letters also contained an exposition of their religious creed: they represented themselves as agreeing with the French reformed churches in faith and in discipline, and differing only in some incidental points.

The Virginia company received their application favorably, the letter was not submitted to the king and council, but Sir Robert Norton, the Secretary of State, was in-

duced to use his influence with archbishop Abbot, who had succeeded Bancroft, and who was a prelate of mild disposition and tolerating principles, and by his kind offices the king was with some difficulty induced to say that he would connive at their worship, but denied any official toleration.

The agents obtained nothing but verbal promises, and returned without any written grant, or charter of rights; but upon the whole, the Leyden congregation were satisfied. Trusting to hope, and sustained by religion, they came to a final determination to emigrate. They could not, however, transport themselves to America without assistance, and for this purpose they were induced to apply to the merchant adventurers composing the Virginia company, but before they could settle terms with them, in consequence of the dissensions which prevailed in the company, and their desire to obtain the most favorable they were delayed for more than two years.

The Virginia company, in their connection with Robinson's congregation, regarded only the commercial profits which they expected to derive from their settlement in America, and felt none of that holy zeal which impelled this pious people to abandon the luxuries and the comforts of civilized society, and to seek the wilderness. This company had obtained a monopoly of the trade under certain restrictions for a certain period. But they had never acquired any title to the soil. The whole, excepting a small part of Virginia, and a small Dutch settlement on the North River, was in the possession of the Aborigines. It was said, however, that a patent was taken for the use of Robinson's congregation, at the instance of the agents in the name of Jacob Wincob, a religious man of the

family of the Countess of Lincoln, but this story rests on tradition ; at any rate, the patent was never used.\*

In order to ascertain the precise terms to which the Virginia company were willing to accede, the Leyden congregation sent their agents once more to England. After considerable negotiation, they were induced to conclude an agreement with the Merchant Adventurers on the following hard terms, viz :

1st. That every person who went, being sixteen years old and upwards, should be rated at £10, and that £10 be accounted a single share.

2d. That every one who went and furnished himself with £10, either in money or provisions, should be estimated at £20 in stock, and in the division of profits should receive a double share.

3. That the partnership between the planters and adventurers should continue seven years 'except some unexpected impediments do cause the whole company to agree otherwise,' and that 'all the profits and benefits obtained during the time by trade, traffic, trusting, working, fishing, or any other means of any other person or persons remain still in the common stock till the division.'

4. That they should upon their arrival choose a number of fit persons to furnish their ships and boats for fishing upon the sea, employing the rest in their several faculties upon the land, as building houses, tilling and planting the ground, and making such commodities as shall be most useful for the colony.

5. That at the end of the seven years, the capital and the profits, viz : the houses, lands, goods and chattels be equally divided amongst the adventurers — if any debt or detriment concerning this adventure.

\* Hubbard.

6. Whoever should come to the colony afterwards, or put anything into the stock, should at the end of seven years, share proportionably to his time.

7. Any one carrying his wife, children or servants, should be allowed for every person of the age of sixteen or more, a single share in the division; if he provided them with necessaries, a double share, or if they were between ten and sixteen, two of them to be reckoned for a person both in transportation and division.

8. That the children under ten years of age then going, should have no other share in the division than fifty acres of unmanured lands.

9. That the executors of such persons as should die previously to the expiration of seven years, should take shares in the division proportionably to the duration of the lives of the testators.

10. That all persons belonging to the colony were to have meat, drink and apparel, and all provisions out of the common stock and goods of said colony.

The agents insisted that at the end of seven years, the houses and lands, especially gardens and fields, should remain undivided, and should then be held by the planters only, and that the planters should have two days in each week to devote to their own purposes; but Cushman, the principal agent, finding that it would be impossible to prevail on the company to accede to these terms, and fearing that the plan might miscarry, consented to their exactions, which he was the more inclined to do, inasmuch as all who intended to remove had sold their estates and put the proceeds into a common fund.

Amongst this pious people no secular concerns could be transacted without the aid of prayer, so entirely were their minds devoted to religious contemplation and exercises that no prospect of temporal advantages could influ-

ence their feelings or allure their inclinations ;— whenever they met for the purposes of business, the aid of the Lord was invoked with a sincerity correspondent to their zeal.

In the early part of the year 1620, Robinson delivered a discourse, the object of which was, to strengthen and confirm the resolution of those who were about to go to America. They had ascertained that a majority of the congregation were inclined to emigrate, but all who had come to that determination could not immediately prepare themselves for the voyage, those who remained (being the majority,) required of Robinson that he should stay with them, and proposed that Brewster the ruling elder, should go with the minority, and such was the final arrangement ; the minority were ‘ to be an absolute church of themselves, as well as those that should stay ; with this proviso, that, as any should go over or return, they should be reputed as members, without further dismissal or testimonial :’—the others intended to follow as soon as circumstances would permit.

In July they kept another solemn day of prayer and Robinson again preached to them ; the exhortation in this celebrated sermon ‘ breathed a noble spirit of christian liberty,’ and discovered a spirit of liberality the more wonderful as the age was an age of bigotry, and proceeding as it did from one who at one period of his ministry had been distinguished as a rigid and unyielding *Separatist*. ‘ Brethren,’ said he, ‘ we are now quickly to part from one another, and whether I may ever live to see your face on earth any more, the God of heaven only knows ; but whether the Lord hath appointed that or not, I charge you before God and his blessed angels, that you follow me no farther than you have seen me follow the Lord Jesus Christ. If God reveal anything to you, by any other instrument of his, be as ready to receive it, as ever you



were to receive any truth by my ministry ; for I am verily persuaded—I am very confident, that the Lord has more truth yet to break forth out of his holy word. For my part I cannot sufficiently bewail the condition of the reformed churches, who are come to a period in religion, and will go at present no farther than the instruments of their reformation. The *Lutherans* cannot be drawn to go beyond what Luther saw : whatever part of his will our good God has revealed to Calvin, they will rather die than embrace it. And the *Calvinists* you see stick fast where they were left by that great man of God, who yet saw not all things.

‘ This is a misery much to be lamented ; for though they were burning and shining lights in their times, yet they *penetrated* not into the whole counsel of God ; but were they now living, would be as willing to embrace farther light, as that which they first received.’ I beseech you, remember it is an article of your church covenant, “ that you be ready to receive whatever truth shall be made known to you from the written word of God.” Remember that, and every other article of your sacred covenant. But I must here withal exhort you to take heed what you receive as truth. Examine it, consider it, and compare it with other scriptures of truth, before you receive it, for it is not possible that the christian world should come so lately out of such thick anti-christian darkness, and that perfection of knowledge should break forth at once.

‘ I must also advise you to abandon, avoid, and shake off the name of Brownist. It is a mere nick-name, and a brand for the making religion, and the professors of it odious to the christian world.’

The preacher in his selection of a text to this sermon, was peculiarly happy. It was from Ezra, chap. viii, verse 21, ‘ I proclaimed a fast there at the river Ahava, that we

might afflict ourselves before our God, to seek of him a right way for us, and for our little ones, and for all our substance.' So perfectly acquainted were the Puritans with the holy writings, that occasions could seldom arise when they could not find passages singularly and strikingly adapted to their circumstances.

Robinson also addressed a pastoral letter to them, in which he advised them in relation to spiritual matters, and exhorted them to the practice of charity and the bearing of each others infirmities, he told them that 'their intended course of civil community would minister continual occasion of offence, and would be as fuel for that fire, except they diligently quenched it with brotherly forbearance; and if taking offence causelessly or easily at men's doings, be so carefully to be avoided, how much more heed is to be taken that we take not offence at God himself? which yet we certainly do, so oft as we do murmur at his providence in our crosses, or bear impatiently such afflictions wherewith he is pleased to visit us. Store up therefore patience against the evil day; without which we take offence at the Lord himself in his holy and just works. A fourth thing there is carefully to be provided for; namely, that with your common employment, you join common affections truly bent upon the general good, avoiding as a deadly plague of your both common and special comforts, all retiredness of mind for proper advantage; and all singularly affected every manner or way, let every man repress in himself and the whole body in each person, as so many rebels against the common good, *all private respects of men's selves*, not sorting with the general convenience. And as men are careful not to have a new house shaken with any violence, before it be well settled, and the parts firmly knit; so be you, I beseech you brethren, much more careful that the house of God (which

you are, and are to be,) be not shaken with unnecessary novelties, or other oppositions to the first settling thereof; lastly, whereas you are to become a body politic, using amongst yourselves civil government, and are not furnished with special eminency above the rest, to be chosen by you into office of government; let your wisdom and godliness appear not only in choosing such persons as do entirely love, and will promote the common good; but also in yielding unto them all due honor and obedience in their lawful administration, not beholding in them the ordinaryness of their persons, but God's ordinance for your good; not being like the foolish multitude, who more honor the gay coat, than either the virtuous mind of the man, or the glorious ordinance of the Lord: but you know better things, *and that the image of the Lord's power and authority which the magistrate beareth is honorable, in how mean persons soever*; and this duty you may the more willingly, and ought the more conscientiously to perform, because you are (at least for the present,) to have them for your ordinary governors, which yourselves shall make choice of for that work. Sundry other things of importance, I could put you in mind of, and of those before mentioned in more words; but I will not so far wrong your goodly minds, as to think you heedless of these things, there being also divers amongst you so well able both to admonish themselves and others of what concerneth them.'

On the 21st of July, the emigrants quitted Leyden to embark at Delfthaven. They were accompanied by many of their friends, and by some who came from Amsterdam. The next day they embarked for England in a vessel called the Speedwell:—At the moment of their going on board, Robinson who had accompanied them 'fell on his knees,' and with tearful eyes 'in a most ardent and affectionate

prayer, committed them to their divine Protector.\* So great was the grief of this little church, all the members of which had been endeared to each other from so many circumstances, and united by so many ties, that when they finally separated, the agonising expression of it drew tears even from the Dutch, who had assembled on the quay to see them depart, insensible as they usually were to sorrowful emotion.

The Speedwell arrived safely at South Hampton. Another vessel of one hundred and eighty tons called the May Flower was chartered in London, by Cushman, and Carver went to superintend her equipment.

Thomas Weston a merchant of London, who had adventured deeply in this enterprise, went to South Hampton to see that they were dispatched; after the arrival of the Speedwell both vessels were provisioned and fitted for the voyage, and a trading stock of £1700 was put on board. It was intended that the Speedwell should remain with the colonists, and that the May Flower after landing her passengers in America should return to England.

On the 5th of August 1620, both ships with one hundred and twenty passengers sailed from South Hampton for America. The company were distributed between the ships and a governor and two or three assistants chosen for each, to attend to the distribution of

\* Mr Robinson never reached America, the means of his congregation had been exhausted, in the transportation of that part of his church which had already left him, he remained at Leyden until the 22d of February 1625, when he was seized with a complaint which terminated his excellent life on the 1st of March succeeding, in the fiftieth year of his age. His widow and children after his death removed to the Plymouth colony, where his posterity remain and are numerous at this day. The Church over which he presided and which his talents contributed so much to illustrate, was dissolved, the members were dispersed, some remaining in Holland, and some going to America.

the provisions, and to all things respecting the welfare of the company. Reynolds, the master of the Speedwell, before they left the British Channel found his vessel too leaky to proceed. Both ships put into Dartmouth, and the Speedwell was overhauled, and repaired, and was supposed to have been made sea-worthy. They sailed again on the 21st of August. The Speedwell soon began to leak again, and when they had sailed about an hundred leagues, the master declared that with constant pumping he was scarcely able to keep her from sinking, and the ships put into Plymouth; on searching, no defect appearing, the leakiness of the Speedwell was attributed to general weakness, and she was judged unseaworthy. It was supposed that the bad condition of that vessel was exaggerated by the master to relieve himself from an engagement which he was anxious to avoid.

About twenty of the passengers were discouraged and would not reimbarc. The remainder being one hundred and one, went on board the May Flower, and the provisions of the Speedwell being shifted to the May Flower, she sailed on the 6th of September, and the Pilgrims bade an everlasting farewell to England!

Little did these adventurers and humble wanderers think when they at last commenced this memorable voyage, that they were destined to be amongst the principal founders of the mightiest republic on earth,—little did they think that their posterity would become as numerous as the sands on the sea shore.—Little did they think that the spirit of religious freedom which glowed in their hearts would expand into those proud notions of personal independence which in the course of a century and a half would burst the ties of allegiance, defy the omnipotence of Parliament, the power of the crown, and the terrors of prerogative. The origin of American independence may

be clearly traced to the bold and uncompromising spirit of the puritans of New England.

The *May Flower* proceeded with favorable gales on her destined voyage which was to Hudson's river, but the winds soon changed and stormy weather succeeded, a main beam was sprung, and the company were half inclined to return, but the application of an iron screw having restored the beam to its place they resolved to proceed. A servant of Samuel Fuller died on the voyage, and a child was born to Stephen Hopkins who was called Oceanus.

On the ninth of November they first made land being a part of the south shore of Cape Cod, this land being to the north of their destination. They run south, but being entangled amongst the sands and shoals of cape Mallebarre \* they put about. The danger of the navigation, and their eager anxiety after their long and fatiguing voyage to be put on shore, joined to the treachery of the captain who had been bribed by the Dutch West India Company not to land them on the shores of the Hudson, all conspired to alter their original destination, and induced them to run north. The Dutch had been anxious that they should settle in some of their colonies; but as the subjects of the republic; when they ascertained that they were determined to persevere in their allegiance to England they were apprehensive that they would interfere with their settlements on the Hudson. The title to the river and the adjacent country was still unsettled between Holland and England, and if the English title to the country should be strengthened by the occupation of English subjects, the Hollanders apprehended the destruction of theirs.

\* Now part of Chatham.

The next day (Nov. 10) the *May Flower* doubled the extreme point of Cape Cod, and a storm approaching, anchored in a harbor\* which bore the name of the cape, and was so called by Gosnold in 1602 from the great quantities of cod fish which he took there. Smith, the founder of Virginia, in his voyage along the coast in 1614 had called it Cape James, but the original name has been retained.

The master of the ship, alarmed by the diminution of provisions, pressed the pilgrims to a speedy determination as to a place of settlement in the neighborhood of the harbor and threatened to turn them on shore and to leave them to their fate. At length they resolved to land, but they found themselves beyond the limits of the South Virginia Company, and the charter granted to them by that Company became ineffectual. Their servants who had not been members of the Leyden congregation, but who for the most part had been received in England, manifested some signs of disobedience, and seemed to anticipate a perfect freedom from the restraints both of law, and of government:—Apprehensive that many difficulties might arise from this spirit of insubordination, the more reflecting part of the society judged it best that before they disembarked a compact to obey the laws established by the majority, should be signed by the whole company.

They were then under no authority whatever, and without any rule of government, restrained by no charter, and acknowledging no authority but that of a distant monarch who had not deigned to tell them how he would have them governed. Necessity drove them to natural law, and they adopted the only plan by which men thus situated could be governed without resorting to violence. To this

\* Cape Cod Harbor, in Provincetown.

measure all consented, and after solemnly invoking the throne of grace, they subscribed the following compact unanimously.

‘ In the name of God, Amen. We whose names are underwritten, the loyal subjects of our dread sovereign lord, king James, by the grace of God, of Great Britain, France, and Ireland, king, defender of the faith, &c, having undertaken for the glory of God, and advancement of the christian faith, and honor of our king and country, a voyage, to plant the first colony in the Northern parts of Virginia, do, by these presents, solemnly and mutually, in the presence of God and of one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation, and furtherance of the ends aforesaid ; and by virtue hereof, to enact, constitute and frame such just and equal laws and ordinances, acts, constitutions and offices, from time to time, as shall be thought most meet and convenient, for the general good of the colony, unto which we promise all due subjection and obedience. In witness whereof we have hereunto subscribed our names, at Cape Cod, the eleventh day of November, in the year of the reign of our sovereign lord, king James of England, France, and Ireland, the eighteenth, and of Scotland the fiftyfourth, Anno Domini 1620.’

This compact was subscribed in the following order, by

	No. in Family.		No. in Family.
Mr John Carver,†	8	Edward Fuller,†	3
Mr William Bradford,†	2	John Turner,	3
Mr Edward Winslow,†	5	Francis Eaton,†	3
Mr William Brewster,†	6	James Chilton,†	3
Mr Isaac Allerton,†	6	John Crackston,	2
Capt. Miles Standish,†	2	John Billington,†	4
John Alden,	1	Moses Fletcher,	1
Mr Samuel Fuller,	2	John Goodman,	1
Mr Christopher Martin,†	4	Degory Priest,	1

† Those with this mark brought their wives.



	No. in Family.		No. in Family.
Mr William Mullins,†	5	Thomas Williams,	1
Mr William White,†	5	Gilbert Winslow,	1
[Besides a son born in Cape Cod Harbor, and named Peregrine.]		Edmund Margeson,	1
		Peter Brown,	1
Mr Richard Warren,	1	Richard Butteridge,	1
John Howland (of Carver's family,)		George Soule, (of Edward Winslow's Family,)	
Mr Stephen Hopkins,†	8	Richard Clarke,	1
Edward Tilly,†	4	Richard Gardiner,	1
John Tilly,†	3	John Allerton,	1
Francis Cook,	2	Thomas English,	1
Thomas Rogers,	2	Edward Dotey, } Both of Stephen Hopkins' family.	
Thomas Tinker,†	3	Edward Leister, }	
John Ridgdale,†	2		

This brief and comprehensive and simple instrument established a most important principle, a principle which is the foundation of all the democratic institutions of America, and is the basis of the republic, and however it may be expanded and complicated in our various constitutions, however unequally power may be distributed in the different branches of our various governments, has imparted to each its strongest and most striking characteristic.

Many philosophers have since appeared who have in labored treatises endeavored to prove the doctrine that the rights of man are unalienable, and nations have bled to defend and enforce them ;— yet, in this dark age, the age of despotism and superstition, when no tongue dared to assert, and no pen to write this bold and novel doctrine, a doctrine which was then as much at defiance with common opinion as with actual power, of which the monarch was then held to be the sole fountain, and the theory was universal that all popular rights were granted by the crown, in this remote wilderness, amongst a small and unknown band of wandering outcasts, the principle *that the will of the majority of the people shall govern*, was first conceived, and was first practically exemplified.

The pilgrims, from their notions of primitive Christianity, the force of circumstances, and that pure moral feeling which is the offspring of true religion, discovered a truth in the science of government which had been concealed for ages. On the bleak shore of a barren wilderness, in the midst of desolation, with the blasts of winter howling around them, and surrounded with dangers in their most awful and appalling forms, the pilgrims of Leyden laid the foundation of American liberty.

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## CHAPTER IV.

## The Indians of New England.

THE historian who endeavors to trace the early history of the aboriginals of New England, is sorely perplexed.

All rude nations have preserved some memorials even of their earliest history by traditions and songs; but if any such existed amongst the natives of New England, they have escaped the notice of our forefathers. Their rugged language, deficient, (as it is said, in one of the parts of speech,) admitted not the melodies of song, and although their gloomy imaginations could indulge in disastrous prophecies, yet their language was too imperfect to embody them even into the uncouth form of Sybiline verses. They had neither music nor minstrels, and the chaunt of the bard was never known to resound in the forests of New England.

Equally destitute were they of the rudest monuments of art. The tumulus which rise in the most barbarous countries to perpetuate the memory of some savage hero was never discovered here, and their early history is a blank upon which the most indefatigable research cannot discover a trace. Within the limits of the Plymouth Colony, there is, however, one solitary monument of a *previous people*. It is a rock on the eastern bank of Taunton river, covered

with sculpture,\* which would seem to indicate a design to perpetuate the remembrance of some event, by more enduring marks than the frail and temporary scratches of savages.

This rock was discovered by the English very early. In 1712 it attracted the attention of Cotton Mather, who wrote its description, which was published in the transactions of the Royal Society. Since then, the ingenuity of many antiquarians both in Europe and America has been exerted to explain the mysteries which its hieroglyphics are supposed to conceal.

Most of them have supposed that it was the work of the aborigines, but the absence of any similar monument in North America, and the total ignorance of the natives as to its origin and design would seem to indicate in a manner too clear to admit of doubt, that we must look elsewhere for its authors. Some have conjectured that it was executed by a people who were passing from the state of hieroglyphical to that of alphabetical writing, and have imagined they could discern the traces of letters, and have cheered their imaginations with the splendid vision of a Phœnician barque, driven by tempests across the Atlantic, and seeking the shelter of a quiet river to repair the injuries of the elements; and to these 'ancient mariners' would they assign the authorship of these strange characters, which bear, as they believe, a striking similarity to those of ancient Phœnicia. If this rock was sculptured by the Phœnicians, it is a monument of more remote antiquity than any in Europe. And it is the only vestige of a people who existed in

\* Familiarly called the Dighton Rock, or the Writing Rock. This rock is about seven miles from Taunton in Assonet-neck, formerly a part of Taunton, then of Dighton, and now of Berkley. It stands on the low water line, measuring at its base eight or nine feet; four feet in height, smooth faced, and sloping towards the water.

the fabulous and heroic ages,—a people who first encountered the dangers of ocean navigation, and whose commercial enterprises imparted to the rude barbarians of the universal world the first softening touches of civilization.

A tradition has been brought forth recently by a modern Missionary, (the Rev. Mr Heckwelder) which deserves a place in this history. It is given with a few variations, in the words of a recent historian. This tradition is said to exist amongst the Delawares.

‘The Lenni Lenape [Delawares,] have a tradition that their forefathers, many hundred years past, resided in a very distant country in the western part of the American continent. They determined on migrating to the East. After a long journey they arrived at the banks of the Namœsi-Sipu, (Mississippi) where they fell in with the Mengwe, (Iroquois, or Five Nations) who had also emigrated from a distant country with similar objects, and were proceeding eastward until they should find a country which suited them. The territory east of the Mississippi was inhabited by a powerful nation who had built many large towns. This was the Alligewi, from whose name that of the Alleghany river and mountains have been derived. They were a gigantic race, had built regular fortifications, and had constructed their defences according to the rules of art. The Lenape requested of them permission to settle in their country, but were refused; but they gave them permission to pass through their country to seek a settlement at the eastward. As soon as they attempted the passage of the river, the Alligewi perceiving their vast numbers, attacked them furiously, and threatened to destroy them if they persisted.’

‘The Mengwe who had been passive spectators of the attempt of the Lenape and its failure, now offered to join

them, on condition, that after conquering the country, they should share it. This proposal was accepted, and the resolution was taken by the two nations that they would conquer or die. A war was commenced, which was attended with great slaughter. The Alligewi were attacked in their fortifications, and after the lapse of many years were compelled to abandon the country, and to escape down the Mississippi. The conquered country was divided. The Mengwe made choice of the lands in the vicinity of the great lakes, and on their tributary streams, and the Lenape occupied the lands more south. They preserved peace with each other and increased rapidly. Some of the most enterprising of the hunters and warriors of the Lenape crossed the mountains, and falling on streams running eastward, followed them down the Great Bay river, (Susquehannah) thence into the bay itself, (the Chesapeake.) As they pursued their travels near the salt water lake, (the Atlantic) they discovered the great river, (Delaware) thence exploring eastward through the Scheyichbi country, (New Jersey) they arrived at another great stream, (the Hudson river.) The country was uninhabited. The hunters returned with the news. Emigration commenced, and settlements were made on each of the four great rivers, the Delaware, Hudson, Susquehannah and Potomac. The Delaware, to which they gave the name of Lenapewihittuck, was the centre of their possessions. Part remained on both sides of the Mississippi. More than half emigrated and settled on the Atlantic. The emigrants divided themselves into three tribes, viz : the Turtle, Turkey, and Wolf. The Turtle calling themselves Unamis, and the Turkey, Unalatchgo, selected ground nearest the sea, between the coast and high mountains. As they multiplied, their settlements extended from the Mohicannituck, (river of the Mohicans, the Hudson) beyond the Po-

tomac. The Wolf tribe called Minci (Monseys) who lived in the rear of the two other tribes were the most warlike of the Lenape; they reached from Minisink, where they had their council seat and fire, quite to the Hudson on the east, and on the west and southwest far beyond the Susquehannah.'

'From these tribes composing the body of the Delawares, emanated others, who adopted or received various names, and who were called the grandchildren of the parent tribe. This was the case with the Mahicanni, or Mohicans in the east. Choosing to live by themselves, they crossed the Hudson river, called by them Mohicannituck, and spread themselves over all that country which now composes the Eastern States.—New tribes again sprung from them which assumed distinct names, still acknowledging the parent stock to be their grandfather. The Delawares at last thought proper to enlarge their council house, for their Mahicanni grandchildren, that they might come to their fire, that is to say, be benefited by their advice, in order also to keep alive their family connexions and maintain a league with each other. In a similar manner a body of the Lenape, called Nanticokes, together with their offspring, proceeded south as far as Maryland and Virginia. The council house was extended for their benefit to the Potomac.'

'Meanwhile the Mengwe who had first settled on the great lakes, had always kept a number of canoes in readiness to save themselves in case the Allegewi should return, and their number also increasing, they had in time proceeded farther, and settled below the lakes, along the river St Lawrence. In their progress they again came in contact with the Lenape, their contiguity became the cause of hostility and terminated in establishing the

decisive superiority of the Mengwe, known afterwards to the English as the Five Nations.

Interesting and plausible as this tradition is made to appear,—supported as it is by the radical difference which is known to exist between the languages of the Iroquois and Delawares, and the striking similarity of all the dialects of the Atlantic tribes from New England to Virginia, a certain indication of a common origin, yet the weight of probability is with those who deny the existence of the tradition, which by them is traced to the fancy and the falsehood of the Indian narrators, and the overweening credulity of Heckwelder, unsupported by any oral history whatever.

Reluctantly do we yield to the force of the arguments of those who have questioned the existence of this tradition.—Yet facts more astonishing than these seem to be admitted by common consent, namely, that the European and American races are descended from a common ancestor, whose children proceeding east and west from the plains of central Asia, the cradle of the human race;—around the globe, after the lapse of thirty centuries, encountered each other in the American wilderness, exhibiting the most striking contrast in their habits, manners, customs, language, morals, laws, religion, knowledge, complexion, and physical organization, a dissimilarity so great that to a sceptical and unreflecting mind, it seems irreconcilable with the notion of a common origin.

The habits, manners, customs, and character of the aboriginals of America, have been so often described, that any but a very general description is unnecessary.

Some physical characteristics were common to the whole Indian race: straight black hair, tawny complexions, high cheek bones, and sunken but bright black eyes.



The moral characteristics of the Indians of North America, were no less striking by their similarity than the physical. Disdain of labor,—contempt of females,—unbounded hospitality to strangers,—ferocity in battle,—cruelty to captives,—respect for female chastity, and an eternal remembrance both of benefits and injuries seem to have been common to all.—Yet notwithstanding their general resemblance, there were between the different tribes some striking differences both physical and moral:—some were tall, straight, and slender;—others short, compact, and muscular. The physiognomical expression of some was always ferocious, of others mild.—Amongst some, the practice of adoption prevailed, and enemies were frequently admitted as sons of the tribe;—others were never known to spare an enemy. Some were intrepid;—others timid:—some detested falsehood;—others practiced it eternally:—some were haughty, insolent, and untractable;—others humble, civil, and docile.

The Indians of New England were less advanced in civilization than the Iroquois or the Delawares. The Pequots and Narragansetts appear to have acquired the greatest consideration amongst the first, perhaps in consequence of having learned the value of wampum or wampumpeag.\*

Amongst the Indians this article was the substitute for the precious metals, and supplied their only circulating medium. The tribes which used it, became wealthy and powerful. At the time of the commencement of the English settlement, the Pequots and Narragansetts amongst whom it abounded, were growing comparatively

\* Small beads manufactured from the shells of the quahag, a species of clam, polished, colored, and generally strung together on strips of cloth called belts.—Those which were made from the blue part of the shell were esteemed the most valuable.

into great power, while other tribes who were unacquainted with the uses to which it could be applied, fell into decay and poverty.

Unless stimulated to industry by artificial excitement, by the creation of new wants, and the desire of comforts beyond the gratification of animal appetites only, man would never emerge from the savage state, he would roam the forest a naked, solitary being seeking his food by violence, and his shelter in a cave or a tree. It seems to be a disposition of Providence, that at some period of his social existence, propitious to the developement of his powers and capacities, his acquired tastes should rouse him to laborious action. Had America remained forever a 'sealed country' to Europe, the desire of wampum alone might have elevated the Indians into merchants and navigators. Civilization would have followed the accumulation of property, and laws would have been established for its regulation and protection. Whether the great objects of man's pursuit be wampum or gold, the desire of either, or in other words, the passion for the acquisition of property would have taught him the mode to secure it when acquired.

The hospitality of the Indians was of the most generous and kindly character;—they would share their food even to the last morsel with their guests, and their wigwams were always open to receive and shelter the stranger. They discovered considerable ingenuity in the simple manufacture of baskets and mats, and much skill in securing their game;—Their arms were bows and arrows, and stone hatchets or tomahawks; of the use of iron and the metals generally, they were ignorant.—Their agriculture was confined to the culture of a species of maize, (denominated by the English, Indian corn) beans, squashes, and pumpkins, and in the south tobacco was cultivated in large

quantities. They had no beasts of draught and had acquired none of that knowledge which has imparted such prodigious productive power to the agriculture of civilized man. They were often in want of food, and sometimes underwent the sufferings of famine. They generally avoided hills and mountains, and were commonly found seated on the waters connected with the ocean, the bays, and tide rivers. Some, allured by the facility of obtaining fish, and wild fowl, dwelt in the vicinity of those small lakes (usually called ponds) with which New England abounds. Wild turkies and deer abounded in the forests, and these, with fish and vegetables, were their common food.

Amongst the Indian tribes of New England there was so little cohesion, that it is almost impossible to define with precision their territorial limits, or to understand to what degree they were connected with, or independent of each other, or the degree or extent of their dependence. The enterprise and ability of the chief might occasionally elevate a small tribe into consequence and power, and on the other hand his imbecility and vices might degrade a powerful tribe into a feeble one.

The tribes which, previously to the arrival of the English, inhabited the region bounded by the Connecticut river on the west, the ocean and its waters on the south and the east, and the Merrimack on the north, are said\* to have been the Pequots, Narragansetts, Pokanokets, Massachusetts, and Pawtuckets;—of these the Pequots were the most powerful; they had not suffered from pestilence, and had learned the use of wampum. Their numbers are said (by Roger Williams,) to have amounted to thirty thousand souls, and Gookin estimates their warriors

\* By Gookin.

at four thousand. (They must however have included the Mohegans with the Pequots.) The seat of their chief sachem was at Groton, [near New London] and he was acknowledged as chief by the Sagamores of that part of Long Island opposite the Connecticut river, by the Mohegans, and by a part of the Nipmucks. On the continent his dominion extended from a place called Weckapage, about four miles to the eastward of Pawcatuck river, which bounds Rhode Island on the southwest; north to the Nipmuck country, (if the Mohegans are to be considered as within their limits.) Although the historians generally speak of the Mohegans as distinct from the Pequots, yet Dr Trumbull, the modern historian of Connecticut, supposes they were a part of the Pequot nation, deriving their distinctive appellation from the territory on which they dwelt. They were certainly of the Pequot race. Their sachem Uncas was of the royal family of the Pequots, and his wife was the daughter of Tatobam, a Pequot sachem. If then the Pequots and Mohegans are to be considered as one nation, the boundary was the north line of Connecticut, for all the Nipmucks south of that line were tributary to the Mohegans and their dominion comprised the present counties of New London, Windham and Tolland, and a small part of Rhode Island.

Proud, revengeful, and cruel, this tribe was feared and detested by all their neighbors, and particularly by the Narragansetts, with whom they often waged war. Over the kindred Mohegans they domineered with great insolence. The Pequot was the only tribe in New England which exercised those horrid cruelties on their captives which so often shock us in Indian history.

When the English settled on Connecticut river, Uncas was in rebellion against Sassacus, the chief sachem of the Pequots, to whom he had been tributary. This proud and

powerful sachem held twentysix other sachems in subjection and dependence, and the western Niantics who inhabited a part of Lyme on the eastern side of Connecticut river were his confederates. His immediate and undisputed dominion extended over New London, Groton and Stonington, and a part of Westerley in Rhode Island. The harbor of New London bore the name of the tribe, and they had another harbor at the mouth of Mystic river. On a commanding eminence in Groton, which presents one of the most magnificent views in North America, they had constructed a large fortress, and surrounded it with a palisade. Here Sassacus resided. Another fortress of considerable strength had been erected on Mystic river.

It was the fortune of the English to encounter this tribe early, and their power and haughtiness occasioned their overthrow. They had incurred the deadly hatred of those whom Uncas governed, and the unconquerable jealousy of the Narragansetts, and when the English, provoked to hostilities by their insolence and cruelties, resolved to exterminate them, they found the Mohegans and Narragansetts willing and useful allies. The war with the English terminated in their utter overthrow, and the Pequot nation became extinct. A remnant under Sassacus fled to the west and threw themselves on the mercy of the Mohawks, but they found no mercy there, and Sassacus was beheaded. The remainder mingled with the Mohegans and Narragansetts, and lost their distinctive character.

The Narragansetts were a powerful tribe, who inhabited nearly all that territory which afterwards formed the colony of Rhode Island. They were bounded by the Pequots on the west, the Pokanokets on the east and northeast, the Nipmucks on the north, and the ocean on the

south. Their dominion extended over all the islands in the Narragansett Bay, and the sagamores of a part of Long Island, Manisses, (now Block Island) Cawesit, Niantick, and some others were their tributaries. Their boundary commencing at Weckapage on the southwest, ran northerly about the distance of five miles from the present line of Connecticut, until it reached the Nipmuck country, a little south of the present north line of Rhode Island, and then turning east reached the Narragansett river (now called Seekonk and Providence river,) and was bounded by that river until it joined the Bay, and extended across the bay including the islands. The Pokanokets however laid some claim to Aquedneck (Rhode Island.)

The principal seats of the chief sachem of the Narragansett tribes were on the bay, and the island of Conanicut.

The tribes of Narragansett could raise five thousand warriors, and being situated between the Pequots and Pokanokets, were engaged in frequent and deadly hostilities with both, as well as with the Massachusetts.

The Narragansetts were a noble race. Caunonicus, their chief sachem, was princely in his donations. He gave to Roger Williams the whole county of Providence and the island of Prudence; and at his intercession, to the followers of Mrs Hutchinson the island of Rhode Island.

Miantonimo, his nephew, was a hero. To their friends their kindness and generosity had no limits, and although they utterly rejected the christian religion, their extraordinary attachment to Mr Williams induced them to endure his monthly preaching.

This tribe had suffered but little from the pestilence, and they would have subdued both the Pokanokets and the

Massachusetts had it not been for their fears of the Pequots at first, and then of the English.

The Narragansetts inhabited a country peculiarly adapted to their wants, abounding in fish and fowl and streams and lakes, and in the vicinity of the salt water and of a sea shore abounding in shell fish, on which during certain seasons they lived, and on a soil favorable to the culture of all the vegetables known in their simple agriculture.

They seldom suffered from the want of food, and the plenteousness of their living enabled them to shew more hospitality than any of the other tribes of New England. In their huts the stranger had the place of honor and the best of their fare.

When the English arrived, Caunonicus exercised the chief authority of the country, but it is supposed that he acted in the capacity of regent during the minority of his nephew Myantonimo, but when Myantonimo came of age, they seemed to exercise a concurrent power and never differed with each other.

The Pequots and Narragansetts lived more compactly than the other tribes. Their principal sachems were more absolute, and the authority of the sagamores or petty sachems was less, and they seldom suffered from the depredations of the Mohawks or Maquas, who were the terror of all the other Indians of New England, and who were no less hostile to them than the others, but their excursions seldom extended so far as the country of the Narragansetts.

All the tribes who inhabited that region comprised within the jurisdiction of New Plymouth as well as Capewack or Nope (Martha's Vineyard,) and Nantucket were known by the general name of Pokanokets, and under this term many small tribes were included. The Wampanoags inhabited the county now called Bristol in Rhode Island ;

these were the particular tribe of Massasoiet, and afterwards of his son Metacomet (or Philip;) the number of their warriors did not exceed sixty when the English arrived. The Pocassetts inhabited Swanzey, Somerset, part of Rehoboth and Tiverton; the sagamore of this tribe was Corbitant, who was succeeded by a female, the unfortunate Weetamore. The Saconets were the aboriginals of Little Compton; they also in Philip's war were governed by a female sachem, Awashonks. The Namasketts were seated at Middleborough; the Nausites at Eastham on Cape Cod; the Mattachees at Barnstable; the Monamoys at Chatham; the Saukatucketts at Mashpee; the Nobsquassetts at Yarmouth.

All these tribes were subordinate to Massasoiet; his dominion also extended into the Nipmuck country, and most of the small tribes in that region acknowledged him as a superior: after the ravages of the deadly pestilence of 1612, by which the Massachusetts were nearly destroyed, the remainder acknowledged their dependence on him. Obtakiest a sachem within whose territory Boston was situated, informed the English that Massasoiet was his superior.

The desolation of the pestilence was horrible in the country of Pokanoket. Nearly the whole of the present counties of Plymouth and Bristol were depopulated; a few of the Namasketts, Santucketts and Pocassetts escaped. Cape Cod, Martha's Vineyard, and Nantucket, suffered less.

Previous to the pestilence, the Pokanokets had been a powerful people, and could raise three thousand warriors. They were generally confederated with the Massachusetts, and by this union they were able to resist the Narragansetts. At the period of the English settlement, however, the number of their warriors had been reduced to five hundred, so much had the country been depopulated.



They seemed to have exercised a powerful influence over the Nipmucks, and in Philip's war he frequently fled there, when hard pressed by the English in his own country.

The Massachusetts dwelt chiefly about the bay from which they took their name. Once a powerful tribe and able to raise three thousand warriors, so much had the pestilence reduced them, that it is doubtful whether in 1630 they could have raised an hundred. Their sachem was acknowledged as chief by the tribes of Wessagussett,\* Punkapaog,† Nonantam,‡ Nashua,§ and Neponsit,|| and a part of the Nipmucks. The Massachusetts were nearly exterminated by the pestilence. Their territory was bounded by that of Massasoiet on the south, the Nipmucks on the west, by the bay on the east, and by the Pawtucketts on the north and northeast. With their northern neighbors the Pawtucketts, as well as their southern the Pokanokets, they maintained a steady peace, and after the desolation of the pestilence, by acknowledging the superiority of Massasoiet, wisely united themselves by closer ties with the last. Notwithstanding this union, had not the Narragansetts been apprehensive of the Pequots, they could scarcely have maintained their independence.

The territory of the Pawtucketts extended from Salem on the south, to the north of the river Merrimack, as far as Piscataway, (Portsmouth) and to the Nipmuck country on the west, being bounded by the ocean on the east, comprising the county of Essex, a part of Middlesex, and a part of New Hampshire, and including the Penacooks,¶ Agawams,\*\* Naumkeags,†† Piscataways,‡‡ Accomintas,§§ and others.—These tribes once could have raised for war

\* Weymouth. † Stoughton. ‡ Newton. § Lancaster. || Quincy.  
 ¶ On the Merrimack in New Hampshire. \*\* At Ipswich. †† At Salem.  
 ‡‡ At Portsmouth. §§ In Maine.

three thousand men but the pestilence fell upon them and they were nearly exterminated. |||

West of the Massachusetts and Pawtuckets, and north of the Pokanokets, Narragansetts, and Mohegans over that part of the territory of the state of Massachusetts which includes the west part of the county of Middlesex, and the whole of the county of Worcester extending north into New Hampshire, and south into Connecticut and Rhode Island were thinly scattered several hordes or tribes called Nipmucks. Whether they received this general name by reason of a common origin, from the use of a common dialect, or from the country which they occupied is uncertain. They do not appear from any accounts which have reached us to have been in any degree subject to the control of a common sachem; but all were under a certain degree of subjection, and paid tribute to the Narragansetts, Pokanokets, and Mohegans. While the Massachusetts flourished they were principally under their control. They were collected in small settlements one of which was at Manchage,\* another at Quaboag,† another at Chabakongkomen,‡ another at Maanexit,§ another at Quantisset,|| another at Wabqusset.¶

The Nipmucks were collected in families rather than tribes, and were constantly exposed to the alternate and fluctuating dominion of their more powerful neighbors. No principle of unity, or sense of common dangers, or common advantages had as yet combined them, and in all probability had not the English arrived, they would eventually have been incorporated with the most

||| Godkin estimates the whole number at 250.

\* At Oxford in 1674, about 60 souls. † Brookfield. ‡ Dudley in 1674, about 45 souls. § In Woodstock containing in 1674, 100 souls. || Also in Woodstock. ¶ Also in Woodstock, souls 150.

powerful of the surrounding tribes, and to such a union they would have been the more easily induced, being constantly subjected to the hostile incursions of the Mohawks, a powerful and warlike tribe, the terror of the New England Indians. The Mohawks were seated on the Mohawk river, in the State of New York, and all the tribes between the Connecticut and the Hudson, were their tributaries. All the Nipmucks in Connecticut were finally subjected by Uncas, and annexed to his sachemdom. The whole number of the Nipmucks was small, perhaps but little more than a thousand.

On Connecticut river at the places now called Hadley and Springfield, there were two small tribes probably of the same race, for the sachem of the Springfield tribe at the period of Philip's war, was the father of the sachem of the Hadley tribe.

That part of Massachusetts west of the Connecticut river was so near the Mohawks, that it was avoided by all the tribes of New England, and almost uninhabited:— in the present county of Berkshire, there was not a settlement.

On the lower part of the Connecticut river, besides the Nchanticks already mentioned, the Indians were numerous, but they were all divided into petty tribes, and had not acquired much power or consideration. They were numerous in Windsor, Hartford, Weathersfield, and Middletown. Within the limits of Windsor there were ten distinct tribes. In East Hartford, east of the Connecticut, the Podunks could muster two hundred warriors.

Sowheag a sachem of some reputation resided at Mattabesick, (now Middletown,) where he had constructed a strong fortress. His domain embraced both sides of the river, and on the north included Pyquag (now Wethersfield) which was held under him by the sagamore Sequin.

The Wongungs inhabited Chatham.

There was a considerable tribe at Machemoodus (East Haddan.)

The Nehanticks as already stated inhabited Lyme.

At some distance from the river on the west, the tribes were numerous, but not powerful. They were found at Sunbury, and New Hartford, Tunxis, (Farmington) a small tribe a Menunkatuck (Guilford) under a squaw sachem; at Branford and East Haven, there was another, at Wopowage (Milford) they were in great numbers and had constructed a fortress to resist the Mohawks. In Derby were two tribes, one at Paugesset, and one at Naugatuck. At Stratford they were numerous, and although they had suffered severely from the Mohawks, they could at the time the English settled Quinipiack (New Haven) bring out three hundred warriors. Two or three tribes inhabited Stamford, and there were many in Greenwich. In Norwalk were two small tribes. In Woodbury they were numerous. Dr Trumbull estimates these various tribes at five thousand souls, and allows them a thousand warriors, and he thinks their whole numbers within the limits of Connecticut at the time the English commenced their settlements were not less than sixteen thousand, and probably twenty thousand, and this is certainly far under the truth, if the estimate of the numbers of the Pequots be correct. At any rate Connecticut was more densely populated with Indians than any other territory of the same extent in North America, north of Mexico.

All the Indians in Connecticut with the exception of the Pequots and Mohegans, were tributary to the Mohawks. 'Two old Mohawks (says Dr Trumbull,) every year or two, might be seen issuing their orders and collecting their tribute, with as much authority and haughtiness as a Roman Dictator.'

If the payment of the tribute was neglected or refused, the country inhabited by these unfortunate tribes was ravaged and laid waste, and they were forced into captivity, or put to death. The ferocious Mohawks would pursue their timid victims even into the houses of the English, where they fled for protection, yelling out 'we are come, we are come to suck your blood,' and oftentimes were the hearths of the English covered with the blood of their Indian neighbors butchered in their presence. The Mohawks however were never known to molest the English, and they religiously abstained from forcing their doors, even if they had been closed for the protection of their tributaries.

From the Indians on Connecticut river, the English experienced but little trouble, for so great was their terror of the Mohawks, who were their unrelenting and dreaded enemies, that they sought the friendship of the English as their only hope.

The Mohawks were as much dreaded by all the tribes of the Massachusetts, the Pawtuckets and the Nipmucks, as they were by the Indians of Connecticut river. Four or five Mohawks would frighten whole bodies of them from their habitations and cornfields, into their fortresses, from whence they durst not come out to their labors. Nothing saved them from famine frequently, but the provisions of the English. They were afraid to visit their usual places of fishing and hunting, or even to go into the woods to gather nuts and roots; and to subsist themselves they were obliged to labor for the English.

The Mohawks like the Romans made war the business of their lives. In the Spring of each year, parties of fifty would collect and march forth in different directions each under its own leader. When near the places which they intended to despoil, they established a secret ren-

dezvous in the woods, and then leaving some of their number at the rendezvous, the remainder would divide into small parties of four or five, and place themselves in ambush near the paths which led by the habitations of their enemies, from those secret places they would shoot down, and rushing from their concealment, strip and scalp them and rifle their habitations. In some of their eccentric moods, emotions of kindness would steal into their hearts, and they would preserve the younger captives, treat them humanely, and adopt them into the tribe; but in general they spared none except the praying Indians, whom they seemed to consider as under the qualified protection of the English. They were never known to injure an Englishman either in person or property. The English frequently met them in the woods when they were defenceless, and the Indians armed, but never received from them the slightest insult.

Such was the situation, and such the circumstances of the Indian tribes which inhabited the territory now comprised within the limits of the states of Massachusetts, Rhode Island, Connecticut, and a part of New Hampshire, when the English commenced the settlement of Plymouth. The country which they first occupied was sandy and barren, but fortunate was it for them that fate had thrown them upon a spot so little inviting:—depopulated by the pestilence, no enemies contended with them for its possession. The neighboring tribes of the Pokanoketts and Massachusetts, weakened as they were by the most dreadful of all calamities, and fearful of their more powerful Indian neighbors, were anxious to maintain a firm peace with the English.

The pious would say that the hand of Heaven was visible in all the circumstances which preceded and attended the introduction of the arts, sciences, knowledge, learning,

and religion of Europe into this part of the western wilderness, first by inflicting a desolating and deadly disease on the Indians, and then by guiding the English to the very spot which had been the theatre of its ravages, and to the vicinage of a people who from unavoidable calamities were so circumstanced as to be compelled to court their friendship, and to deprecate their hostility.

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## CHAPTER V.

John Carver elected the first Governor.—Expedition into the Country.—A Party sail up the Bay.—Birth of Peregrine White, the first born of New England.—Pilgrims Deliberate respecting their Place of Settlement.—Expedition sent out again to Explore the Coast.—First Encounter with the Natives.—Reach Plymouth Harbor, and Explore the Country.—Resolve to Lay out a Town at Patuxet or Apaum.—Pilgrims Land and call the place Plymouth, and erect Houses.—Miles Standish chosen Commander of the Military Force.—Visit of Samoset.—Visit of Squanto.—Massasoiet, the Chief Sachem of the Country, and his Warriors, visit them.—A treaty of Peace and Amity concluded with Massasoiet.—Carver confirmed as Governor for a year.—Billington's offence and punishment.—Death and character of Gov. Carver.—State of the Colony.

AFTER the pilgrims had signed the compact and had submitted themselves to a government, they proceeded to their first political act and unanimously elected John Carver, governor, who was to hold the office one year.

The legislative and judicial power was in the whole body, and the governor was the sole executive officer; no oath of office was required, and he entered upon his official duties without ceremony or parade.

No change was made in the government, regulation and discipline of the church, which remained as it had been when under the immediate superintendence and instruction of Robinson.

The master of the ship and the crew, continuing their importunities, the pilgrims resolved to commence their settlement without delay. Sixteen men offered to go on shore, and after procuring wood to examine the country.



They found it to be sandy, but well wooded, the growth being oak, pine, sassafras, juniper, birch, holly, ash and walnut; sea-fowl and fish abounded in the waters, but they could find neither houses, fresh water, nor inhabitants. On the 13th, the women were sent on shore, attended by a guard, to wash the clothes; the weather was excessively cold, and the men being compelled to wade in the water, laid the foundation of diseases, which afterwards proved mortal to many. Their shallop needing considerable repairs, they resolved on an excursion into the country. For this purpose sixteen men completely armed, were placed under the command of Captain Miles Standish, with William Bradford, Stephen Hopkins, and Edward Tilly for a council of war, who after being instructed, were reluctantly permitted to go forth; (Nov. 15.) After marching about a mile in a southern direction, they saw five Indians, who fled with precipitation. Night overtaking the English, they discontinued the pursuit, and rested. On the next morning they followed the trace about ten miles, but being fatigued with the weight of their armor, and laboring under debility arising from scurvy, consequent to their long voyage, they halted near a spring from which they quaffed the first refreshing draught of American water. Continuing their journey, they discovered an Indian burial-place, and in one of the graves they found a mortar, an earthen pot, a bow, with arrows and other articles which they replaced with great care; they also discovered what they supposed to be the remains of a fortification. Finding a hole in the ground, covered with sand, and lined with bark, containing some maize or Indian corn in ears,—after a discussion on the morality of the act, they resolved to take the corn. Had the company been perishing with hunger, this appropriation of the property of others might have been justified. As

it was, it was inexcusable; the corn was not a waif; every necessary precaution had been taken by the savage owner to secure it. The excuse which some of their fanatical brethren would have made 'that the Lord had given them the heathen for an inheritance, and a spoil,' was wanting to them, for they compromised with their consciences by resolving upon the spot that they would make compensation to the owners whenever they should discover them, and fortunately for their moral reputation, six months afterwards they carried that resolution into effect, and fully satisfied the owners for this and some other corn which they had taken. The next day, with much difficulty they reached the ship, and delivered the corn into the common store; this act, however, was probably the means of saving the colony from starvation, for the grain was all saved for planting, and from its product they derived at one time their sole support. Seventeen days elapsed before the shallop could be prepared for sea, and they then undertook further discoveries. Jones the captain, with ten of the crew, and twentyfour of the company, sailed up the bay during a high wind and a rough sea. The shallop soon anchored and landed part of the company, who were anxious to proceed. The weather was excessively cold, and it snowed, yet these hardy men braved the inclemency of the elements unsheltered. The next day they went on board, and soon discovered a harbor, fit only, however, for boats, which they called Cold Harbor, (the mouth of Paomet Creek, between Truro and Wellfleet.) They shot some sea-fowl, which they devoured with 'soldiers' stomachs,' and again went in pursuit of corn, which, although the ground was covered with snow, they fortunately discovered, as sand was heaped over the holes where it was concealed; they opened the frozen ground with their swords, and obtained about ten bushels

and some beans. These pious men referred everything to Providence, and they never doubted but that it was the special interposition of the Almighty which furnished them with this additional supply, without which, they supposed they could not have subsisted.

The captain returned to the ship with the shallop, taking the corn. Fifteen of the men went with him—the others remained.

Those who remained marched into the woods, and discovered a grave covered with boards, and upon opening it, they found mats and Indian ornaments, and between the mats, bowls, trays, and dishes; under a new mat they found two bundles, one of which contained a great quantity of fine red powder, covering the bones and skull of a man. The skull was covered with fine *yellow* hair. In this bundle were a knife, packneedle, a sailor's canvass frock, and a pair of cloth breeches, and some iron articles.\* The other bundle contained the bones and head of a little child, surrounded with the same kind of red powder, and bound round with strings of wampum, and a small bow. Two of the sailors discovered for the first time two Indian houses, (or wigwams.) They were formed by placing one end of young saplings in the ground and bending them over, and securing the other ends, and covering them with mats;—in shape resembling a cone, a hole being left open at the top (for the smoke to escape,) which was occasionally covered with a mat; mats also served for doors and beds. These wigwams were matted within and without.

The furniture of the wigwams consisted of wooden bowls, trays and dishes, earthen pots, and hand baskets

\* These remains were probably those of a European sailor;—the yellow hair, knife, needle, frock, &c, seem to prove it.

made of crab shells, wrought together. The ornaments were deer's feet and horns, and eagle's claws.

They found in some of the baskets parched acorns and peices of fish, and some venison in a hollow tree.

The material of these manufactures, such as flag, sedge, and bulrushes lay scattered about the wigwams. *Some of the best things they took!* The shallop arriving, they returned in her to the ship. While they were absent, the wife of William White had borne a son, who received the name of Peregrine,\* the first child which was born in New England.†

At this time the pilgrims held a solemn consultation respecting their final settlement. Some were favorable to a settlement at Cold Harbor, because the ground was prepared for the cultivation of Indian corn, and although the harbor would admit nothing but boats, yet it seemed to offer some advantages both for whale and cod fishing.

\* William White died in the course of the ensuing spring. His widow, Susanna, married the celebrated Edward Winslow, who was the third Governor of the Colony. (This marriage was solemnized May 12, 1621, being the first in the Colony.) Peregrine White died at Marshfield near Plymouth, July 20th, 1704, having outlived the existence of the colony as a separate government. The following account taken from the 'Boston News-Letter,' being the 15th number of the first newspaper that was printed in North America, is given entire.

'Marshfield, July 22d. Capt. Peregrine White, of this town, aged eighty-three years and eight months, died here the 20th inst. He was vigorous, and of a comely aspect to the last; was the son of William White and Susanna his wife, born on board the May Flower, captain Jones, commander, in Cape Cod Harbor, 1620, the first Englishman born in New England. Although he was, in the former part of his life, extravagant, yet he was much reformed in his last years, and died hopefully.'

† Edward Thompson, a servant of Mr White, died on the 4th of December, being the first death since the arrival of the Pilgrims. On the 6th, Jasper Carver, a son of the governor, died. On the 7th, Mrs Dorothy Bradford, wife of Mr Bradford, accidentally fell overboard and was drowned; and on the 8th James Chilton died.

The place was healthful, secure, and defensible. But the reasons which were mainly urged in favor of this measure, were the inclemency of the season, the bad health of the company, (most of them being afflicted with defluxions and coughs,) and the danger of exploring the other parts of the coast in a season so inclement.

Some insisted that they should proceed about twenty leagues further, to a place called Agawam, (now Ipswich in Massachusetts) a harbor which was known to fishermen who had been on the coast, but upon the suggestion of Robin Coppin who informed them that there was a large navigable river and a good harbor across the bay to the westward over against Cape Cod, and not more than eight leagues distant, they were induced once more to send out the shallop for the purpose of exploring the coast around the bay.

On the 6th day of December, Governor Carver, Mr Bradford, Mr Winslow, Captain Standish, Mr Howland, Mr Warren, Mr Hopkins, Mr Edward Tilly, Mr John Tilly, Mr Clarke, John Allerton, Thomas English, and Edward Dotey, together with Coppin the pilot, the master gunner of the ship, and three of the common seamen, embarked in the shallop, in weather of such intense coldness, that the spray which fell upon their clothes instantly congealed into ice.

They sailed six or seven leagues without finding either river or creek, until they came to a sandy point of land stretching some distance into the sea, (Billingsgate point, part of Welfleet,) after doubling the point they found a harbor of a league in width, in the narrowest part; they proceeded to the opposite part of this harbor, where they discovered a number of Indians engaged in cutting up a grampus, who immediately fled. The harbor being full of shoals they landed with some difficulty. And after

building a slight barricade and placing their sentinels, rested for the night in sight of the smoke of the Indian fires at the distance of four or five miles.

The next morning leaving eight men in the shallop to coast along the shore, the remainder were landed, and following the Indian tracks discovered a path which led them some way into the woods to a great burying place surrounded with a palisade and full of graves, some being enclosed, and some covered with frames, and many were without the enclosure. They soon returned to the water, and finding their boat in a creek, they erected a barricade of logs, and lay down to rest. At midnight they were alarmed by a great noise, but after discharging a couple of muskets it ceased. At dawn of day (December 8) while at their devotions, (part of their arms having been deposited in the boat and covered with clothes) they first heard the terrific war yell of the savages; after they had made an ineffectual discharge of their arrows, those of the English who had retained their arms, seized them immediately and stood on the defensive; two muskets were discharged, and the other men who were armed were ordered not to shoot until they could take sure aim, there being but four who had retained their muskets. The Indians seeing the others run to the shallop, attacked them violently, but being secured by armor, and armed with curtel axes they sustained themselves until they obtained their muskets from the boat, and after making a general discharge, the Indians were intimidated;—one of them, however, keeping within musket shot, continued to discharge his arrows from behind a tree but a bullet having struck the tree and scattered the bark and splinters about his ears, he took to his heels, and they all fled. The English pursued them a short distance with shouts, to show that they were not intimidated, and then returned to their shallop. Thus

terminated the first encounter between the English and aboriginals without bloodshed on either side, and they named the place First Encounter.\* The English gathered the arrows, and sent them to England as presents to their friends.

After devoutly returning their thanks to God for this deliverance, they reembarked in the shallop, but it being near night, a storm approaching, and having broken their rudder they put before the wind steering with oars. To complete their misfortunes, the mast broke ; — they reached the harbor however, but being uncertain where they were, the pilot and master's mate would have run the boat ashore in a rocky cove, but by the resolution of one of the seamen they were induced to put it about, and by hard rowing they ran under a small island where they sheltered themselves for the night. Compelled by the severity of the cold, they went on shore and kindled a fire ; they found the island uninhabited, and named it Clarke's Island.† A spacious harbor lay before them which they explored and sounded, and found it of sufficient capacity to receive shipping, and full of fish and sea-fowl. After completing their examination of this harbor, they landed and discovered many fields where the Indian corn had been cultivated, and fine water. They again set sail and returned to Cape Cod Harbor. Induced by the favorable report of the adventurers, the company resolved to commence their settlement at this place.

\* The place where this encounter happened was supposed by Morton and others to have been Namskeket, at a creek between Eastham and Harwich. Others suppose it to have been at Great Meadow creek, a place situated further down the Cape. The attack was made by the Nauset Indians whose chief seat was but a few miles from Namskeket.

† At the entrance of Plymouth Harbor.

The ship with all the company sailed on the 15th and anchored in Plymouth harbor on the 16th. Four had died at Cape Cod.

On the 18th a party explored that part of the country which immediately surrounded the harbor, and were well pleased with the quality of the soil, and with the native growth of the woods, but they discovered neither inhabitants nor houses.

On the 19th\* after another superficial examination of the country, finding a place where much land had been cleared, in the neighborhood of a small but pleasant stream which they supposed to be well stored with fish, and of many springs of sweet water, and of a high hill which could be fortified in a manner so as to command the surrounding country, they resolved to lay out a town. A storm arising, they were unable for two days to go off to the ship, but remained unsheltered on shore.†

On the 22d the company left the vessel and landed on a rock near the shore, which now bears a consecrated character, to which pilgrimages are made, and to which the posterity of the pilgrims delight to throng, to call up the sublime associations with which its history is connected, and to view the spot which received their forefathers.

The honor of having first placed the foot on this immortal rock has been pertinaciously claimed for John Alden and Mary Chilton. It is now impossible to settle this question of precedence—neither is it of any importance for the illustration of human character to know which it was,—for such a purpose it is far more important to ascertain who it was that first embarked in the ship which was to bear the pilgrims forever from the civilized world,

\* Mourt. Prince says the 20th.

† On the 21st Richard Butteridge died which was the first death at Plymouth.



to commence an undertaking full of danger, and pregnant with events.

On the 23d, the settlers began to cut the timber for their houses and to drag it to the place where they intended to build. Nineteen families were made up, the single men joining themselves to some of the families. This arrangement lessened the labor of building. To the largest families the largest portions of land were allotted, and to every person half a pole in breadth, and three poles in length; lots were cast to ascertain the owners, and the separate parcels were designated by stakes. This small quantity of land was deemed sufficient for all their wants, and as much as could be cultivated.

With as much despatch as the feeble health of the company would permit, they erected a store house of twenty feet square, with a thatched roof where their goods were deposited under the care of a guard.

On the 31st of December, they named their settlement PLYMOUTH, because this place had been so called by Capt. Smith, who had previously surveyed the harbor, and they remembered the kindness which they had experienced from the people of Plymouth in England. And on this day, (it being Sunday) they worshipped for the first time, at this place.

Soon after, Capt. Standish, with some of the company, went out to search for the natives, but could find none.

In this excursion an eagle was shot, and so grateful was the flesh of this nauseous bird to these famished men, that they compared it to mutton.

On the 8th of January, Francis Billington discovered a body of water which he supposed to be a large sea, but it proved to be two small lakes which bear the name of Billington's sea to this day.

On the 9th they began to erect their habitations on both sides of a street which they had previously laid out.\* *Every man built his own house.* As soon as a building was completed a family left the ship and occupied it, but the weather was so stormy that they could seldom work more than three days in a week. During this time a part of the people slept in the vessel, and part on shore.

On the 14th of January the common house took fire. All their ammunition, and a part of their arms were deposited in the house. Governor Carver and Mr Bradford were confined to their beds within, by illness, but by great exertion, the fire was extinguished, and the lower part of the building was saved. The people in the ship being unable to reach the shore, were excessively alarmed, supposing that the Indians had attacked them. A succession of fine days soon following, they were enabled to repair the common house, and to proceed rapidly with the other buildings.

On the 16th of February one of the settlers who was out in pursuit of game, discovered twelve Indians, and giving the alarm, the people went out but could not discover them. Alarmed by the appearance of these Indians, a general meeting of the company was called. Military orders were established, and Miles Standish was chosen Captain, with full authority to order all the military concerns.

During the meeting, two savages shewed themselves on the hill, and by signs invited the people to come to them. Standish and Hopkins went out to meet them, but they fled.

\* The street which runs from the meeting house to the water, now called Leyden street.

So great was the sickness during this month, that seventeen died. Eight had died in the preceding month.\* The voyage from England had been long, and the scurvy commenced its ravages. Few and miserable were the comforts which this poor people could obtain; at one time there were not more than six or seven who were in sufficient health to go out, (amongst whom were Standish and Brewster.) These attended the sick with unwearied assiduity, sparing no labor, and shunning no sort of service. Governor Carver recovered early in March.

The Indians had hitherto kept aloof from the settlers, but on the 16th of March, one came in alone, and with great boldness addressed them by saying 'welcome Englishmen.' He was perfectly free in his deportment, and very communicative. He informed them that he was a sagamore,† and that he lived at some distance, but had been for some time in the vicinity of the settlement, and that his name was Samoset. He appeared to possess a thorough knowledge of the neighboring country and its inhabitants. He informed them that the place where they were was called Patuxet,‡ and that a few years previous to their landing all its inhabitants died of a plague, of such a deadly nature that it spared neither man, woman nor child, and that no one could make any claim to the land, or rightfully molest them. He also informed them that their next neighbors were the Wampanoags, (the English supposed he called them Massasoits, but that was

\* Jan. 29—Mrs Rose Standish, wife of Capt. Standish, died.

Feb. 21—Mr William White, Mr William Mullins, and two more, died.

“ 25—Mrs Mary Allerton, wife of Mr Isaac Allerton, died.

† A petty chief.

‡ The Indians did not name places arbitrarily, but from its peculiarities; the name of Patuxet was attached to many places in New England.

the name of their chief sachem,) that they had sixty warriors, and that the Nausites, to the southeast, could raise an hundred.

The savages who had encountered them were Nausites. They were hostile to the English, having killed three of sir Ferdinand Gorges' men a few months before. The Nausites were justly suspicious of the English. An English ship-captain whose name was Hunt, a few years before, had trepanned twenty of the Patuxet Indians and seven Nausites, (who unsuspectingly went on board his ship,) and perfidiously sold them for slaves.

The next day the English dismissed Samoset with presents, after requiring him to cause the restoration of some tools which had been stolen in the woods, and after he had promised to return with some of Massasoit's men to bring beaver-skins for traffic. He soon returned in company with five Nausites dressed and painted in all the extravagance of the Indian fashion, and bringing back the tools which had been lost; they were received with much hospitality by the English, and made many demonstrations of friendship, feeding heartily upon the food which was set before them, and singing and dancing after their manner. They brought some skins, but the English would enter into no traffic on the Lord's day. They departed, extremely gratified with their reception, and promised to return and bring more skins.

Samoset feigning himself sick, remained a day or two longer; he was then despatched to find the other Indians. While he was absent, two or three Indians appeared on the hill, using threatening gestures, but Standish and another approaching them armed, they fled, after making a show of defiance. On the next day, (March 22) Samoset returned in company with four others, amongst whom was

Squanto or Tisquantum,\* who was the sole remaining native of Patuxet. Squanto was one of those who had been decoyed by Hunt; he had resided for some time in London with one Slany, a merchant, and had learned a little English. They brought some skins and a few fish to sell, and informed the English that the great sagamore Massasoiet, with Quadequina his brother, and all his force, were near.

Massasoiet soon appeared on the hill with sixty men. The English were unwilling that the governor should go to them, and they were apprehensive of approaching the English. Squanto was despatched to ascertain their designs, and they signified through him that they were desirous that some one should be sent to hold a parley. Edward Winslow was sent with presents for the chief, which were willingly accepted, and Winslow's address was heard with great attention, although the interpreters did not succeed very well in explaining it.

He told the sachem that 'king James saluted him with the words of love and peace, and did accept of him as his friend and ally, and that the governor desired to see him, and to trade with him, and to live on friendly terms with his near neighbor.' The sword and armor of Winslow caught the attention of the sachem, and he expressed a wish to buy them, but the sword and armor of Edward Winslow were not for sale: leaving Winslow in the custody of his brother, and followed by twenty men, who left their bows and arrows behind, he crossed a brook which ran between him and the English.

Capt. Standish and Mr Williamson, with six men armed with muskets, met the sachem at the brook, and after salutations had been exchanged, attended him to the

\* He was called by both names.

house, and placed a green rug and three or four cushions on the floor for his accommodation. The governor, preceded with a flourish of a drum and trumpet (the sound of which excessively delighted the Indians,) and followed by several soldiers, entered the house. The governor and sachem, after saluting each other, sat down together and regaled themselves with meat and drink; and then the following Treaty was proposed by the governor and agreed to by Massasoiet.

1. 'That neither he, nor any of his, should injure or do hurt to any of their people.'

2. 'That if any of his did any hurt to any of theirs, he should send the offender, that they might punish him.'

3. 'That if anything were taken away from any of theirs, he should cause it to be restored; and they should do the like to his.'

4. 'That if any did unjustly war against him, they would aid him; and if any did war against them, he should aid them.'

5. 'That he should send to his neighbor confederates, to inform them of this, that they might not wrong them, but might likewise be comprised in these conditions of peace.'

6. 'That when his men came to them upon any occasion, they should leave their arms, (which were bows and arrows) behind them.'

'Lastly. That so doing, their sovereign lord, king James, would esteem him as his friend and ally.'

All which he liked well, and withal at the same time 'acknowledged himself content to become the subject of our sovereign lord the king aforesaid, his heirs and successors; and gave unto them all the lands adjacent, to them and their heirs forever.'\*

\* Morton's New England Memorial.

Thus was concluded the first treaty between the Eng'ish and the Indians of New Plymouth ; — a treaty, though simple in its terms, important in its consequences, for it was a treaty of peace, and of alliance offensive and defensive, and its conditions were faithfully observed for a period of fiftyfive years, exhibiting an instance of unexampled good faith, fidelity, and honesty, in both parties. The verbal acknowledgment, if coupled with the treaty, involved consequences more important, for it contained a grant of land and a consent to the sovereignty and jurisdiction of the English king over it.

Although Massasoiet was pleased with the result of the conference, yet he was under great alarm, which was manifested from his trembling. He was a large and good looking man, but very grave and taciturn in his deportment.

The sachem and his followers, after leaving six or seven hostages for Mr Winslow, retired with their wives and children into the woods where they slept during the night. Quadequina and those who were with him, were well received by the English, and were conveyed back together with the hostages, and Winslow returned.

These Indians promised to plant their corn, and to dwell near the English during the approaching summer. During the night the English kept strict watch. The next morning the Indians visited them again and informed them that the sachem wished to see some of them. Captain Standish and Isaac Allerton immediately ventured to go amongst them, and were kindly received. There was not the slightest indication of hostility on the part of the Indians. The English pursued their usual occupations in the woods, and were not molested.

The sachem was the more induced to cultivate the friendship of the English, inasmuch, as he was very apprehensive of the Narragansetts, a powerful and hostile tribe in his vicinity.

On the next day the Indians returned to Sowams,\* their head quarters.

Samoset and Squanto, who had contracted a strong affection for the English remained with them, and instructed them in the manner of taking fish, and in the simple agriculture of their countrymen, shewing them how the corn should be planted, and how the ground should be manured with alewives, (of which, immense quantities came into the brook,) and rendered them many kind offices. Squanto also acted as their pilot, conducting them to all the places where any traffic could be had, and never left them during his life. They planted twenty acres to corn, and six to barley and peas. The corn produced well, but the barley and peas failed. On the 25th of March, the company met and passed some laws and military orders, and confirmed Carver in the government for another year.†

On the next day the whole company was convened for the purpose of judging of the offence of John Billington, which was the first that had been committed amongst them. He had insulted the captain with opprobrious language, for which they adjudged him to have his neck and heels tied together; but after humbling himself and craving pardon, he was forgiven. Billington was not one of the Leyden congregation, but was shipped at London. The settlers lost by death during the month of March, thirteen more of their number, and more than half the sailors died during their residence here.

On the 5th of April, the May Flower sailed for England, where she arrived on the 6th of May.

On the same day, the colony met with a great loss by the death of the governor. He had been working in the

\* In the ancient Swansey, near the present town of Warren in Rhode Island.

† Mrs Elizabeth Winslow wife of Mr Edward Winslow died.



field, but left it at noon, complaining of a severe pain in his head which was caused as he supposed by the sun, he soon became senseless, and in a few days died. The grief of the colonists was almost inconsolable. They buried him with the honors of war. His wife, who was strongly attached to him, overcome with sorrow, survived him but six weeks.

His biographer\* says, 'that he was a man of great prudence, integrity, and firmness of mind. He had a good estate in England, which he spent in the emigration to Holland and America. He was one of the foremost in action, and bore a large share of sufferings in the service of the colony, who confided in him as their friend and father. Piety, humility, and benevolence, were eminent traits in his character, and it is particularly remarked, that in the time of general sickness, which befel the colony, and with which he was affected, after he had himself recovered, he was assiduous in attending the sick, and performing the most humiliating services for them without any distinction of persons or characters.'†

\* Dr Belknap.

† Death had made great havoc in this little community at the time of the death of Governor Carver, of the signers of the compact there then only remained

	Died.		
Mr William Bradford,	1657	Francis Cook,	
Mr Edward Winslow,	1655	Francis Eaton,	
Mr William Brewster,	1644	John Billington,	Executed 1630
Mr Isaac Allerton,		Gilbert Winslow,	
Capt. Miles Standish,	1656	Peter Brown,	
John Alden,	1686	George Soule, (of Edward Winslow's	
Mr Samuel Fuller,	1633	Family,)	
Mr Richard Warren,	1628	Richard Gardiner,	
John Howland (of Carver's		Edward Dotey,	} Both servants of
family,) aged 80 Feb. 22	1672	Edward Leister,	
Mr Stephen Hopkins,			} Stephen Hopkins.

Less is known of the private life of Governor Carver than of any other of the early pilgrims of note. The place and time of his birth are not known, neither is it

Being 19 in all.

And there remained of women, children and servants, }  
 excluding Gov. Carver's wife, } 36

—  
 55 souls in all.

THOSE WHO DIED WERE

Gov. Carver,	James Chilton,	
Mr Christopher Martin,	John Crackston,	
Mr William Mullins,	Moses Fletcher,	
Mr William White,	John Goodman,	
Edward Tilly,	Degory Priest,	
John Tilly,	Thomas Williams,	
Thomas Rogers,	Edmund Margeson,	
Thomas Tinker,	Richard Butteridge,	
John Ridgdale,	Richard Clarke,	
Edward Fuller,	John Allerton,	
John Turner,	Thomas English,	
	Subscribers to the compact,	22
Also, the wives of Carver, Bradford, Standish, Isaac } Allerton, and Edward Winslow. }		5
Also, Edward Thompson, a servant of Mr White, } and Jasper Carver, a son of the governor, and Solomon } Martin, }		3
Other women, children, and servants, whose names } are not known, }		16
		—
		46

Half of the ship's crew also died. Before the second arrival of recruits in November, 1621, four more died, making the whole number of deaths 50, and leaving the total number of the survivors 51. Of those not named among the survivors, being young men, women, children, and servants, there were 32. Amongst whom, from a document inserted by Judge Davis in his Appendix to Morton's Memorial, appears the names of Joseph Rogers, probably a son of Thomas Rogers who died, Mary Chilton, Henry Sampson, and Humility Cooper.

Exclusive of Governor Carver, the most distinguished amongst those who died, were Mr Christopher Martin, Mr William Mullins, and Mr William White. They all had families. Edward Thompson, a servant of Mr White, was the first who died in the colony. Fletcher, Goodman, Priest, Williams, Margeson, Britteridge, Clarke, John Allerton, and English, were single men. Ridgdale left no children.

known except by inference and strong probability, that he was one of Robinson's church who emigrated from England to Holland. He first appears as the agent of the church to treat with the Virginia company, of which church he is said to have been one of the deacons, and it is also said that he had once possessed a large property, which had been impaired during his exile. The same uncertainty seems to rest upon his family. At the time of signing the compact, (including John Howland,) it was eight in number. Afterwards, on the sixth of December, his son Jasper died, and his wife, overcome with grief for the loss of her husband and son, soon followed them to the grave. Yet there were children remaining, but their names are nowhere mentioned, neither in the instrument relating to the assignment of the lands, nor in that relating to the division of the cattle; neither do they appear at any subsequent time in the annals of the colony; they attained no civil honors; they rose to no distinction; but less fortunate than the children of the other governors, they remained in obscurity and were unnoticed by the people. A grandson of Governor Carver who lived at Marshfield, acquired some notoriety in consequence of his extreme age, having lived until he was 102. This grandson was alive as late as 1755, for in that year he was seen laboring in the same field with his son, grandson, and great grandson, while an infant of the fifth generation was in his house. It is also said that the celebrated traveller was descended from the governor. From the account which is given of his death, it would seem to have been occasioned by a stroke of the sun, and yet it is not a little remarkable that such an effect should have been produced in this climate on the fifth of April. His posterity are numerous. From all that appears, he was nearly perfect in all the moral and christian virtues.

## CHAPTER VI.

William Bradford elected Governor, and Isaac Allerton an assistant, or Deputy Governor.—Duel.—Edward Winslow, and Stephen Hopkins, visit Massasoiet at Sowams.—A boy lost and recovered.—Hobbomock comes to Plymouth to reside.—Corbitant's quarrel with Squanto and Hobbomock.—Standish's expedition to rescue Squanto, and his attack upon Corbitant's hut.—Submission of several native Chiefs.—Prediction of a Frenchman.—Colonists explore Massachusetts Bay.—Arrival of the Fortune, bringing Mr Cushman and thirtyfive passengers.—Hostility of the Narragansetts.—Town enclosed.—Military discipline established.—Standish sets out in the Shallop on a trading voyage to the Massachusetts.—Alarm at Plymouth.—Squanto's duplicity, and Massasoiet's resentment.—Arrival of the Sparrow.—Edward Winslow despatched to purchase provisions of the Fishermen.—Distress of the Colonists for food.—Threats of the natives.—Colonists erect a Fort.—Arrival of the Charity and the Swan with Weston's Company.—They settle at Wessagusset (Weymouth) Their profligate conduct.—Arrival of the Discovery and the Swallow.—Trading Expeditions to procure food.—The miserable situation of the plantation at Wessagusset.

1621. SHORTLY after the death of Carver, William Bradford was elected his successor, but being in indifferent health, at his request an assistant or deputy Governor was chosen. — The choice fell on Isaac Allerton.

Bradford was a native of Ansterfield in the north of England where he was born in 1588. He had been educated to husbandry which was the occupation of his kinsfolk. His inheritance was considerable, but his education was indifferent. At the early age of twelve he spent all his leisure time in reading the Scriptures, and became seriously impressed. He firmly maintained his religious opinions notwithstanding the opposition of his

relatives and the odium which followed the character of a separatist.

He was a constant attendant upon the preaching of Clifton, and connected himself with Robinson's church. At the age of eighteen, he attempted to emigrate to Holland, but was apprehended and imprisoned at Boston in England, but being very young, he was soon liberated. After many difficulties and disappointments he finally succeeded in reaching Holland.

At Leyden he learned the art of dying silk. When he came of age he sold his estate in England, and entered upon commerce.

He was one of the most zealous advocates for the removal of Robinson's church to America.

His zeal, his devotion to the society, his enterprising spirit, and his industry, all conspired to give him such a degree of consideration, that upon the death of Carver, (although he was then very ill,) all eyes were turned upon him as his successor, the company postponed the election until he had partially recovered, and then elected him governor at the early age of thirtytwo

On the eighteenth of June, (1621,) the whole company were convened to adjudge upon the second offence which had been committed in the colony ; this, was a duel fought with sword and dagger between Edward Doty and Edward Leister, the servants of Stephen Hopkins, in which both were wounded. The company sentenced them to have their heads and feet tied together, and so to remain for a day without meat or drink, but within an hour, upon their solicitations and promises, and the request of their master, they were released by the Governor. The slight punishment bestowed upon this offence, seems surprising even in these days, but it did not accord with the martial spirit of that age to punish such offences

rigorously. Indulgence in sensual pleasures found but little favor with the austere pilgrims, but a hostile re-  
counter of this sort, although deemed an offence worthy  
of punishment, was viewed with less displeasure.

In July (1621) Edward Winslow and Stephen Hopkins were despatched by the Governor to visit Massasoiet. The object of this measure was to gain a better knowledge of the country, to ascertain the strength and power of the sachem, 'to apologise for some misbehavior, to establish and regulate an intercourse, to procure corn, and to strengthen their mutual good understanding.' Squanto went with them as a guide.

They carried a horseman's laced coat of red cotton, and a chain, for presents.

This was the first attempt of the English to explore the interior.

The first Indian town which they reached was Namasket,\* distant about fifteen miles from Plymouth, and under the rule of Massasoiet. The messengers were well known to these Indians (who resorted to Plymouth almost daily for the purpose of fishing,) and were received with great joy, and regaled with bread called Mazium, made of the Indian corn, and also with the roes of shad which were boiled with acorns.

They then went about eight miles farther, where they reached a river called by the natives Titicut,† where they found many of the Namasket Indians fishing at a weir,‡ where they caught bass in great plenty; here, an interchange of hospitable offices took place between Winslow

\* In Middleborough.

† Now called Taunton river.

‡ This weir is supposed to have been at or near a village now called Titticut, partly in Bridgewater, and partly in Middleborough.

and Hopkins and the natives, each partaking of the others' provisions.

They lodged that night in the open fields, the Indians having no wigwams, although they spent much of the summer there.

The land on both sides of the river was cleared and well adapted to cultivation. They were informed by the natives that there once had been many settlements on its banks, but that the whole country in the neighborhood of the river had been depopulated by a pestilence, so fatal, that the living were unable to bury the dead. The account of the Indians was corroborated by the sight of many skeletons which lay bleaching on the ground as they passed.

The next morning the ambassadors continued their journey accompanied by six of the natives. Having travelled six miles they reached a fording place,\* and prepared to cross the river. Here they were encountered on the opposite bank by two aged men, being the only individuals in this part of the country who had survived the pestilence, who prepared with great resolution to resist their passage, but understanding they were friends, they received them with much kindness and gave them food, which was reciprocated by the present of a bracelet of beads. Here they ascertained the ebb and flow of the tide. Notwithstanding the extreme heat of the weather they continued their journey, quenching their thirst with the fine water of the springs which they found in great abundance. Their savage companions departed themselves with great civility, and showed them many kind attentions, bearing them through the waters of the small rivers, and offering to carry their clothes and their guns; but they proportioned their civilities between the two Englishmen as they

\* Near the new forge on Taunton River, about three miles from the green-

themselves had experienced kindness from the one, or the other.

In passing along by the river, they discovered but few places which had not been once inhabited ; the ground was cleared, but the signs of the ravages of the plague were apparent everywhere. The weeds overtopped their heads, denoting the fertility of the soil, but silence and desolation reigned throughout this depopulated region. The wood was oak, walnut, fir, beech, and gigantic chesnuts.

They reached a village of Massasoiet's and after satisfying their hunger with a meal of fish and oysters, proceeded to Pokanoket,\* the residence of the chief, who was absent. One of them attempting to charge his gun, the women and children fled, and would not be pacified until he desisted, and their friendly dispositions made known by the interpreters.

Upon the arrival of Massasoiet, they saluted him by discharging their muskets, and he received them with much joy. They made known the purport of their embassy, and presented the chief with the coat and the chain which they had brought as presents, with which both he and his people were much delighted.

The chief gave them assurances of the continuance of his friendship, and of his desire of a lasting peace, and promised to prevent any further molestation on the part of his people, and to send seed corn to Patuxet as requested. ¶After he had addressed the messengers, he addressed his own people, setting forth his authority over at least thirty places, and directing them to carry their furs to the English. This speech was received with great applause by the Indians.

\* This name was applied to a large territory.



After smoking, he entered into conversation with the messengers, and entreated them to use their influence with the company to prevent the French from trading at Narragansett, whither it seems they had sometimes resorted, saying, 'it was King James's country, and he was King James's man.' He informed them that the Narragansetts were a strong people, lived compactly, and had suffered nothing from the plague.

The chief having been absent for some time previous to their arrival, no provisions were collected. His sleeping place was on a platform of plank raised a little above the ground, and covered with a thin mat; on this, the messengers, the chief and his wife, and two others, laid down, but the Englishmen unaccustomed to such rough lodgings, and to such companions, and annoyed by insects, gained but little repose.

On the next day many of the petty sachems came in accompanied by their men, who played at some of their games for skins and knives.

The only provisions of Massasoiet were two fish, which he caught after their arrival, and his guests amounted in number to forty, nevertheless, he importuned the messengers to tarry longer, but they being anxious to keep the sabbath at home, and being unable to sleep amidst the filth of the Indian cabins, and suffering from the want of food, made their excuses and departed, leaving the chief both grieved and ashamed that he could entertain them no better.

Squanto remained to collect articles for traffic, and Massasoiet despatched Tokamahamon to guide them to Plymouth, where they arrived in two days by the same route which they had already travelled.

In this favorable manner terminated the first embassy of the English to the natives.

The simple and unsophisticated aboriginals received the strangers into the bosom of their country, little apprehensive of the mighty consequences which would follow their establishment there, the loss of that country, and the extermination of their posterity.

As little did the colonists apprehend that they were to be amongst the founders of a mighty empire ; destined in two centuries, to become one of the greatest on earth ; that their dominion would be extended from the Atlantic to the Pacific ocean ; that their posterity would become as numerous as the sands on the sea-shore ; that they were about to extend their laws, language, and religion, over a country almost equalling in extent the whole of Europe ; but ‘ the wisdom of the Almighty is past finding out.’

John Billington, a boy, having been lost in the woods, an inquiry was instituted amongst the natives, and Massasoiet sent word to the English that he was at Nauset. He had wandered about for five days, subsisting on berries, and then reached an Indian plantation, twenty miles south of Plymouth, called Manomet,\* and from thence had been conveyed to the Nausites. The governor sent ten men in a shallop with Squanto and Tokamahamon to recover him.

Having anchored their shallop in the bay near the harbor of Cummaquid,† the Indians invited them on shore, and four of them remained in the boat as hostages for the safety of the English. Here they had an interview with the young sachem of the country, Iyanough,‡ who they

\* In Sandwich.

† Barnstable Harbor.

‡ Sometimes called the sachem of Cummaquid, and sometimes of Mattakiest. This country being between the Harbors of Barnstable and Yarmouth.

found to be 'very personable, gentle, courteous, fair conditioned,' and hospitable, with little of the savage in his deportment or manners. Taking him with two of his followers into the shallop, they proceeded on their voyage to Nauset. Squanto was despatched to Aspinet, the sachem of Nauset, to demand the boy. Aspinet, accompanied with an hundred of his men, came down to the sea-side, and sending one of them to bear the boy through the water to the shallop, delivered him to the English decorated with beads, with which, in their kindness, they had almost covered him.

The sachem made his peace with the English, and the English performed an act of justice by making ample satisfaction for the corn which they had taken during the preceding year. They also presented the sachem and the Indian who had protected the boy with knives.

On their return they landed Iyanough at Cummaquid, and established a firm peace with the Indians of that region. The women sung and danced before their shallop, the men shewed them much kindness, and Iyanough, taking a bracelet from his arm, presented it to the English.

During this voyage, they learned news which gave them great uneasiness. The Nausites informed them that the Narragansetts had attacked Massasoiet, killed some of his men, and had taken him. The English at this time were much gratified by receiving another proof of attachment from the natives. Hobbomock, one of Massasoiet's chief captains, called in the Indian language Pinese, a man of great valor, came to dwell with them, and continued faithfully devoted to their interests during his life, and rendered them many services.

Shortly after the return of the expedition from Nauset, the colonists learned that Corbitant, a petty sachem, with-

in the jurisdiction of Massasoiet,\* who was suspected of an undue attachment to the Narragansetts, and of enmity to the English, was at Namasket, striving to disaffect the subjects of Massasoiet, and to incite them against the colonists ; speaking with great disdain of their power, and reviling Squanto for the part he took in establishing a peace between them and the sachems of Cummaquid and Nauset, and abusing Tokamahamon and Hobbomock because of their friendship for the strangers.

Anxious for the fate of their chief, Squanto and Hobbomock set out privately from Plymouth to ascertain his situation, and lodging at Namasket, they were discovered by Corbitant. He beset the hut where they were lodged, and threatened to put them to death. He seized Squanto and held a knife at his breast, but Hobbomock, being a man of great strength, escaped, and flying to Plymouth, informed governor Bradford that Squanto was killed. Upon hearing this, the governor assembled the whole company, (Aug. 13). After consultation in which the justice and necessity of protecting those natives who were friends to the colony, and on whom they relied altogether for intelligence, and the danger of a timid policy as it would invite attacks, was strongly urged, the company resolved to send out ten men to seize their foes in the night, and they directed them in case Squanto had been killed, to seize Corbitant and put him to death, and to bring his head to Plymouth, but to offer no injury to any unless they had been concerned in the murder of Squanto.

On the fourteenth of August, Capt. Standish, accompanied by Hobbomock and fourteen of the English, set out on this expedition, and after experiencing much incon-

\* He resided in the ancient town of Swanzey, near Slades' ferry.

venience from rain, and losing their way, reached Corbitant's hut in the dead of the night, and attacked it. Three Indians, attempting to escape, were badly wounded. It was ascertained that Tokamahamon and Squanto had received no injury.

In the morning Standish marched into the middle of the village, and Hobbomock announced his intentions to the Indians; he breakfasted at Squanto's, where all those who were not hostile to the English, assembled, but Corbitant's faction fled.

The English declared that if Massasoiet was not returned unharmed from Narragansett, or if Corbitant should incite any insurrection against him, or should offer any violence to Squanto, Hobbomock, or any of the subjects of Massasoiet, they would pursue him to his utter ruin. Taking the three wounded Indians and accompanied by a great concourse of their friends, the English returned home.

The Indians were cured of their wounds, and sent home in safety.

A deputation was sent from the Island of Capawack\* to solicit, and many sachems sought the friendship of the colonists.

The resolute conduct of the English intimidated the natives. Corbitant solicited the good offices of Massasoiet, (the report of whose captivity was a mistake,) to reconcile him to the English; and he, together with several other chiefs, came to Plymouth and subscribed the following paper.

‘ SEPTEMBER 13, Anno. Dom. 1621.

‘ Know all men by these presents, that we, whose names are underwritten, acknowledge ourselves to be the loyal

\* Martha's Vineyard.

subjects of King James, king of Great Britain, France and Ireland, defender of the faith, &c. In witness whereof and as a testimonial of the same, we have subscribed our names or marks, as followeth.'

OCQUAMEHUD,	NATTAWAHUNT,	QUADEQUINA.
CAUNACOME,	CORBITANT,	HUTTAMOIDEN,
OBBATINUA,	CHIKKATABAK,	APANNOW.

Even Caunonicus, the great sachem of the Narragansetts, despatched a messenger to the English for the purpose of establishing a peace.

The friendship of Massasoiet, and his influence over the petty sachems in his vicinity, contributed much to the security and peace of the settlers.

Massasoiet had signed an instrument, which he gave to Standish, in which he also acknowledged himself to be the subject of King James.

But there was another cause which lay deep in human nature, which saved the English. The Indians were overawed by a prediction which induced them to believe that the English were protected by a power with whom they were unable to contend, and many remarkable and striking coincidences, and an almost literal fulfilment of the prediction had intimidated them, and abated their native fierceness. They deemed it important to conciliate those who were the special favorites of a being who was mighty to save or to destroy, that they might prevent, or at least delay their impending ruin.

A French ship had been wrecked on Cape Cod; the crew escaped, and saved their provisions and cargo. They were watched by the Indians until a favorable opportunity occurred, when they fell upon the Frenchmen and slaugh-

tered all except three, whom they preserved, but treated with extreme cruelty. Two of these Frenchmen were ransomed by Mr Dermer, one of the company of Sir Ferdinando Gorges.

The other Frenchman lived amongst them until he had acquired their language. He told them 'that God was angry with them for their wickedness, and would destroy them, and give their country to another people, that they should not live like beasts as they did, but should be clothed, &c.' But they derided him, saying 'that they were so many that God could not kill them.' His answer was 'that though they were never so many, God had many ways to destroy them that they knew not.'

Shortly after the death of this Frenchman, the pestilence depopulated their country, the arrival of the English soon following, they remembered the words of the Frenchman, and believed them to have been dictated by divine influence. Of this prediction the planters were informed by many aged Indians.

To avert the calamities with which they were threatened, the Indians assembled in a dark swamp, and their powaws or priests continued their incantations for three days, during which the English were solemnly cursed and devoted to destruction, but the tide of fate rolled on, and the existence of the prophecy was one of the causes of its fulfilment.

Although the colonists had heard much of the threats of the Massachusetts, yet the governor and the company determined that the bay on which the Massachusetts dwelt should be explored, the situation and circumstances of the country ascertained, and a friendly intercourse and trade established with the natives if practicable.

For this purpose, on the eighteenth of September, the governor despatched ten men in the shallop, together with Squanto and two other Indians. On the next day, the shallop came to anchor under a cliff,\* at the bottom of the bay, and twenty leagues distant from Plymouth. The sachem of this place was Obatinewa, one of those who had subscribed the submission a few days previous. Although he dwelt out of the country, which is supposed to have been the peculiar domain of Massasoiet, yet he acknowledged him as his superior chief. Obatinewa treated the English with much kindness, but he was in such great alarm that he dared not remain long in any place, being in constant fear of the Tarratines, a nation of Indians who dwelt far east, and whose usage it was to attack the Indians living around the bay at the time of the harvest and to despoil them of their corn. He was also in much apprehension of the squaw sachem or chieftainess of the Massachusetts.

He renewed his submission to the English, and he was assured of protection.

After crossing this bay which was filled with delightful islands, all without inhabitants, but with the vestiges of former habitations, the English landed on the continent, and ventured a few miles into the country. This was in the neighborhood of a place where Nanepashemet, a chief of much note, had formerly lived; he had been slain in a predatory incursion of the Tarratines. In a small vale he had built a fort, which he had surrounded with a palisade of the height of thirty or forty feet, encircled with a trench, breast deep. In the midst of this enclosure was a frame under which he was buried. A similar frame was

\* Supposed by Dr Belknap to be Copp's Hill in the north part of Boston.



placed as a monument on the highest part of the hill where he was killed.

The natives, although fearful at first, soon became familiar with the English, and entertained them hospitably. A traffic was commenced and finished satisfactorily, and the shallop, with a considerable number of beaver skins, returned in safety to Plymouth.

The report of the shallop's crew was so favorable respecting the country of the Massachusetts, that the colonists regretted that they had not been seated there, although there had been no want of provisions through the summer, and a successful traffic had been opened with the natives;—fishing was good both for cod and bass; the harvest was gathered; water-fowl abounded; the forest was filled with deer and wild turkeys; the houses were well prepared to resist the inclemency of the winter, and the people were in perfect health, and under no apprehensions of want.

On the 9th of November a vessel arrived at Cape Cod, which the colonists mistook at first for a Frenchman, but were much relieved on finding it was the Fortune of fifty-five tons burthen, bringing Mr Cushman and thirty-five more passengers,\* who intended to remain at the plantation.

\* The following persons came in the Fortune.

Robert Cushman,	Robert Hiekes,
William Hilton,	Thomas Prence, (Prince, afterwards
John Winslow,	Governor,)
William Coner,	Stephen Dean,
John Adams,	Moses Simonson (Simmons,)
William Tench,	Philip De La Noye (Delano,)
John Cannon,	Edward Bompasse (Bumpus and Bump,)
William Wright,	Clement Briggs (Briggs,)
William Pitt,	James Steward (Stewart,)

This vessel had sailed from London early in July, but did not clear the English channel before the end of August. Nearly all the provisions had been consumed in this long voyage, and the colonists were obliged to provision her for the homeward voyage, which they did, much to their own inconvenience.

The *Fortune* sailed on the thirteenth of December with a full cargo of beaver, boards, &c. Mr Cushman returned to give the adventurers full information as to the state of the colony, but the vessel was unfortunately captured and plundered by the French on her homeward passage.

After her departure, the governor and his assistant distributed the new comers amongst the several families, and having ascertained that all the provisions would barely subsist them for three months on full allowance, the whole company were reduced to half allowance, and to this privation they submitted with the greatest cheerfulness.

Mr Cushman was the bearer of a letter from Weston to Governor Carver, in which he wrote, 'we have procured a charter the best we could, better than your former, and with less limitations.' At this time they had built seven dwelling houses, (four, for the use of the plantation,) and had gathered the materials for several others.

Early in the following year, (1622) the Narragansetts learning that the vessel which had lately departed had brought neither provision nor arms, began to threaten the

William Palmer, (probably two in his family,)

Jonathan Brewster,

Bennet Morgan,

Thomas Flavell and his Son,

Hugh Stacie (Stacy,)

William Beale.

Thomas Cushman,

Austin Nicolas (Nicholas,)

Widow Foord (probably four in her family,)

Thomas Morton,

William Bassite (Bassett, two probably in his family.)

colonists with hostilities, so open were they in their boasts that the English received from the neighboring Indians constant intelligence of their threats and preparations.

At length their chief sachem, Caunonicus, sent a herald, who, after inquiring for Squanto, (who was absent,) left a bundle of arrows, enclosed in a rattlesnake's skin. When Squanto returned he explained the meaning of the emblematic message. It imported enmity, and was in fact a challenge.

The governor after consulting the settlers despatched an Indian with an emblematic answer of equal significance, for he stuffed the skin with gunpowder and bullets, and returned it to Caunonicus, assuring him also by the mouth of his interpreter, that if he had shipping he would not trouble him to come so far as Plymouth to gratify his wish for fighting, but would have sought him in his own country; and he further assured him that whenever he did come he should be prepared to receive him.

This resolute message intimidated the sachem. Fearful of injury, he refused to touch the skin, neither would he suffer it to remain in his house. It passed about through several hands, and at length was returned to the English unopened.

Apprehensive of hostilities, the settlers resolved to impale the town; this was effected during the month of February.—They also enclosed a part of the hill, and made four bulwarks or jeties without the pale. In three of these bulwarks there were gates which were kept locked at night, and watch and ward was kept through the day. The ground which they enclosed was enough to supply a garden for each family.

The governor and captain then divided the whole force into four squadrons, and appointed a commander to

each, assigned their posts, at which they directed each squadron, (in case of alarm) to station itself. During the absence of the captain, the captains of the squadrons were to command.

After completing the arrangement, each commander drew off his command to the post which had been assigned to him, and after a salute, the commanders were escorted by their several companies to their respective houses, where they were again saluted in a military manner.

One of the companies was directed to attend particularly to fires, to surround any building which should be on fire, and facing outwards repel any treacherous attempt with their arms, while others who were designated for the purpose, should extinguish the fires.

In making these arrangements, Standish had the principal share. Every precaution was taken by this wise and valiant commander, (who had been a soldier by profession, and had served in the wars of the Low Countries,) to preserve the safety and existence of this feeble colony.

He made these pious and austere pilgrims attentive even to the forms of military etiquette, for he well knew that the cultivation of a martial spirit was their only safeguard against the dangers with which they were surrounded.

All the colonists had followed peaceful occupations. Standish was the only soldier amongst them;—the task therefore fell upon him, to form them to habits of discipline and watchfulness, and to teach them to rely in some degree upon human means for their preservation.

Another expedition being about to proceed on another trading voyage to the Massachusetts, Hobbomock endea-

vored to excite their apprehensions respecting a confederacy between the Massachusetts and the Narragansetts, and represented to them that by dividing their force all might be in danger of being destroyed,—that Standish, who had the charge of the trading expedition and his company, might be destroyed by the Massachusetts; and that the Narragansetts might, in his absence, attack the town with superior numbers, and destroy it; and he intimated that Squanto was in the plot, and would endeavor to entice Standish's men from the shallop to the Indian huts, where they could be destroyed with more ease.

Notwithstanding this alarming information, Standish resolved to proceed, and taking Hobbomock and Squanto and ten others, he set sail.

After they had weathered the point of the harbor called the Gurnet's nose, being becalmed, they anchored; while at anchor, an Indian of Squanto's family, with his face covered with blood, ran into the town in apparent alarm, (frequently looking behind him as though he was pursued, and calling upon the people who were in the fields to return home,) and informed the governor that there were many Narragansetts, together with Massasoiet and Corbitant and many others at Namasket, who were determined to assault the town in the absence of Standish, and that he had been wounded for speaking in behalf of the English, and escaped death by flight.

This information induced the governor to order the ordnance, which consisted of three pieces, to be discharged; the report being heard by Standish and the crew of the shallop, they immediately returned.

As soon as Hobbomock had ascertained the cause of the alarm, he positively denied Massasoiet's participation in the design, and assured the English that he would never have

undertaken an enterprise of such importance without consulting his captains, of whom he was one.

The governor prevailed upon Hobbomock to send his wife privately to Pokanoket, and without discovering her errand to Massasoiet or any one else, to ascertain the truth. Finding all things tranquil, she informed Massasoiet of the alarm at Plymouth, and he was excessively incensed against Squanto, but he sent his thanks to the governor when he learned that his good opinion of him had not been shaken, and he directed the Squaw to assure the governor that he should faithfully adhere to the terms of the treaty, and would give him instant information of any plot which should come to his knowledge. The English suspected that Squanto's main object was to magnify himself in the eyes of his countrymen, by inducing them to believe that he had a controlling influence in their councils, and that he held in his own hand the power of war, or of peace, and they heard of his practices to obtain gifts by giving private information to the natives that they intended to kill them but that he could prevent it, in consequence of which he deluded many. Some held him in more estimation than their own sachems, and even the followers of Massasoiet began to fall off, and to rely on Squanto for protection. It was, perhaps, after all, but natural for Squanto who does not seem to have possessed much influence with the natives at the time of the arrival of the English, to endeavor to make the most of their favor. His knowledge of the English language gave him a decided advantage over all others. His own small tribe had been exterminated by the plague. He was a solitary man, unaided by the influence or favor of kindred, and he only used the means which fortune had placed in his hands to acquire wealth, consideration and influence. Another of his devices to magnify the power of the English, and,

consequently, his own, was to persuade the natives that the English had buried the plague in their storehouse, and that they could loose it at will and ravage the whole country. The apprehension of this kept the Indians in great fear. The ground being broken in the store house in the presence both of Hobbomock and Squanto, and some barrels containing gunpowder being disclosed, Hobbomock naturally inquired of Squanto what they were? He answered without hesitation that this was the place where the plague was buried, of which, he had formerly told him and others. Hobbomock inquired of an Englishman if it was so, but he undeceived him, informing him at the same time that the God of the English possessed it, and could use it for the destruction of his own enemies and the enemies of the English.

The Indians were also undeceived as to the extent of Squanto's influence, the English assuring them of their friendly disposition, and that such reports could only originate with those who were liars, and who meant to excite disturbances. They were pacified by these assurances, but Squanto's duplicity was resented so much, particularly by Massasoiet, that after his departure from Plymouth, whither he had gone to justify himself, a messenger was sent to the governor to entreat him to put Squanto to death; the governor admitted that he deserved death, yet he was anxious that his life should be spared for the sake both of the English and the Indians, for without him they could scarcely hold any intercourse, as no other person had a knowledge of both languages.

Massasoiet was not satisfied, but sent several messengers to demand that Squanto should be given up, as he was his subject, according to the terms of the treaty.

So anxious was he to get Squanto into his hands, that he offered the governor many beaver skins. With his

messengers the chief sent his own knife for the avowed purpose of cutting off Squanto's head and hands, but the governor disdainingly to sell his life, refused the present, although he assured the messengers that Squanto had justly forfeited it by his falsehood and deceit.

He however sent for Squanto, who readily yielded himself, and submitted his life without the least apparent reluctance to the will of the governor, but he charged Hobbomock with being the author of his ruin.

The governor with much reluctance at length determined to yield him to the executioners of Massasoiet, but at the moment, a boat appearing in the bay, and an alarm being given that the French were approaching, and the governor being uncertain as to the extent of the connection between the French and the Indians, refused to deliver Squanto into the hands of the messengers until he had ascertained the character of the crew who were in the boat; and they being angered at his reluctance and delay, departed in a great rage.

The boat however proved to be the shallop belonging to a ship of Thomas Weston's, called the Sparrow, who had been fishing near Munhiggon,\* and they learned that there were forty sail of English vessels engaged in fishing. The governor despatched Edward Winslow to purchase provisions of these fishermen, who being poorly supplied, refused to sell any, but generously gave them enough for their immediate necessity, but not sufficient for all their wants. Captain John Huddleston deserves to be mentioned on this occasion for his great generosity. The supply was opportune; the colony was entirely destitute of bread, and they obtained sufficient to supply each person with a quarter of a pound daily until the harvest.

\* Near Penobscot.



The sea-fowl frequented their waters during the winter, the latter part of autumn, and the early part of the spring only, and it was now summer.

The colonists were unprovided with fishing gear. They had been compelled to live upon clams and other shell fish, which they found in the sands, and they were excessively debilitated from the want of food. The Indians discovered their weakness, and meditated their destruction, and boasted how easily they could effect it. Their designs came to the knowledge of the settlers, and their fears were heightened by news which they learned from captain Huddleston, of a horrible massacre which had been perpetrated by the natives upon the English, in Virginia.

Induced by these circumstances, they set about the erection of a fortification, which was placed on a hill back of the town, and although they were obliged to neglect their agriculture, they completed the fort, building it strongly of timber, with a flat roof and battlements; on this roof they mounted the ordnance and kept constant watch. The lower part served them for a meeting house or place of worship.

Such was the character of these times, and of these men. The temple of the Lord was defended by cannon, and his worshippers were armed men; they held the sword in one hand and the bible in the other.

Previous to this time, they had made another trading voyage to the Massachusetts, and met with good success.

They planted sixty acres to corn, and their gardens were filled with vegetables; their numbers amounted to an hundred, free from sickness, but much debilitated.

About midsummer two ships arrived called the Charity and the Swan, which were sent out by Weston (who had obtained a patent from the adventurers,) to commence a

plantation ; and he had sent over at his own charge fifty or sixty idle and profligate persons to undertake an enterprise which could only succeed under the management of men who were adventurous, industrious, sober, sagacious, and hardy ; and who were willing to submit to every privation.

This rabble were treated kindly and courteously by the colonists, and to requite them, they wasted their provisions, and committed numberless thefts, taking in the night, their green and growing corn, and assisting them but little in its culture.

The Charity soon sailed for Virginia.

Weston's company sent out an exploring party, who soon returned and reported in favor of a place called Wessagusset\* or Wessaguscus, on the Massachusetts Bay. To this place they soon repaired, (much to the joy of the Plymouth people,) leaving their sick behind, who were soon cured without charge by Mr Fuller, the physician and surgeon of the settlement, and they joined the company at Wessagusset.

The settlers at Wessagusset soon excited the enmity of the neighboring Indians by the profligacy of their carriage, and their frequent thefts.

Complaint was made of their outrages to the governor of Plymouth, who endeavored to prevent the evil by frequent admonitions, but without much effect.

About the latter part of the month of August, two other ships came into the harbor, one of which was called the Discovery, and was commanded by Capt. Jones, the former commander of the May Flower. The other was Weston's vessel, the Sparrow, which had completed her fishing voyage.

\* Now Weymouth.

Captain Jones supplied the settlers with some articles, such as they could exchange with the natives for provisions. Their crop of corn proved so scanty, partly in consequence of their inability through weakness from the want of food to attend to its culture, and the pressure of other business, and partly from the depredations of Weston's company, that they were in danger of famine. Jones took an ungenerous advantage of their necessities, and compelled them to pay the most exorbitant prices.

John Porey, who had been secretary of the Virginia Colony, and was about to return home, was a passenger in the *Charity*, and from personal observation he was induced to represent the colony so favorably in England, that it acquired new and powerful friends.

The *Charity* returned to England about the end of September, but the *Sparrow* was retained at Wessagusset.

The planters at Wessagusset having wasted their provisions; fearful of approaching want, and hearing that the Plymouth people had purchased many articles of Jones for the purpose of traffic, desired to enter into co-partnership with them and offered their small vessel for that service. Their object was to purchase corn from the Indians. An agreement was made between them and the governor of Plymouth and his assistant, but they were delayed by the death of Richard Green, the brother-in-law of Weston, who had charge of the colony at Wessagusset, and who died suddenly at Plymouth. They intended to visit the south side of Cape Cod, and took Squanto, (who had now reconciled himself to Massasoiet,) for a pilot, he pretending that he could pilot them within the shoals. Captain Standish was to have commanded the expedition, but being driven back twice by violent winds, and falling ill of a fever, governor Bradford took the command himself, and after encountering some hazard from the shoals,

he made for a harbor at a place called Mannamoyck,\* and after sounding through a narrow and intricate channel, anchored. The governor, attended by Squanto, went on shore, but the natives were shy of intercourse for some time, at length, understanding his intentions, they threw off their reserve, and welcomed him with much apparent joy, feasting him and his company on venison and other food,—yet so jealous were they when they ascertained that the governor intended to remain on shore during the night, that they carefully removed their property from their habitations. Squanto having succeeded in persuading them that the intentions of the English were good, they were at length induced to sell them eight hogsheads of corn and beans.

They intended to have proceeded farther down the Cape, being assured both by Squanto and the Indians of Mannamoyck that there was a safe passage, but their design was frustrated by the sudden sickness of Squanto, who was seized with a fever so violent, that it soon occasioned his death, to the great grief of the Governor.

Although Squanto had discovered some traits of duplicity, yet his loss was justly deemed a public misfortune, as he had rendered the English much service. A short time previous to his death, he requested the governor to pray that he might go to the Englishman's God in heaven, and he bequeathed his little property to his English friends as remembrances of his love.

The Indians of Massachusetts having promised the English to plant corn abundantly for the purpose of traffic ; when the wind came fair, the governor sailed down the bay, and reaching the place of his destination, he had the

\* Now Chatham.

misfortune to find most of the Indians afflicted with a deadly disorder, not unlike the plague.

Such had been the folly and improvidence of Weston's people in trafficking with them, that a quart of corn was estimated as high as a beaver skin, and so imprudent and vicious had been their conduct, that the affections of the natives were totally alienated.

Finding no prospect of trading to any advantage, they sailed for Nauset, where they were received with much kindness, and purchased eight or ten hogsheads of corn and beans, and proceeding to Mattachiest, obtained more.

During this expedition they suffered much from violent storms. The ship was in danger and the shallop was cast away; they had no means of getting the corn on board the ship, as she could not ride in much less distance than two leagues from the shore, and the ship's boat was too small and leaky for that purpose.

The governor caused the corn to be stacked, covered it with mats and sedge, and entrusted it to the keeping of the natives, promising a reward to him who dwelt nearest to it for attending to its safety. The Indian undertook the trust, and the sachem assured his fidelity. The shallop being found almost buried in the sand, but containing articles of little value for present purposes, was put under the care of the sachem.

The governor then procured a guide, and set out on foot for Plymouth. He was treated with much respect by all the natives whom he met in his journey, and arrived in safety, after travelling fifty miles. The vessel arrived a few days after. The corn being divided, Weston's company went to their own plantation, promising to return soon with their carpenter, (whose services were wanted at

Plymouth,) to bring away the corn which had been stacked, and to recover the shallop.

At their return, Captain Standish having recovered his health, took the command of another shallop and went with them to Nauset, where the corn was found, undisturbed. Having repaired the shallop which had been wrecked, they got all the corn on board.

While at Nauset an Indian having stolen a few beads and other trifles from one of the shallops, complaint was made to the sachem, accompanied by many threats if the stolen articles were not returned. The sachem soon restored the articles, and informed the captain that he had severely beaten the thief. He grieved much that such an act should have been committed, and the women were required to make bread and to carry it to the English to pacify them.

They then returned to Plymouth, and the corn was equally divided. After this the governor with some attendants went to Namasket to secure another supply, in which he succeeded.

The governor then visited Manomet,\* a place which was governed by Canaucum, one of the subscribers to the act of submission, by whom he was kindly received. While he was there an incident occurred which not only served to show the respect and consideration in which Canaucum was holden, but is peculiarly illustrative of the Indian character. Two Indians of Monamoyck came into the sachem's wigwam in a night of excessive coldness. Having laid aside their bows and quivers, they sat down at the fire without uttering a word, and began to smoke; their pipes being finished, one of them addressed Canaucum in a short speech, and presented him with a basket of

\* The part of Sandwich which lies on Manomet river.

tobacco, and some beads. He then delivered a long speech, which Hobbomock, who attended the governor, interpreted to him.

The Indians are almost without exception desperate gamblers, staking (when pushed) the clothes on their backs, and even their wives' clothes, and literally stripping themselves naked to satisfy the winner. This desperate spirit of gambling, was sometimes productive of fatal consequences.

Two of the tribe to which the messengers belonged, quarrelled, while gaming, and one killed the other. The murderer was a powaw or priest, a man of great distinction and of much use in his own community, but another tribe of great power had threatened them with war, unless they would put the offender to death. He had been imprisoned and the sachem was in great doubt as to the course which it was proper for him to pursue, and anxiously desired the advice of Canaucum. After a long silence, the opinions of those who were present were taken, and Canaucum also requested the advice of Hobbomock, who answered 'that he was a stranger to them, but thought it better that one should die than many, since he had deserved it, and the rest were innocent.' Canaucum then directed the messengers to tell their sachem, that in his opinion the murderer should be put to death.

In February (1623) an Indian came to Plymouth with a letter from John Sanders, (who had the charge of Weston's plantation,) representing the great distress into which the planters had fallen. They had exhausted their provisions and could borrow no corn from the natives, and were near starving, and he requested the governor to advise him whether he might take the corn from the Indians by force to relieve his starving men, but the governor strongly dissuaded him from such a course; he advised him of the

danger to which both plantations might be exposed in consequence of the just exasperation of the natives, that the constant depredations upon their corn had already incensed them, and that the people of Wessagusset could subsist themselves as the Plymouth people had frequently done on shell fish, and ground nuts.

So totally destitute of good faith were these wretched men to each other, that some of them informed the Indians that their corn was about to be taken from them by force. This information was the cause of a conspiracy which came near being general amongst the Indians against both settlements.

Upon the reception of the governor's letter, Sanders went to Plymouth, and the governor spared him a small quantity of corn from the small stock of the colony. He then set sail in a shallop for Monhiggon,\* to procure farther supplies, being wholly ignorant of the conspiracy of the Indians.

His company in the meantime fell into great straits ; many sold their bed coverings and even their clothes ; some were so debased, that for the sake of a little food, they became servants to the Indians, cutting their wood, and carrying their water.—Some subsisted altogether by stealing from them.—Some died of hunger, and one, in consequence of his extreme weakness, was unable to extricate himself from the mud where he was gathering clams, and perished. Most of them abandoned their dwellings, and wandered up and down by the sea-shore, and in the woods, gathering clams and ground nuts.—One became a savage, abandoned his company and joined himself to the natives. So miserable and contemptible had they become, that when their food was prepared

\* A plantation of Sir Ferdinand Gorges in Maine, near Penobscot.



the Indians would take it from them and eat it before their eyes:—they would seize their blankets when they had lain down to rest, and leave them to encounter the cold air naked. They even hung one of the company to satisfy the Indians on account of some thefts.\*

One of them by the name of Phineas Pratt, became so much alarmed for the probable fate of the whole, that he abandoned them, and without any knowledge of the way, wandered through the woods until he reached the plantation at Plymouth in safety, although his absence was noticed, and he was pursued by two Indians.

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\* See Hudibras.

## CHAPTER VII.

Expedition of Standish against the Indians of Wessagusset.—Its success.—Weston's Plantation broken up and abandoned.—Proofs of the Conspiracy of the Indians.—Journey of Edward Winslow and John Hampden to Visit Massasoiet.—Distress of the Indians, and their submission.—Weston comes over.—His misfortunes.—Quarrels with Gorges.—His injustice to Plymouth.

ON the day preceding the arrival of Pratt, the yearly court had been convened.

The governor, unwilling to make war on his own responsibility, laid before the whole assembled company the circumstances which induced him to suppose that the Indians contemplated hostilities.

It was resolved by the company, that Captain Standish should take with him as many men as he deemed to be necessary for encountering all the Indians in the Massachusetts Bay:—that he should conceal his intentions and pretend to trade as usual, but should disclose his design to Weston's people, and secure Watawamat, a bold and bloody warrior, and bring home his head, (his hostile intentions being well known.) Such were the instructions to Standish; whereupon he made choice of eight men, refusing to take more, although many more were willing to go;—but he thought this small force would excite no jealousy.

The information brought by Pratt was of such a nature, that Standish was induced to proceed to Wessagusset without delay. On his arrival, he found the ship empty,

but upon discharging a musket, the captain and some others, who had been gathering ground-nuts, shewed themselves.

Standish reproved them severely for their carelessness, but they seemed to be under no apprehensions of the Indians, informing him that they lived and lodged with them without arms. Upon ascertaining that the men to whom Sanders had committed the charge of the colony, and who were most in his confidence were at the plantation, he went thither and disclosed his design, laying before them the proofs of the conspiracy, but telling them that if they could devise any other mode to secure their own safety, he would assist them with all his force.

Upon comparing his intelligence with circumstances which came within their own knowledge, they were convinced, and wondered much that they had escaped destruction so long. Standish enjoining strict secrecy, caused them to call all the company into the town, and ordered a pint of corn to be issued to each man daily, although it was taken from the seed corn of the Plymouth people.

An Indian soon came to him with furs, under pretence of trading, but although the captain maintained a calm demeanor, the Indian was not deceived. On his return to his own people, he reported of Standish that 'he saw by his eyes, that he was angry in his heart.' The Indians then began to suspect that they were discovered.

Pecksuot, a paniese or warrior, a man of great courage, told Hobbomock 'that he understood the captain was come to kill him and the rest of the Indians there.' 'Tell him, (said he,) we know it, but fear him not, neither will we shun him, but let him begin when he dare, he will not take us unawares.' Many of the Indians would sharpen their knives before the captain's face, and insult him both in speech and gesture. Wittawamut boasted of the excel-

lence of his knife. 'On the end of the handle there was pictured a woman's face; but, said he, I have another at home, wherewith I have killed both French and English, and that hath a man's face on it; and by and by these two must marry.' Further he said of his knife, 'by and by it should see, and by and by it should eat, but not speak.'

Standish was small of stature; Pecksuot, who was very large, told him 'though he were a great captain yet he was but a little man; and, (said he,) though I be no sachem, yet I am a man of great strength and courage.' The temper of Standish was fiery, but he bore these insults with much patience. On the next day, Pecksuot, Wittawamut, another Indian, and Wittawamut's brother, a youth of eighteen, whose deportment had been insulting in the extreme, being together, Standish having an equal number of his own men in the same room, gave the signal. The door being fastened, he snatched the knife which Pecksuot wore about his neck, and after a horrible struggle, succeeded in despatching him by plunging it into his bosom. Wittawamut and the other Indian were killed. The brother of Wittawamut was taken, and afterwards hanged. The Indians died with great courage, scarcely uttering a sound, and defending themselves to the last.

During the contest, Hobbomock stood by without interfering, apparently observing the conduct of the English. After it had terminated, he addressed Standish; 'yesterday, Pecksuot, bragging of his own strength and stature, said, though you were a great captain, yet you were but a little man; but to day I see you are big enough to lay him on the ground.'

Two more Indians were killed by the others. Another was killed at another place by the Plymouth party, and one escaped to his countrymen with the news.

The captured Indian women were placed in the custody of Weston's people.

Standish taking one half of his men, and one or two of Weston's, went out in pursuit of the Indians. He soon discovered a company of them advancing in single file. A small hill lay between them and the English, which both parties strove to obtain. Standish succeeded. The Indians retreated, and sheltering themselves behind trees, began to shoot arrows, aiming principally at Hobbomock and the commander. Hobbomock instantly cast off his coat and ran towards them. His prowess being well known, they fled from him, and the English could scarcely keep pace with him in the pursuit. One of the Indians aiming at Standish, he, and one of his men firing at the same time, broke his arm, and the natives then fled into a swamp. The English attempted to parley, but received nothing but abuse. Standish challenged the sachem to a single combat, but he refused and fled:— Standish and his party then returned to the plantation, and released the women, refusing to take their beaver coats, and offering them no insult.

Weston's people came to the determination to abandon their plantation, and to go to Munhiggon which was the resort of the fishing ships, in which, they expected to obtain a passage to England.

Standish told them that he should have no fear in residing there with less men than they had; yet if they chose to go, he was ordered by the governor and people of Plymouth to supply them with sufficient corn for their subsistence until they could reach the fishing ships, and he gave them nearly his whole store. Some of them who were unwilling to go to Munhiggon he took with him to Plymouth, and after seeing the others under sail, and clear

of the bay, he returned, bearing the head of Wittawamut, which he placed on the Fort.

Such was the miserable termination of the second attempt of the English to colonize New England. The cause of the disasters of the Wessagusset and the success of the Plymouth plantation, may be traced to the different characters of the settlers of each.

The first had no object but to gain subsistence with little trouble, and were destitute alike of morals and religion. The last were animated by higher motives, motives which taught them self-denial, patience, justice, fortitude, and all the hardier virtues. The first sought only to gratify their animal wants, and animal pleasures; the object of the last was to rear the church of Christ in the wilderness, and to maintain the freedom of their religious opinions at all hazards.

Much obloquy has been thrown on the characters of the Pilgrims for this attack upon the Indians. The existence of the conspiracy is said to have been ideal, and it is confidently asserted in modern times that the Indians were disposed to friendship when they were assailed by Standish, and that the conspiracy was a mere pretence on the part of the English to rid themselves of troublesome neighbors, and to acquire their country; but any one who examines the proofs with impartiality will be convinced of its existence, and that the colonists were actuated neither by interest nor revenge, but only endeavored to secure their own safety by attacking those, who, when their projects were matured, would have destroyed them.

To shew this more clearly, it will be necessary to recur to a period anterior to the expedition of Captain Standish to Wessagusset.

In the month of February, (1623,) Standish had been despatched with a shallop to Mattachiest; the Indians received him with apparent kindness, and promised him a considerable quantity of corn. A storm came on, and the harbor was filled with ice, and he was compelled to remain on shore through the night. The number of the savages who were assembled at the place where he staid was so great, that he suspected their intentions to be hostile, and ordered his men to keep an alternate watch.

An Indian stole some beads. Standish, who had but six men, invested Iyanough's hut, (in which nearly all the Indians were collected,) threatening to attack them if the beads were not restored. The sachem, discovering the thief, sent him secretly to the shallop with them;—he laid them on the cuddy; Standish was then desired to search the boat where he found them.

The resolute conduct of Standish intimidated the Indians so much, that they were fearful of attempting anything against him at that time, but endeavored to appease him by bringing more corn for traffic than had been promised. From this time, however, the Indians were watched and suspected.

In the following month of March, Standish went to Manomet to bring away some corn which governor Bradford had previously purchased. He was coldly received. He was at Canaucum's hut at some distance from his boat, and only two or three of his own men with him. Two Massachusetts Indians came into the hut, one of whom was Wittawamut, whose fate has been already related, who boasted of his having killed both French and English, 'and derided their weakness, especially because, as he said, they died crying, making sour faces, more like children than men.'

Taking a dagger from his neck, he presented it to Canaum, and addressed him in a long speech, in which he informed him that 'the Massachusetts formerly concluded to ruinate Master Weston's colony; and thought themselves, being about thirty or forty men, strong enough to execute the same. Yet they durst not attempt it, till such time as they had gathered more strength to themselves, to make their party good against Plymouth; and although he had no other arguments to use against the Plymouth people, yet they would never leave the death of their countrymen unrevenged; and therefore their safety could not be without the overthrow of both plantations. To this end they had formerly solicited this sachem, as also the other called Iyanough, at Mattachiest, and many others to assist them; and now again came to prosecute the same; and since there was so fair an opportunity offered by the Captain's presence, they thought best to make sure of him and his company.'

After Wittawamut had made this speech, he received much more consideration and attention than Standish; so great was the difference, that Standish was excessively indignant, (although he had not understood the purport of Wittawamut's speech, which was explained to him afterwards.)

The savages then endeavored to persuade him to send for the remainder of his boat's crew, which he refused, and engaged the Indian women to take his corn down to the boat.

An Indian of Paomet was present who had formerly professed great friendship for the English: he besought Standish with great importunity to lodge at his hut, making many professions and offering to assist in carrying the corn to the boat, a kind of labor which he said he had never performed for any one.



The weather was so excessively cold that Standish could not sleep but kept before the fire. The Indian urged him to sleep, but his anxiety kept him awake. It was afterwards discovered that this Indian intended to have killed him while he slept.

On the next day this Indian (of whom Standish had no suspicions) embarked with him, and urged him with much importunity to go to Paomet, promising to sell him his own corn and to procure other corn for him. Standish at length yielded to his solicitations, and put his boat about, but was forced back by a contrary wind, and returned to Plymouth, (fortunately for him) for had he reached Paomet, in all probability, he would have been taken off.

After the fight at Wessagusset, an Indian youth, (who had always appeared to be attached to the English,) notwithstanding the injuries which Standish had done his countrymen came to him without fear and confessed that it was the intention of the natives to have killed all Weston's people, and they waited merely for the finishing of a couple of canoes which they were building for them at that time.

Their Indian prisoner after viewing the head of Wittawamut with much emotion, confessed his knowledge of the plot, and informed them that the sachem Obtakiest had been drawn into it with much reluctance, having yielded to the importunity of his people against his own inclination. He also informed them that there were five who were mainly instrumental in devising the plot, amongst whom were Wittawamut and Pecksuot, the other three were powaws or priests, one of whom was wounded. He denied any personal participation in the conspiracy and affirmed that he was a stranger, and not one of the tribe. Hobbomock interceding for him he was released and

despatched with a message to Obtakiest of the following tenor;—‘that it never entered the hearts of the English to adopt such measures as they had pursued towards them until they were compelled thereto by their own treachery, and that if he persisted in his courses, they would drive him from his country, and utterly exterminate his people. They also required him to send to Pawtuxet, (Plymouth) three Englishmen whom he had taken, (being some of Weston’s company,) that he should do no injury to the paling or buildings at Wessagusset, and that the messenger should forthwith be sent back with the English, and with a satisfactory answer.’

But another circumstance proves the existence of the plot still more conclusively. News came to Plymouth that Massasoiet was sick, and would probably die, and that a Dutch ship had been stranded near his residence. As the Indians when sick expect visits from their friends, it was thought right by the governor to despatch Mr Winslow to visit Massasoiet once more, and to have a conference with the Dutch. He was selected for this service because he had once before been to Sowams, and had some knowledge of the Dutch language. Having provided himself with some cordials, and attended by Hobbomock for a guide, and the celebrated John Hampden for a companion, (who was then sojourning at Plymouth, and who felt an anxious desire to see the country,) he set forth on his journey.\*

The first night they lodged with their Indian friends at Namasket. The next day they came to a ferry in Corbi-

\* When wandering about the woods of Pokanoket, or along the banks of Taunton river, or sleeping in Indian huts, little did Hampden dream of the fate which awaited him, little did he think that it was reserved for him to commence the overthrow of the British monarchy, and to shed his blood in the first daring attempt for a free constitution in England.

tant's country,\* where they found many Indians and were informed that Massasoiet was dead, and was to be buried that day, and that the Dutch had hove their ship off, and were just about to sail.

Winslow was disconcerted at this news, and Hobbomock was anxious to return, but Winslow apprehending that Corbitant would probably succeed Massasoiet, and that he dwelt but about three miles off,† deemed it a duty to endeavor to propitiate him, although he was well aware of his hostility to the English. Yet he thought at that time he was interested to keep on good terms. Hampden and Hobbomock willingly consented to go although Hobbomock had reason to apprehend injury from the resentment of Corbitant.

On the way, Hobbomock vented his grief in speeches, exclaiming often, '*Neen womasu sagimus, neen womasu sagimus.*' My loving sachem, my loving sachem.

'Many have I known (said he,) but never any like thee. Whilst I live I shall never see his like amongst the Indians; he was no liar; he was not bloody and cruel, like other Indians. In anger and passion he was soon reclaimed; easy to be reconciled towards such as had offended him; ruled by reason in such measure as he would not scorn the advice of mean men; and that he governed his men better with few strokes than others did with many; truly loving where he loved; yea he feared we had not a faithful friend left among the Indians; and that he oftentimes restrained their malice.'

He continued to grieve and lament until they reached Corbitant's house; Corbitant was not there but had gone

\* Now Slade's ferry in Somerset.

† At Mettapuyst, or Mettapoiset, a neck of land in Swansey, now called Gardner's neck.

to visit Massasoiet. Corbitant's wife entertained them with much kindness, and informed them that there was no certain news of Massasoiet's death, although it was supposed he was dead. Winslow hired an Indian to go to Pokanoket and to ascertain whether Massasoiet was dead or not, and to inform Corbitant that he was at his house.

The messenger soon returned, bringing news that Massasoiet was not dead, but there were no hopes of his recovery.

When Winslow and his companions reached the residence of Massasoiet they ascertained that the Dutch had sailed, and they found Massasoiet's hut surrounded with people, so that they had some difficulty to reach him. The powaws were in the midst of their incantations, and six or eight women were chafing him.

Massasoiet was apparently at his last extremity, his sight had failed, but when he learned that Winslow was present he desired him to come to him, exclaiming, '*Matta neen wonckanet namen, Winsnow!*' Oh Winslow I shall never see you again!

Winslow then desired Hobbomock to inform him that the governor was grieved at his sickness, and being unable to come himself, had despatched him with some things which would be serviceable, and taking some conserve on the point of a knife, he gave it to him:—it dissolved in his mouth, and he swallowed it, at which his attendants were greatly rejoiced inasmuch as he had not swallowed for two days. Winslow then washed his mouth which was excessively furred, and dissolving some of the conserve in water, the sachem drank it. A great alteration was soon wrought, and his sight returned. Winslow then prepared some broth from corn-meal, and mixing it with strawberry leaves, and sassafras root, gave it to him to drink; everything which was administered produced a favorable effect,

and these simple remedies left him free from the disorder which had brought him so near to death. He then requested Winslow to administer the like remedies to all the sick. Many had come to visit him who lived an hundred miles from his residence.

The gratitude of this simple hearted and honest sachem was unbounded. 'Now (said he) I see the English are my friends and love me; and whilst I live, I will never forget this kindness.' During their stay they were treated with the utmost kindness and attention. When they were about to depart, the sachem privately informed Hobbomock of the existence of the plot against Weston's colony; that the people of Nauset, Paomet, Succonet,\* Mattachiest, Manomet, Agawam, and the Isle of Capawack, were in confederacy with the Massachusetts; that during his sickness he had been earnestly solicited to join them but he had refused, neither would he suffer any of his own tribe to engage in this conspiracy; that there was no way to avert the threatened danger unless the Massachusetts were attacked; that if the English regarded their own safety, they had better strike the first blow, for after the settlers at Wessagusset had been killed, it would be difficult for the Plymouth people to sustain themselves against so many enemies.

He earnestly counselled Hobbomock that the principals should be taken off without delay, and then the affair would be terminated. And he charged him to acquaint Winslow of the designs of these hostile Indians immediately, so that the governor might have early information thereof, which was done.

Winslow and Hampden departed from Sowams followed by the blessings of Massasoiet and all his people. Corbi-

\* Falmouth.

tant urged them to remain with him one night at Metta-poiset, to which they consented, and he treated them with the most generous hospitality. They found him a shrewd politician, and a merry companion, delighting both to give jokes, and to take them, and extremely inquisitive as to the customs of the English. Among other things he inquired of Winslow whether if he should be sick the governor of Plymouth would send him *maskiet*, (physic) and whether he would come to see him; upon Winslow's answer in the affirmative, he expressed great joy, and gave him many thanks.

He inquired of Winslow how he dared to come with only one Englishman so far into the country; Winslow told him that as he was conscious of his own uprightness, he had no fear. He complained of the strict guard which was kept at Plymouth when the Indians visited there, and would not believe Winslow when he endeavored to persuade him that it was for his honor. Corbitant inquired into the reason of asking grace, and returning thanks, before and after eating; Winslow endeavored to impress his mind with the importance of gratitude to God for his goodness, and instructed him in the commandments.—Corbitant said the Indians believed almost the same things, and that the being which the English called God, the Indians called *Kichtan*.

In the morning the Englishmen departed highly pleased with Corbitant's treatment. The next night they lodged at Namasket, and then returned to Plymouth.

Here they found the Paomet Indian who had come with Standish still urging him to go to his country; but suspicion being now awakened, no credit was given to his professions, but he was sent away unharmed.

A reply was received from Obtakiest through a woman. He professed himself to be sorry that he could not restore

the Englishmen according to the demand of the governor, but they were killed previous to the reception of his message. That he was desirous of making peace with the English, but that neither he nor any of his men durst come near them to treat, but were daily wandering about from place to place, having from fear abandoned their dwellings.

Although the English never molested the other tribes which were believed to have conspired with the Massachusetts, yet intimidated by the prompt vengeance which they exercised on them, they also abandoned their dwellings, and concealed themselves in the swamps and other hiding places, and by living in this miserable manner contracted disorders which soon carried them off in great numbers. They planted but little corn, and famine was added to their other distresses.

Canaucum the sachem of Manomet, Aspinet the sachem of Nauset, and Iyanough the sachem of Mattachiest, soon died. Iyanough said 'that the God of the English was offended with them and would destroy them in his anger.'

To propitiate the governor and to obtain peace, a boat was despatched from one of these places with presents, but it was cast away, and three of the crew were drowned.

The spirit of the neighboring Indians was completely subdued, and no more attempts were made by them against the Plymouth colonists for more than fifty years.

The severity of their misfortunes was unquestionably caused originally by the vile and foolish conduct of Weston's company, who by provoking the Massachusetts to a just resentment, were the occasion of those wide spreading jealousies, which finally were nearly productive of a general combination amongst the tribes.

At the time of the expedition of Standish to Massachusetts, the enmity of the tribes to the English had not reached

the point of open hostility. Many were willing and ready to undertake a general enterprise for the extermination of the whites. Some doubted. Success or misfortune would probably have decided others. The English, however, could not have counted on the assistance of more than three or four tribes.—Had they not by this prompt proceeding destroyed the seeds of this combination in its germ, they would in all probability have been destroyed; the colonization of New England would have been delayed for many years, and the next attempt would probably have been made on the banks of the Hudson, but ‘the fulness of time had come,’ and the design of providencè was fulfilled.

When the venerable and pious Robinson heard of these transactions, it grieved him to the heart, and in his letter to the governor he says, ‘Oh that you had converted some before you had killed any.’

Shortly after the departure of Weston’s company to the eastward, he came over himself in one of the fishing vessels in the disguise of a blacksmith; hearing of the ruin of his plantation, he was anxious to ascertain the actual situation of his property, but being wrecked, he barely escaped with his life, and falling into the hands of the Indians, was stripped of everything, even of his clothes and shirt. At length he reached Piscataqua,\* where he borrowed some clothes, and went to Plymouth. Out of the small stock of the settlers, he borrowed one hundred and seventy pounds of beaver, he then reached his small vessel and began to build up his broken fortunes anew by traffic. He revisited Plymouth while Captain Robert Gorges, the son of Sir Ferdinando Gorges, was there, with whom he had a violent quarrel.—Gorges having called him to account

\* Now Portsmouth.



for some abuses. With much difficulty Gov. Bradford reconciled them. Weston after going to the eastward again, revisited Plymouth, and soon sailed for Virginia. He never paid his debt to the Plymouth people, but maligned, and misrepresented them everywhere, and did them all the injury in his power.

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## CHAPTER VIII.

First Attempts to Settle New Hampshire.—John Peirce obtains an enlarged patent.—His Designs.—Sells his Patent to the Plymouth Company.—Arrival of Admiral West.—Division of Labor and the Abolition of a Community of Goods.—Colony threatened with famine.—Distress.—Drought.—Arrival of the *Anne* and *Little James* with passengers and supplies.—The *Anne* sails for England.—Edward Winslow goes out as Agent.—Arrival of Capt. Robert Gorges, and the Rev. Mr Morrell at Wessagusset.—Fire at Plymouth.—Governor Gorges returns to England, and the second attempt to settle Massachusetts fails.—Renewed by emigrants from Weymouth in England, and succeeds.—Wessagusset receives the name of Weymouth.—Settlement at Cape Anne.—Governor Bradford reelected against his inclination.—Return of Winslow.—First importation of Cattle.—John Lyford arrives.—Intrigues in England to prevent the removal of the remainder of Robinson's Church from Leyden.—An acre of land assigned to each settler in fee.—Intrigues of Lyford and Oldham discovered and punished.—Turbulence of Oldham.—Lyford and Oldham banished.—Roger Conant goes with them.—A part of the Company in England resent the conduct of the Colonists which is satisfactorily explained by Edward Winslow.

CAPTAIN JOHN MASON, who had been governor of Newfoundland, Sir Ferdinando Gorges, and several other gentlemen in the West of England, obtained patents from the New England Council, which embraced several parts of North America. In the spring of 1623, they sent out David Thompson a Scotchman, Edward Hilton, and William Hilton, for the purpose of commencing a settlement. Thompson built a house on the west side of Piscataqua river, at a place called Piscataquaack,\* which he

\* Now Portsmouth.

called Mason Hall. The Hiltons went up the river to Cocheco.\* Some attempts were made this year to establish a settlement at Munhiggon.†

John Peirce, in whose name the first patent of Plymouth was taken, in trust, for the Company, finding that the settlement at New Plymouth was like to become permanent, obtained another patent of greater extent, which he intended to have reserved for himself, and to have compelled the settlers to hold of him as tenants, 'and to sue in his courts as chief lord.' On the 16th of October, 1622, he despatched the ship *Paragon* from London for New Plymouth with sixtyseven passengers, but the weather was so tempestuous and the ship so leaky, that in fourteen days she was compelled to return, after which she was delayed some time for repairs. She sailed again, (Dec. 22) with one hundred and nine passengers, amongst whom was Peirce himself; but the weather continuing unfavorable, and the ship being in great danger, there was a general determination to give over the voyage, and the ship arrived at Portsmouth, (England) about the middle of February, (1623.)

Discouraged by his losses and disappointments, Peirce was induced, for the sum of £500 to relinquish his patent, which had cost him but fifty. The goods, and the expense of the passengers amounted to £640. Another ship, called the *Anne*, was hired to transport the passengers, in which sixty embarked.

In the month of June, 1623, a ship commanded by Capt. Francis West, who had been appointed *Admiral of New England*, arrived at Plymouth. Capt. West had authority under his commission to prevent the officers and crews of all ships from trading or fishing without license,

\* Now Dover.

† Near the Penobscot river.

the council for New England having determined that the privilege should be paid for, but he found the fishermen intractable to persuasion and fearless of force, and he sailed for Virginia. The owners of the fishing vessels complained to the Parliament, and obtained an order that the fishery should be made free.

Hitherto the colonists had held their property in common, and had cultivated the land without regard to any particular ownership, and the product was deposited in the common storehouse ; but the overseers having nothing to bestow as a remuneration for labor, and some declining to work, as they were sure of support, the system was changed, and at a general meeting of the settlers in April, 1623, it was ordered that the land should be cultivated in severalty, and that the cultivator should have the product ; all the young single men were assigned to some family ; each family were to plant their own corn and depend on themselves for food ; at the harvest a certain portion was to be set apart for those who were engaged in public business, and for the fishermen. Particular parcels of land were assigned to each family in proportion to its numbers, but for cultivation only ; the land itself was not considered as private property, and could not be inherited. Stimulated by the prospect of enjoying the fruits of their own labors, the spirit of industry was excited amongst the settlers ; the women and children wrought in the fields, and much more corn was planted than had been anticipated.

A people amongst whom a community of property exists, seldom become wealthy. The people of Plymouth soon realized the benefit of a system which put each individual on his own resources, and which, by increasing the individual, increased the general wealth. The character of man is such, that although under the excitement of

enthusiasm, he may for a time be induced to labor for the public, yet the labor which is followed by no personal benefit soon becomes irksome, and his exertions relax, but self-love remains after enthusiasm has been chilled into indifference, or frozen into apathy.\*

When the settlers had finished their planting, the store of provision was completely exhausted, and they were obliged to rely on the chance of a day for their daily food, but they sustained themselves under this new affliction with astonishing fortitude. They resorted to fishing, and were generally successful. When this resource failed they explored the woods for groundnuts, and the sea-shore for clams. Brewster, the ruling elder, lived for many months together without bread, and frequently on fish alone. With nothing but oysters and clams before him, he, with his family, would give thanks that they could 'suck of the abundance of the seas and of the treasures hid in the sands.' Whenever a deer was taken, it was divided amongst the whole company. It is said that they were once reduced to a pint of corn, which being equally divided, gave to each a proportion of five kernels, which was parched and eaten.† To complete their distresses a

\* Two remarkable exceptions to these remarks exist in the United States, the Shakers and the Harmonists, who have established a community of goods. The shakers possess peculiarities so extraordinary, that ordinary maxims cannot with propriety be applied to them, and whenever the Harmonists shall cease to consider their pastor as a prophet, they will adopt the common usages of society.

† At the centennial feast at Plymouth, Dec. 22, 1820, much of the beauty, fashion, wealth, and talent of Massachusetts, had congregated at Plymouth. Orators spoke, and poets sang, the praises of their pilgrim fathers. The richest viands gratified the most fastidious epicure to satiety. Beside each plate five grains of parched corn were placed, a simple but interesting and affecting memorial of the distresses of those heroic and pious men who won this fair land of plenty, and freedom, and happiness, and yet at times were literally in want of a morsel of bread.

drought set in, of unexampled duration, having continued from the third week in May until the middle of July. The face of the earth was as ashes, and the corn was withering. Hobbomock was much afflicted at the situation of the English, fearing that the drought would bring starvation on the colony. 'As for the Indians, (said he) they can shift better than the English, for they can get fish to help themselves.' According to their custom, the colonists ordered a day of humiliation, fasting, and prayer, in which the aid of the Lord to send them rain was most sincerely and fervently invoked. The morning of the day was clear and unclouded, and the heat was intense, but before night the clouds began to gather, and the rain descended in copious and gentle showers, refreshing the whole face of the earth.

The Indians who knew of their design to invoke the divine favor, were in utter astonishment, and Hobbomock said, 'now I see the Englishman's God is a good God, for he hath heard you and sent you rain, and that without storms, and tempests, and thunder, which usually we have with our rains, which breaks down our corn, but yours stands whole and good still;—surely your God is a good God.'

Many remarkable, and apparently providential interpositions, oftentimes, seeming direct and favorable answers to the prayers of the supplicants, impressed the Indians with the belief that the English were under the immediate protection of a Being, who always regarded the supplications of his worshippers, and their reverence was increased in proportion as they saw his hand operating directly in the affairs of his people.

Ständish, who had been despatched by the governor to obtain provisions, returned with some, and with him came David Thompson, the settler of Piscataquack.

Late in July and early in August, (1623,) two ships arrived with supplies, bringing sixty passengers, amongst whom were Mr Timothy Hatherly, Mr George Morton, and Mr John Jenny, and the wives and children of some who had already arrived. Some of the new comers proved so bad that they were sent back. The ships were called the Anne and the Little James.

Cushman wrote to them—‘Some few of your old friends are come; they come dropping to you; and by degrees I hope ere long you shall enjoy them all.’

Others wrote,—‘Let it not be grievous to you, that you have been the instruments to break the ice for others who come after you with less difficulty; the honor shall be yours to the world’s end; we bear you always in our breasts, and our hearty affection is towards you all, as are the hearts of hundreds more which never saw your faces, who doubtless pray for your safety as their own.’

When the passengers saw the lowly condition of the colonists, they were sorely dismayed, excepting their old friends who appeared to be rejoiced to be with them, and to find that their condition was not worse. The best fare which could be provided were lobsters and cold water. Of bread the settlers were destitute, but devotion filled their hearts with gratitude to the giver of all good, and a day was set apart for thanksgiving and praise.

On the tenth of September, (1623,) the Anne sailed for England, laden with clapboards and furs, and Mr Winslow again went out to England as the agent of the colony. The Little James had been built for the company. She was fitted for trade and discovery to the south of Cape Cod.

The harvest came in plentifully, and their apprehensions of famine were removed.

In the course of this month, Captain Robert Gorges, the son of Sir Ferdinando, accompanied by Mr Morell an Episcopalian minister, and many other passengers and their families, arrived in the bay to commence another settlement. He selected the spot at Wessagusset which had been abandoned by Weston's company.

He acted under a commission from the council of New England, by which he was constituted lieutenant general or general governor of the country. Admiral West, Christopher Levit, Esq. and the governor of Plymouth for the time being, were constituted his council, and authority was given him to appoint other counsellors. Full power was granted to him and his assistants, or any three of them, (whereof he was to be one,) in all cases, capital, criminal or civil. Having notified the governor of Plymouth of his arrival, before he could visit him, he sailed for the eastward, but was compelled by stress of weather to put into Plymouth, where he was treated with great distinction and remained there fourteen days. It was during this stay that he met with Weston, as has been before related. Governor Gorges, (who was much pleased with his reception at Plymouth,) set out by land for Massachusetts, leaving his ship at Plymouth. During her stay some of the seamen, by making a great fire in a house on shore caught the chimney, and the fire being communicated consumed that and three or four other houses, with all their goods and provisions. This accident induced some of those who had been burnt out to take passage in the ship for Virginia. Some others also embraced this opportunity to return, among whom was Mr Hatherly, who disliked the country.

The Little James the pinnace which had been sent out to trade with the Narragansetts returned with some corn and beaver, and made but a poor voyage as the Dutch supplied that country with better goods.



In the early part of the year 1624, Capt. Gorges returned to England, whither some of his people also went; others went to Virginia; but few remained, and they were supplied with provisions by the people of Plymouth.

Gorges was a man of rank accustomed to the ease and luxury of high life, and could little brook the toils, and hardships, and privations incident to an attempt to people a wilderness.

Mr Morell remained about a year and then returned. He was created a superintendent over all the churches, but very wisely never attempted to execute his commission, and he did not think it worth his while even to exhibit it. Thus terminated the second attempt to establish a plantation in Massachusetts. A very few, however, remained, and they were joined in the course of the year by some families from Weymouth in England, from whom this plantation afterwards received the name of Weymouth.

About this time at the instigation of Mr White, a celebrated puritan minister at Dorchester in England, a settlement was commenced at Cape Anne in Massachusetts, and John Tilly was employed as the overseer.

When the day of the annual election arrived, (1624) Governor Bradford was very anxious to be relieved from the toils of office, representing to the people that whether the office were honorable or burthensome, others ought to share it, but notwithstanding his remonstrances they elected him, but to lessen his labor they increased the number of assistants from one to five, giving the governor however, a double voice in the court of assistants. Hitherto he had been annually chosen from the time of his first election, and Allerton had also been chosen his assistant or deputy governor, to which office he was re-chosen. Edward Winslow and three others were chosen assistants.

The pinnacle was sent to Damarin's cove to fish, but being driven on the rocks, she sunk with her lading, and the master and one man were drowned, but by the assistance of the fishermen who resorted there, she was afterwards raised and repaired.

In the month of March, (1624) Winslow returned in the ship *Charity*, bringing a supply of clothing, and a bull and three heifers being the first neat cattle which were imported into New England.

The colonists learned from him that a strong party had been raised up against them amongst the adventurers, who were extremely anxious to prevent Robinson and the remainder of his church from emigrating to America. He brought letters from Robinson and Cushman. A carpenter came over for the purpose of building two ketches, a lighter, and six or seven shallops, and a person also to make salt. The carpenter built his craft faithfully and speedily, but soon died. The other was ignorant and did not bring his undertaking to any successful issue.

John Lyford a preacher who afterwards occasioned much trouble to the colony also came with Winslow, not however by his solicitation, for his reputation was low, but he was forced upon him by the company in England.

A patent for Cape Anne was taken out by the adventurers.

The people becoming dissatisfied about the uncertain tenure of their lands, prevailed upon the governor to assign to each one an acre in fee. The land was located as near the town as practicable, the object of the governor being to prevent the people from scattering, and to keep the town as compact as possible, both for safety and defence, and it was then understood that no more land should be assigned in severalty for seven years.

The *Charity* was discharged and sent to Cape Anne to

fish, but through the drunkenness of the master, she met with no success.\*

At first, the deportment of Lyford to the colonists was humble even to servility ; making many professions of love and blessing God that he had been permitted to see their faces.

The governor on important occasions had been accustomed to consult with Brewster the ruling elder, he now also admitted Lyford to his consultations, and he received from the public stock a greater allowance than any one else.

In a short time he made a confession of faith lamenting his errors with great grief and humility, and desired to be admitted to the fellowship of the church, and he was received without hesitation.

He formed a close intimacy with John Oldham, a violent and turbulent man who was supposed to be in the interest of that part of the adventurers who were inimical to the colony, and in fact no better than a spy of theirs.

They succeeded in exciting the more vicious and profane part of the populace against the church, and although they endeavored to keep their designs secret until they were matured, yet they were soon suspected, and closely observed. By the aid of the enemies of the colony in the company of adventurers they expected on some day to overthrow the government and the church, and to take the lead in affairs themselves.

When the ship in which Winslow returned was about to depart for England, it was observed that Lyford had been much engaged in writing, and he was so indiscreet as to

\* On the seventeenth of June Governor Bradford's son William, afterwards deputy governor of the colony, was born, and in the course of that month, George Morton, a man of eminent piety and worth, died.

promulgate some things which were in his correspondence to some of his favorites, and they being still more indiscreet, made no secret of his communication to them, but boasted openly of their expectations of a change in affairs at Plymouth. The suspicion of the governor was excited. Fearful of the effect which Lyford's representations might produce in England, he followed the ship after she had sailed in a boat, and representing the affair truly to Peirce the captain, who was attached to the colonists, and who was aware of the machinations which were engendering against them, he permitted him to open the letters of Lyford and Oldham.—They were filled with slanders and falsehoods. Had these accusations been heeded in England, many evil consequences might have followed, involving even the existence of the colony.

Most of the letters were copied and resealed, but the most important were retained, and copies supplied.

Amongst other letters, one was found directed to John Pemberton a minister, and a violent enemy to the colony; in this letter, copies of a letter written by a gentleman in England to Mr Brewster, and also of another letter which Winslow had written to Mr Robinson, were enclosed. These letters had been lying in the cabin of the ship in which Lyford embarked for America, and while she was lying at Gravesend, he opened and copied them.

Opening confidential letters was an act which hardly comported with the high and honorable character which Bradford always sustained, but he knew his adversary, and his suspicions were justified by his discoveries. He sought only the good of the colony, with whose safety he was especially entrusted, and he furnished himself with the means of destroying a turbulent faction before they could endanger its peace.

The conspirators were somewhat disconcerted when they discovered that Bradford had visited the ship, but as nothing was said which could indicate that he was in anywise acquainted with the contents of their letters, they soon resumed their machinations.

Bradford in the meantime was silent but watched their conduct closely, with a view to ascertain their designs more fully, and to discover their adherents.

Oldham soon began to be refractory, and refused to do military duty, abused his captain in the most opprobrious terms, and attacked him with a knife. For this offence he was imprisoned, but acknowledging his error, he was soon released. Soon after this, the plot came to its crisis.

Without consulting the governor, the elders, or the church, Lyford thinking his adherents sufficiently numerous to bid defiance to the authority of the colony, withdrew himself from the church and worshipped apart, and attempted to administer the sacrament by virtue of his episcopal ordination.

The governor then called a court and summoned the whole company, and there preferred his charges against Lyford and Oldham. They denied his accusations with great boldness and defied him to the proof.

The governor spoke at some length as to the principal objects and views of the colonists,—their desire to enjoy the ordinances of God unmolested, the toils and dangers which they had encountered in effecting those objects, (and in which these men had not participated,) and he reproached Lyford with his perfidy in plotting against men who had received him with kindness, and had supported him at much expense. Persisting in their denial, he produced their letters, and they were utterly confounded.

Oldham however, rallying his courage, called on his

adherents to resist, but they were all silent, being wholly incapacitated to act, through fear.

The Governor then enlarged upon the additional proofs which the letters supplied of the hypocrisy and wickedness of Lyford. His early treachery in opening the letters to Brewster and Robinson. His deceitfulness in making such professions of regard, and his wicked enmity to those to whom he had made these professions. His confessions when he was admitted to the church 'that he did not hold himself a minister till he had a new calling,' and his endeavors to distract the colony by building up a separate church, and administering the sacrament by virtue of his former calling.

Feebly indeed did Lyford defend himself by saying that many had complained to him, and informed him of abuses; but those whom he named, denied his assertions.

At length he confessed 'that he feared he was a reprobate, his sins were so great that God would not pardon them, he was unsavory salt, and that he had so wronged them that he could never make them amends;' confessing 'all he had written against them was false and nought both for matter and manner.' During this confession his eyes were streaming with tears, and his deportment was so humble as to excite compassion notwithstanding his offences.

Both were convicted, and sentenced to banishment from the colony, Oldham to depart forthwith, his wife and children, however, were permitted to remain through the winter.

Lyford was permitted to remain six months. The governor intended to remit his sentence, if his deportment evidenced the sincerity of his repentance:—Lyford acknowledged its justice, he acknowledged that he had slandered the church, and that he had flattered himself

with the hope of being able to draw off the greater part of the people to himself, and he blessed God that his designs were frustrated.—He charged himself with pride, vainglory, and self-love, saying, that he was liable constantly to evil, and shut his eyes and ears to all good.—He even said that if ‘ God should make him a vagabond in the earth, as was Cain, it was but just.’

Such an appearance of deep contrition did he exhibit, that many took compassion on him, and he was again permitted to teach, nay some were willing ‘ to fall upon their knees,’ to have his sentence remitted.

But his professions of repentance were all false and hollow ; in less than three months after his trial and before his probation had expired, he wrote another slanderous letter to the adventurers, which he entrusted to one who had taken passage in the Pinnacle which was about to sail for London, but this person gave the letter to the governor, and his perfidy again was discovered.\*

Oldham departed forthwith to Nantasket, where the Plymouth people had erected a building for the convenience of their trade with the Indians of Massachusetts, and thither went Mr Roger Conant and some others with their families, where they remained over a year. Mr Conant was a pious and prudent man, and it seemed unaccountable that he should have imbibed so great a dislike to the people of Plymouth as to have abandoned them, and consorted with Oldham and Lyford.

Mr Conant was afterwards employed by the people of Dorchester to oversee both the planting and fishing at Cape Anne, and Mr Humphrey was appointed their treasurer. Lyford was invited to be their minister, and Oldham

\*. On the fifth of August, Mr Thomas Prince who was afterwards governor, was married to Mrs Patience Brewster, being the ninth marriage which had been solemnized in the colony.

to oversee their trade with the natives, which invitation Oldham did not accept, but at the annual election in March, 1625, he returned to Plymouth in violation of his sentence, by which he was required to obtain leave of the governor before he came into the colony. So violent and intractable was his conduct, that his own associates were ashamed, and reprov'd him. So loud was he in discourse, and so abusive in his language, that to keep the peace they were compelled to confine him.

After he became calm, they conducted him through two ranks of armed men to his boat, which lay at the water side. The men were all ordered to give him a blow with their muskets, saying at the same time, 'go, and mend your manners.'

While the peace of the colony was thus disturbed at home, Winslow met with much difficulty in England from the adventurers, many of whom took occasion to indulge their enmity to the colonists, by upholding Lyford.

A meeting was called in which this case was to be heard and decided. Mr White a counsellor of law, and Mr Hooker, were chosen moderators.

Winslow disclosed some facts touching the character of Lyford while he was a minister in Ireland, and for which he had been compelled to leave that kingdom, which confounded his friends, and the moderators decided that the colonists were justified in all their proceedings against him for his conduct at Plymouth, without referring to his previous misconduct. Some disclosures of his profligacy while he lived in Ireland having been made by his wife, who was a sober and pious woman, and who lived in constant apprehensions lest the judgment of heaven should overtake him, together with the news which had been brought by Winslow, induced him forthwith to remove to Nantasket. Afterwards upon the invitation of the Dor-



chester people, he went with Mr Conant to Cape Anne, from whence he went to Naumkeag,\* and afterwards to Virginia, where he died.

Oldham remained at Nantasket and engaged in trade with great industry and success. On a voyage to Virginia, while in danger of immediate shipwreck, he confessed the wrongs which he had done to the church and people of Plymouth, and he told the passengers 'that as he had sought their ruin, so God had now met with him, and might destroy him; yea, he feared that they all fared the worse for his sake; he prayed God to forgive him, and made vows, that if the Lord spared his life, he would become otherwise.'

Whether he was brought to a sense of his errors by his dangers, or his reflections, he deported himself so respectfully afterwards to the people of Plymouth, that they permitted him to come into the colony, whenever his convenience required. Some time after, while on a trading voyage to Manisses,† he was killed in a quarrel with the Indians, which act was one of the causes of the Pequot war. Oldham was a man of talent, enterprise, and courage, but very illiterate, and cursed with a furious and ungovernable temper.‡

\* Now Salem.

† Block Island.

‡ It cannot now be doubted that the faults of Oldham have been much exaggerated by the friends of Plymouth.

After the settlement of Massachusetts, Oldham removed to Watertown, and was till his death, held in high respect by a people whose standard of morals was graduated by a more rigid rule than that of their Plymouth neighbors, and who subjected the characters of men to severer tests than were practised in the elder colony. Oldham was the deputy from Watertown in 1632, in the first general court of Massachusetts to which deputies from the towns were summoned. He was a daring trader amongst the Indians, and so great was the attachment of the Narragansetts to him, that they gave him an island in the bay, (new called Prudence) to induce him to settle near them.

## CHAPTER IX.

Death of King James I.—Settlement at Mount Wollaston in Quincy, by Capt. Wollaston.—Rebellious and riotous proceedings of Thomas Morton.—Checked by Capt. Endicott, and suppressed by Capt. Standish, who sends Morton to England as a prisoner.—Returns, and is again sent back.—Dissolution of the Company of Merchant Adventurers.—Standish goes to England as the agent of the Colony.—Returns.—Death of Robinson at Leyden.—Death of Cushman.—Settlers engage deeply in trade and in fishing.—Allerton goes to England as agent.—Shipwreck of a Virginia ship.—The Dutch governor at Fort Amsterdam, (New York,) sends a deputation to Plymouth.—Commercial intercourse between the Dutch and the people of Plymouth.—Return of Allerton.—Purchase by the colonists of the whole trading stock.—Its division amongst the settlers.—Twenty acres of tillage land in addition to the acre lot, assigned to each share.—Commercial enterprise of the colonists.—The privilege purchased by Governor Bradford, Winslow, Standish, Brewster, Alden, Howland, and Allerton.—Allerton goes again to England as agent.—Returns.—Obtains a patent for Kennebeck.—John Rodgers, a young minister, comes with Allerton; proving insane, he is sent back.—Erect a trading house at Kennebeck.—Great success in selling wampum.—King's proclamation, forbidding the sale of arms and ammunition to the Indians.—Allerton, the agent, again visits England.—Settlement at Naumkeag, (Salem.)—Sickness there.—Ralph Smith settled as the first pastor of Plymouth. Thirtyfive families arrive from Leyden.—Allerton returns, and is sent back immediately.—Another company arrive from Leyden.—Join Shirley and Hatherly in the Penobscot Patent.—Their trading house robbed by the crew of a French ship.—Plots of the Narragansetts and other Indians.—Settlements about Massachusetts Bay.—Charlestown, Dorchester, Boston.—William Blackstone.—View of the laws and government of the colony.—Great Patent of New England.—The two Patents to John Peirce.—The patent to William Bradford and his associates, 1629.—Surrendered by Governor Bradford to the body of the freemen, 1640.—Declaration of the General Court setting forth their rights and titles.

ON the twentyseventh day of March, (1625,) died King James I, and he was succeeded by his son the unfortunate Charles.

During this year, (1625,) Captain Wollaston and thirty others, (most of whom were servants, but some men of eminence,) commenced a plantation at a place, which they named Mount Wollaston.\* Wollaston remained until the next year, (1626,) and then becoming discontented, removed to Virginia, taking with him many of the servants, and disposed of them there. He wrote to Rasdall, his chief partner, directing him to come to Virginia, with more of the servants, intending to dispose of them also. He appointed Mr Fitcher to command until either he or Rasdall should return. After Rasdall's departure, one Thomas Morton, who is said to have been 'a pettifogging attorney of Furnival's Inn,' a man of low habits, and who was held in contempt by the company, urged those who were left, and who were principally servants and low men, to depose Fitcher, and to live without any government or law whatever, leaving every man at perfect liberty to do as he pleased, unrestrained by any regulation, promising to make them his equal associates and partners, that they should not be compelled to do service for any one, and representing to them that on Rasdall's return, they also would be carried away and sold for slaves. Alarmed and excited by such representations, and being intoxicated at a great feast which Morton made for them, they drove Fitcher from the plantation.

Morton and his fellows commenced a trade with the natives, and acquired much profit. Most of their time, however, was spent in rioting and drunkenness.

They erected a May-pole, round which they would dance with the Indian women, and Morton, who had some poetic talent, after writing obscene and scandalous satires, would affix them to the pole

\* In the northerly part of Braintree, (now Quincy,) in Massachusetts.

They fell into all kinds of licentiousness and profanity, and changed the name of their residence from Mount Wollaston to Merry Mount.

In this dissolute and idle manner they lived until the autumn of 1628;—they then received ‘a check’ from Captain Endicott, the governor of Naumkeag,\* who coming to Mount Wollaston, reproved them with great severity, cut down their May-pole, and admonished them to change their courses, and he again changed the name of their Mount, calling it Mount Dagon.

Heedless of his reproofs, they soon commenced a traffic which endangered the existence of all the settlements.

Hitherto the English had scrupulously refrained from selling arms and ammunition to the Indians. Notwithstanding the great profits which might have been gained in such a traffic, they were wise enough to refrain from it; but Morton having obtained some guns and ammunition, taught the Indians how to use them. He employed them to hunt for him, and purchased their furs.

They soon became more expert than the English in the use of firearms, and passionately devoted themselves to hunting. Their bows and arrows were rejected as worthless, and they would purchase muskets at any price. They were also taught the use of the pistol and rapier, and the art of repairing defective arms.

Encouraged by the success of this traffic, Morton sent to England for a new supply.

The English, well knowing that it was the ignorance of the natives in the use of arms to which they owed their safety, and now frequently meeting them in the woods, armed, became alarmed.

\* Now Salem.

Merry Mount was also an asylum for all the idle and vicious servants of the settlers, all such being welcomed by Morton, and admitted into his company on terms of perfect equality. Fearful of the effect which these evil communications might produce, the settlers in all the scattered plantations took measures to break up Morton's establishment.

At a meeting of the principal persons from the settlements at Piscataway, Naumkeag, Winisimit, Wessagussett, Nantaske and other places, it was resolved to solicit the assistance of Plymouth to suppress this dangerous combination before it grew to greater strength.

After receiving their messages and letters, the government of Plymouth resolved to comply with their request, but with the moderation which characterized all their proceedings, they first despatched a messenger to Morton, to advise him, in the spirit of friendship, to refrain from his practices, but he received the advice with scorn, asking 'who had to do with him?' and declaring that he would sell arms to the Indians in despite of any one.

Still unwilling to come to extremities, they despatched another messenger, who represented to him that the safety of the country, and the king's proclamation which expressly forbade the sale of munitions of war to the Indians, imperiously required him to desist. Morton replied that 'the king's proclamation was no law, and had no penalty but his displeasure, and that being dead his displeasure died with him,' and threatened that if he were molested, he would resist, representing also that for resistance he was well prepared.

Finding him to be utterly refractory, they were convinced that nothing but force could succeed. The governor despatched Captain Standish with a few men, to seize Morton.

When Standish arrived at Merry Mount, Morton collected and armed his companions, and after heating them with liquor, put his powder and bullets on the table, and barred his door.

Standish summoned him to capitulate, but he only scoffed and defied him. At length, fearful that his house might be attacked, he came out with some of his followers with a great show of courage to attack Standish, who instantly walking up to him with a resolute countenance, so intimidated him, that he suffered his musket to be taken, and scarcely resisted. He then submitted quietly, and the affair was terminated without bloodshed.

Standish then entered the house, and dispersed the more turbulent part of the company, and leaving the others returned to Plymouth, conducting Morton a prisoner. This affair happened in the latter part of the year 1628.\* Morton remained at Plymouth until a ship was ready to sail from the Isle of Shoals, in which, he was sent home with a messenger and a letter to the Council of New England, setting forth his offences; but so utterly regardless were the council of the interests, the safety, and the complaints of the people of New England, that they did not even reprove him, and the next year (1629,) he returned

\* The following account of the expense of this expedition was submitted to the council of New England, which shews the ability of the plantations in 1628.

Plymouth contributed	.. - - -	£2	10	0
Naumkeag (Salem)	- - - -	1	10	0
Piscataway	- - - - -	2	10	0
Mr Jeffrey and Mr Burslem	- -	2	00	0
Nantasket	- - - - -	1	10	0
Mr Thompson (Squantum neck)	-		15	0
Mr Blackstone (Shawmut, Boston)	-		12	0
Mr Edward Hilton, (Cocheco, Dover)		1	00	0
		—	—	—
		£12	7	0

to Plymouth in the capacity of secretary to Mr Allerton, who had gone out as the agent of the colony ; for this, the people of Plymouth were deeply offended with Allerton. Morton was obliged to leave Plymouth, and he again went to Merry Mount.

Having been suspected in England of the murder of one who had entrusted him with money, a warrant was issued by the Lord Chief Justice to apprehend and bring him back, which warrant the governor of Massachusetts caused to be executed, after the court of assistants of that colony had sentenced him 'to be set in the bilbowes,' and had ordered that his goods should be seized to defray the expense of his transportation, and for the 'payment of his debts, and to satisfy the Indians for a canoe which he had unjustly taken from them. For the many wrongs he had done the Indians, they directed that his house should be burned to the ground in their sight.' He was imprisoned for a long time at the city of Exeter in England. After his release he wrote a book, in which he defamed many of the first characters in New England, and for which, (many years afterwards,) he was imprisoned at Boston after his third return. He asserted, however, that many things in the book were interpolated. He died at Piscataway.

1625. After the decision of Lyford and Oldham's case, the company of Merchant Adventurers, with whom the Plymouth people had been so long connected, was dissolved.

Some of them still cherishing their enmity, despatched a ship with orders to take a stage and other erections, for the purpose of fishing, which had been made during the preceding year at Cape Ann. Having reached the place before the Plymouth people arrived, they gained the possession of them.

Upon hearing of this outrage, the governor despatched Captain Standish to retake them. He demanded their instant surrender. The demand being refused, Standish resolved to recover them by force ; but Mr Conant who dwelt there, and who was a man of a mild and conciliatory disposition, and Captain Peirce, a fast friend of the Plymouth people, also happening to be there with his ship, interposing their good offices, the dispute was compromised, the ship's crew having promised to build another stage.

Some of the Merchant Adventurers still adhered to the colony, and they wrote by Mr Winslow who returned this year — ‘ We cannot forget you, nor disown friendship and fellowship we have had some years,— our hearty affections towards you, (unknown by face,) have been no less than to our nearest friends, yea to ourselves. As there has been a faction among us, (at London,) more than two years ; so now there is an utter breach and sequestration. The company's debts are not less than £1400, and we hope you will do your best to free them. We are still persuaded that you are the people that must make a plantation in these remote places when all others fail. We have sent some cattle, clothes, hoes, shoe leather, &c, but in another nature than formerly, having committed them to the charge of Mr Allerton and Winslow, to sell as our factors.’

The goods were ordered to be sold at seventy per cent. advance, which was thought by the settlers to be unreasonable and oppressive.

They sent out two ships to fish on their own account, The large ship made a great fare. The small one was laden with fish and eight hundred pounds of beaver. The captain of the large ship, fearful of a war with France, instead of going to Spain to sell his fish, put into Portsmouth, towing in the other ship. An Algerine corsair at-



tacked and captured the small ship in sight of Plymouth in England, and carried the captain and crew to Sallee, where they were sold for slaves.

Standish, who went out this year as agent, escaped providentially; for he had first embarked in the small ship, and afterwards left her and took passage in the large one. By this undertaking the adventurers sustained a great loss.

Standish arrived in London at a most unfortunate time. The plague was then raging with such violence, that no business could be transacted. He however had a satisfactory interview with the council. In the month of April (1626,) he returned, having taken up £150 at fifty per cent. which he laid out in goods, and he commenced a negotiation with the company for the sale of their invested property in the Plymouth concern.

He was the bearer of sorrowful tidings. Many of their friends in England had died of the plague. Robinson had died at Leyden. Mr Roger White in a letter to Elder Brewster dated at Leyden, gives this account of his death. 'It has pleased the Lord to take out of this vale of tears, your and our loving and faithful pastor, Mr Robinson; he fell sick Saturday morning, February 22, 1625. Next day taught us twice, on the week grew weaker every day feeling little or no pain. Sensible to the last, departed this life first of March. Had a continual inward ague. All his friends came freely to him, and if prayers, tears, or means, would have saved his life, he had not gone hence. We still hold close together in peace, wishing that you and we were again together.'

Mr Robinson was born in England, in 1575. It is believed, although it is not certainly known, that he was educated at Cambridge. He had a benefice near Yarmouth, in the county of Norfolk, but his puritan principles were

so strict that he submitted to no compromises, and in consequence, suffered much from persecution.

About the year 1602, he became the pastor of the church which fled to Holland in 1608. He was but fifty when he died. Much may be learned of his history and character from the preceding pages.

Secretary Morton says 'he was a man of a learned, polished, and moderate spirit; pious and studious of the truth; largely accomplished with gifts and qualifications suitable to be a shepherd over this flock of Christ.'

The following masterly delineation of his character is the work of a modern writer.\* 'Mr Robinson was a man of good genius, quick penetration, ready wit, great modesty, integrity, and candor. His classic literature and acuteness in disputation, were acknowledged by his adversaries. His manners were easy, courteous, and obliging. His preaching was instructive and affecting. Though in his younger years he was rigid in his separation from the Episcopal Church, by whose governors he and his friends were treated with unrelenting severity, yet when convinced of his error, he openly acknowledged it, and by experience and conversation with good men, became moderate and charitable, without abating his zeal for strict and real religion. It is always a sign of a good heart, when a man becomes mild and candid as he grows in years. This was eminently true of Mr Robinson. He learned to esteem all good men of every religious persuasion, and charged his flock to maintain the like candid and benevolent conduct. His sentiments respecting the reformers as expressed in his valedictory discourse, will entail immortal honor to his memory; evidencing his accurate discernment, his inflexible honesty, and his fervent zeal for truth and a good

\* Dr Belknap.

conscience. He was also possessed in an eminent degree, of the talent of peace making, and was happy in composing differences among neighbors and in families ; so that peace and union were preserved in his congregation.'—Besides his singular abilities in moral and theological matters, he was very discerning and prudent in civil affairs, and able to give them good advice in regard to their secular and political conduct. He was highly esteemed, not only by his own flock, but by the magistracy and clergy of Leyden, who gave him the use of one of their churches, in the chancel of which he was buried. Mr Prince who visited that city in 1714, says that the most ancient people then living told him from their parents, that the whole city and university regarded him as a great and good man, whose death they sincerely lamented.\*

The letters which were received from Leyden were full of lamentations, and the writers seemed to despair of reaching America.

Standish also brought news of the death of Mr Cushman, who had been the principal agent in all the early transactions with the Virginia company. Cushman went over to Holland with Mr Robinson. He embarked at South Hampton for America in the summer of 1620, but after the ship was compelled to return to England, he was unwilling at that time to attempt the voyage again, but remained with his family. In November, 1621, he came over in the *Fortune*, but returned in the same ship according to the orders of the merchant adventurers, who wished

\* After the death of Mr Robinson, his widow and children came to America. His son Isaac was much respected, he resided at Barnstable, of which town he was occasionally a deputy in the general court, but he fell into discredit about the time that severe measures were adopted against the Quakers, as his principles were tolerant, and he was not disposed to molest any for their conscientious belief. He lived until he was ninety. His posterity are numerous.

to learn from him the exact and true situation, and prospects of the colony. On his return he was captured by the French, but was soon released. He never returned to Plymouth, but was constantly engaged in the service of the Colony. He died in 1626. Cushman was a learned, acute, sagacious, and enterprising person. He had great knowledge of human nature, and was a sincere and pious Christian. While at Plymouth, he delivered a discourse on the 'sin and danger of self-love,' which is a performance of uncommon merit.\*

So favorable had been the harvest of the preceding year, that the product was more than sufficient for the wants of the people. A large shallop laden with corn was despatched to the Kennebeck river under the direction of Mr Winslow. He succeeded in his enterprise, and returned with 700 pounds of beaver, besides other furs.

Animated by their success, the settlers planted largely, and engaged deeply in trade.

Hearing that the establishment at Munhiggon was about to be relinquished, the governor and Mr Winslow went there to purchase the goods, and meeting with David Thompson, who had again returned to Piscataway, and who was there on the same design, they joined in the adventure, and purchased goods to the amount of £500 and several goats, for which they paid in beaver and other commodities.

After the harvest, they were able from the proceeds of these goods, and of their corn, to pay the money which had been taken up by Standish, and the remnants of their old debts, and to obtain some clothing and other articles.

\* After the death of Mr Cushman, his family came to Plymouth. His son Thomas Cushman succeeded Mr Brewster as the ruling elder of the church in 1649, and continued in that office until his death, at the age of eightyfour in 1691. Elder Cushman was a man of great piety and worth.

In the autumn, Mr Allerton went out to England as agent, designing to effect a final settlement with the adventurers, to take up more money, and to purchase goods.

The Dorchester adventurers at Cape Anne becoming dissatisfied with their situation, and being about to abandon the place, Mr Conant together with John Woodberry, John Balch, and Peter Palfrey, by the persuasions of Mr White, who was extremely anxious to preserve a colony in the neighborhood, were induced to go to Naumkeag in the autumn of 1626. Lyford went with them. Mr White promised to procure a patent, and to send men, provisions, and a stock of merchandise.

A ship bound to Virginia, having been cast away on the south side of Cape Cod, the captain sent two of his men with Indian guides to Plymouth, to solicit the governor to send him a supply of pitch, oakum, spikes, and corn.

The governor taking a supply of these articles, sailed up a creek on the north side of the Cape called Naumskaket, from whence the land transportation across to the sea was only two miles.

The Indians conveyed his stores. After supplying the ship, he purchased a boat load of corn, and returned home, but the ship being repaired was again driven on shore in a great storm, and rendered completely unseaworthy. The crew and passengers were anxious to go to Plymouth. The people of Plymouth being informed of their disaster, assisted them in the transportation of their goods, and received them into their houses. The principal men amongst them were Messrs Fells and Silsby.

Despairing of reaching Virginia before the end of the next year, they solicited the use of some land, which their servants cleared and planted, and raised a great quantity of corn. At the latter end of the summer, (1627) they

sailed for Virginia in two barques, having sold their corn at Plymouth. Many times after, they took occasion to express their thankfulness for the kindness which they had experienced.

1627. In the month of March, a deputation from the Dutch governor at Fort Amsterdam, bearing a letter written both in Dutch, and in French, (dated March 9th 1627, and subscribed by Isaac De Rasier secretary,) arrived at Plymouth.

The Dutch had just commenced their settlement at Manhattan or Manhadoes,\* where they had been accustomed to trade for several years.

They congratulated the people of Plymouth on the success of their praiseworthy undertaking, and proffered their good will and service 'in all friendly kindness and good neighborhood,' and they concluded by offering 'any of their goods that might be serviceable,' declaring 'that they should take themselves bound to accommodate and help their Plymouth neighbors with any wares that they should be pleased to deal for.'

Governor Bradford in his answer to the Dutch governor expressed his sense of the kindness which the people of Plymouth had received from the Dutch in their own country, and their 'grateful acceptance of their offered friendship.'

Early in the next year, De Rasier came to Manomet in a vessel which was laden with sugar, linen, stuffs, &c.

Being desirous to visit Plymouth, a boat was despatched by the governor to Manonscusset to receive him and his company; he arrived at Plymouth attended according to the fashion of the Dutch by trumpeters.

\* Now New York.

Here he and his company were kindly entertained for several days, and when they returned to Manomet, several of the Plymouth people accompanied them and purchased many of their goods. After this, the Dutch often came to Manomet and exchanged their linen and stuffs for tobacco, which trade was extremely advantageous to the people of Plymouth until the Virginians found out the Dutch colony, and drove them from this market by underselling.

The first intercourse between these two infant settlements of neighboring European nations, was conducted in the very spirit of amity, but their friendship suffered some interruption afterwards.

In the spring of this year, Mr Allerton returned, having taken up £200 for the colony, at thirty per cent. which was invested in goods.

Having been assisted by many true friends of the colony, he succeeded after much trouble in purchasing all the interest of the company of adventurers.

The agreement was signed on the 15th of November, (1626) subject to the acceptance of the people of Plymouth.

The company sold to the colony all their shares, stocks, merchandise, lands, and chattels, in consideration of £1800, to be paid at the Royal Exchange in London, every Michaelmas, in nine annual and equal payments, the first of which was to be made in 1628. This agreement was approved. Yet the settlers were distrustful of their ability to provide for the annual payments, and their own wants; and the rate of interest was at that time exorbitant. Yet despair formed no part of their character, they always lived in hope, and trusted to God. Allerton's agreement was unanimously sanctioned, and seven or eight of the principal men became jointly bound in behalf of

the others for the true payment of this sum, but it was done at much risk.

To identify the interest, and to give satisfaction to the whole, every head of a family and every prudent young man who was of age, both of the first and later comers, were admitted into a general partnership, and all agreed that the trade should be managed as usual, devoting all its profits to the payment of the debt,—that every single freeman should have a single share, and that every father of a family should have leave to purchase a share for himself, another for his wife, and one for each of his children who lived with him, and that every one should pay his share of the debts according to his number of shares. One cow and two goats were divided by lot to every six shares, and the swine in proportion. And to every share in addition to the acre lots which they already held, and the gardens and homestead of which they were possessed, twenty acres of tillage land was assigned by lot, which were to be five acres broad on the water, and four acres deep. No meadows were laid out at this time, because the quantity of meadow land being small, they were fearful that some might be prevented from settling with them, if the meadows were all taken up and holden in severalty.

Mowing places were assigned as the seasons came round to all the families according to their number of cattle.

The settlers now began to make vigorous efforts to free themselves from debt, and for this purpose engaged more extensively in trade.

They built a small pinnace at Manomet, a place on the sea, on the south side of Cape Cod, distant twenty miles from Plymouth, and by navigating a creek on the north side, they were enabled to transport their goods thither, with only four or five miles of land transportation; in this way they avoided the dangerous navigation around



the Cape. For the safety of their vessel and goods, they built a house, and kept a few servants there, who attended to agriculture, and navigated the vessel. In this enterprise they met with much success.

The remainder of Robinson's church at Leyden, after the death of their pastor, were anxious to come to America, and the people of Plymouth were equally anxious to see them. To effect their removal, the governor, together with Edward Winslow, Miles Standish, William Brewster, John Alden, John Howland, and Isaac Allerton, ventured to hire the whole trade of the colony for six years from the last day of September, (1627,) and for this and the shallop, and pinnace, and stock at Manomet, they agreed to pay all the debts of the colony, including the large one to the adventurers, in all amounting to £2400, and to supply the people every year with shoes and hoes to the amount of £50, to sell them what corn they should want at 6s the bushel, and at the expiration of the six years to restore the trade to the colony.

In one of the fishing vessels which returned in the autumn of this year, Allerton, who was again appointed agent, took passage.

Upon presenting nine bonds to the adventurers, of £200 each, they executed and delivered a conveyance of their whole interest in New Plymouth.

Allerton carried out some beaver, wherewith to pay some of the engagements of the preceding year, as the settlers were very anxious to relieve themselves from the exorbitant interest with which they were charged. He was instructed to obtain a patent for a trading place on the Kennebeck river, as the Piscataway planters threatened to exclude those of Plymouth from that trade, and he was also instructed to endeavor to obtain the assistance of some of their London friends to enable them to discharge their debts and to bring their friends over from Leyden.

Mr James Shirley, an eminent London merchant, and a zealous friend of the colony, wrote to the people of Plymouth that 'the sole cause why the greater part of the adventurers maligned him was because he would not side with them against the people of Plymouth, and the coming over of the Leyden people ;'— and, (says he) 'assuredly unless the Lord be merciful to us, and the whole land in general, our condition is far worse than yours; wherefore if the Lord send persecution here, which is much to be feared, and should put into our minds to fly for refuge, I know no place safer than to come to you.' From this it would seem that the English Puritans had it early in their contemplations to fly to America, and had they not succeeded in their contest with King Charles, the American wilderness would have been peopled with great rapidity.

Early in the next year, (1628,) Allerton returned, having succeeded in all his objects. He paid the first £200 to the adventurers, and all their other debts excepting those which were due to Shirley, Beauchamp and Andrews. These gentlemen offered to become partners on equal terms with the governor and his associates in the trade of the colony, and engaged to send out some, if not all, their Leyden friends. He also brought out the necessary goods, and succeeded in obtaining a patent for Kennebeck, but its boundaries were so loose and undefined, that another was applied for, more definite and precise in its descriptions, which was obtained in the succeeding year.

With Allerton came a young minister of the name of Rodgers. The settlers had been in constant expectation of the arrival of Robinson, and they therefore had never ordained a pastor or teaching elder, which was the

less to be regretted, as their ruling elder, Brewster, was so eminently qualified, but in consequence of the death of Robinson they were induced to seek one.

It was, however, unfortunate for the colony that Rodgers came, as he became insane, and was sent home the next year at their charge.

On the river Kennebeck, a trading house was erected, and was constantly supplied with corn and goods. Having learned from the Dutch the great advantages which were to be derived in the Indian trade from wampum or wampumpeag, the settlers were induced to purchase of the article to the amount of £50, and to send it to Kennebeck :— Here it remained on hand for two years, but the interior Indians having heard of it, were so anxious to obtain it, that it became almost impossible to supply the demand. By the monopoly of this article alone, they engrossed the whole trade on that river, to the exclusion both of the fishermen, and other planters.

The king of England by proclamation had forbidden his subjects to sell arms or ammunition to the Indians, but they soon began to obtain them, and were taught the use of them by the French, who traded in the eastern parts of New England, and sometimes by the English fishermen, in defiance of the king's order.

In the autumn of this year, (1628) Allerton again went to England to obtain the enlargement and correction of the Kennebeck patent, and also another patent for Plymouth, and to facilitate the removal of the church at Leyden.\*

Many of the servants who had been sent out by the patentees of Massachusetts, fell sick, Mr Endicot wrote

\* Richard Warren, a man who had been extremely useful in the affairs of the colony, and who was highly respected by the people, died this year.

to Governor Bradford beseeching him to send Dr Fuller to Naumkeag, which he did.

Fuller being a deacon of the church at Plymouth, and well versed in its rules and discipline, gave much valuable information to Endicot respecting the formation of a church at Naumkeag. Endicot gratefully acknowledged the services of Fuller, when he again wrote to Governor Bradford.\*

Some of the Plymouth people having found Mr Smith at Nantasket, at his request, conveyed him to Plymouth, where he was kindly received and urged to remain. His servants, and his goods being conveyed to Plymouth, he settled there, and was afterwards chosen their first pastor, and remained there several years.

\* Endicot's letter to Governor Bradford.

‘ Right worshipful Sir,

‘ It is a thing not usual, that servants to one master, and of the same household, should be strangers :—I assure you I desire it not. Nay, to speak more plainly, I cannot be so to you. God's people are all marked with one and the same mark, and have for the main, one, and the same heart, guided by one and the same spirit of truth ; and where this is, there can be no discord, nay here must needs be a sweet harmony ; and the same request with you, I make unto the Lord, that we, as Christian brethren, be united by an heavenly and unfeigned love, bending all our hearts and forces in furthering a work beyond our strength, with reverence and fear, fastening our eyes always on Him that is only able to direct and prosper all our ways. I acknowledge myself much bound to you for your kind love and care, in sending Mr Fuller amongst us, and rejoice much that I am by him satisfied touching your judgment of the outward form of God's worship. It is, as far as I can gather, no more than is warranted by the evidence of truth, and the same which I have professed and maintained ever since the Lord in mercy revealed himself unto me, being far from the common report that hath been spread of you, touching that particular ; but God's children must now look for less here below ; and it is a great mercy of God that he strengthened them to go through it. I shall not need, at this time, to enlarge unto you, for (God willing,) I purpose to see your face shortly ; in the meantime, I humbly take my leave of you, committing you to the Lord's blessing, and protection, and rest.

Your assured loving friend,

Naumkeag, May 11th 1629.

JOHN ENDICOT.

In the month of August, (1629) thirtyfive families arrived from Leyden, at Plymouth. They were received with great joy. The expenses of their transportation were paid gratuitously by the undertakers. Houses were assigned to them. Grounds were prepared for their use, and they were subsisted out of the public stores for more than a year.

Mr Allerton returned without effecting his design, but being sent back immediately had better success. On the eighth of March, in the succeeding year, another company arrived from Leyden, who were equally well received. Their transportation was also paid gratuitously by the undertakers, although it amounted to £550.

The generosity of the chiefs of the colony to their Leyden brethren is unparalleled. They almost deprived themselves of the common necessities of life to get them over, and to support them until they were able to support themselves, laboring at the same time under heavy debts, for which they paid exorbitant interest; but their necessities seemed only to stimulate them to greater exertions. Shirley and Hatherly, having taken out a patent to trade with the Indians at Penobscot, they requested the Plymouth undertakers to join them in this enterprise, which they did with much reluctance. Edward Ashley had been despatched from England, to superintend the trade. The undertakers sent Thomas Willet, who had lately arrived from Leyden, a discreet and faithful young man, in whom they had confidence, with a store of wampum, and corn, and united him with Ashley, in the superintendency. The next year, (1631) Ashley having sold ammunition in violation of his bond, was sent as a prisoner to Eng<sup>l</sup>and. In 1632, Willet and the greater part of his company being absent at Plymouth, (whither they had gone to obtain a supply of goods,) a small French ship went into the har-

bor under the pretence of distress, and finding but three or four servants, who were ignorant and simple men, by a stratagem, obtained possession of their arms, and robbed them of all their goods to the amount of £500, and leaving a taunting message for the master, departed.

During the spring, (1630) John Sagamore a friendly Indian, revealed to the English at Charlestown, a conspiracy amongst many of the tribes, of whom the Narragansetts were the chief, to destroy the English. For this purpose the Indians besought the governor of Plymouth for leave to 'have some sport there,' but he having refused them, they said 'if they might not come with leave, they would without;' but the English making preparations everywhere to receive them, they abandoned their designs.

Having reached this stage in our history, it seems proper to review the civil, ecclesiastical, and military policy of the pilgrims.

They acknowledged an obligation to obey the laws of England generally, and in their instrument of government, recognise King James as their sovereign, but otherwise they were a *voluntary association*, governed by the majority, a pure, unmixed, and perfect democracy, where all power was exercised by the whole people.

The power of the governor seems to have been but little superior to that of any other individual, and was derived not from any constitutional authority delegated to him, but merely from a degree of influence arising in some measure from his station, but principally from his personal qualifications and character.

It does not seem that any judicial, executive, or legislative power was attached to his office, all that power being exercised by the whole body of the freemen or associates. Before them, trials for offences were holden,

and punishments were inflicted by their order. The governor in some cases previous to the establishment of juries, remitted punishments; he remitted that of the duellists Doty and Leister, after it had been partially administered.

This usage did not prevail for more than four years. The pilgrims although they had been domiciliated in Holland, retained all their predilections for the English law, and they soon adopted its noblest provision by establishing the right of trial by jury, which was secured in the following ordinance.

‘ It is ordained 17th day of December, anno domini 1623, by this court, then held, that all criminal facts, and also all matters of trespass and debts between man and man, should be tried by the verdict of twelve honest men, to be impannelled by authority, in form of a jury upon their oaths.’

Their military orders and arrangements were decided by a majority, and the officers were elected. Standish to whom the military power was given, possessed more than the governor.

In ecclesiastical affairs, the governor did not interfere more than any other individual.

In 1621, one assistant was given to the governor. His office was nominal, and he was considered rather as one designated to fulfil the functions of the executive office during the absence, sickness, or inability of the governor, and to preside after his death until a successor could be supplied by election.

In 1624, the number of assistants was increased to five, and the one first named was considered as the deputy governor.

The governor at this time was allowed a double voice. But still the power both of the governor and assistants may be considered as advisory and influential, and not

actual, and humble as it was, arising from necessity, and not from grant. It is said in the account of Lyford's trial, that the governor called a court. It would therefore appear that the power to convene the company was in him.

In weighty matters he usually invited the pastor and ruling elder to assist in council.

The first offence was committed by John Billington, a turbulent and malignant man who afterwards was tried and executed for murder. His offence was 'contempt of the captain's lawful command, with opprobrious speeches.' For this offence, 'he was convented before the whole company, and adjudged to have his neck and heels tied together; but after humbling himself and craving pardon, he was forgiven.'

One of the punishments was banishment, which was inflicted upon Lyford and Oldham, who were both by vote expelled from the colony.

This was for plotting and writing against the colony, and attempting to excite a sedition. This punishment was ordered by the people, and before them, the trial was holden.

After this, the church prevented Lyford from teaching, until upon his contrite behavior, they forgave him and permitted him to teach.

Upon Oldham's return without leave, the company ordered him to be punished with blows inflicted by muskets.

It cannot be ascertained that they had during this period any written code of laws, descriptive of offences, and defining the limits of punishment, but the people took upon themselves the execution of justice, and inflicted punishment at discretion, until the establishment of juries.

In their intercourse with the Indian nations, they assumed sovereign power, engaging in war, making peace,



forming treaties, and receiving (in behalf of the king of England, however,) the allegiance of the natives.

In their proceedings against Morton, who could not be considered according to the notions of the present day in any wise amenable to them, they acted upon the paramount principle of self-preservation.—That Morton had as much right to sell arms and ammunition to the Indians, as they had to forbid him would scarcely be controverted at the present day, and the jurists of this age would agree that the king's proclamation, he being dead, was invalid. A proclamation is a personal act of the reigning king, and has not the enduring and immutable character of a law.—But if by the sale of arms and ammunition, their existence was endangered, they had the unquestionable right to adopt such measures as should secure their safety.

The act of Endicot in cutting down the May-pole was far more reprehensible than the violence of Standish in breaking up the establishment, and taking Morton captive. The May-pole was the rallying point of the orgies of Merry Mount it is true, but Endicot had no more right to interfere with the amusements of Morton, than Morton had to interrupt the prayers or the worship of Endicot and his followers.

On the third of November 1620 the GREAT PATENT of New England under the King's hand was issued to the Council, which by that instrument was established at Plymouth in the County of Devon to enable them to 'plant, rule, and govern, New England.' Of this the pilgrims at the time they subscribed their instrument of government in Cape Cod harbor, were ignorant, they were then without the limits of the patent which had been obtained from the Virginia company.

A patent for trade was subsequently taken out by John Peirce as has been before related, under which, he contemplated a considerable change in the government.—That patent was purchased by the Merchant Adventurers.

Before the year 1630 when Allerton obtained the enlarged patent from the Council, the settlers were not in law a body politic. The legislative and judicial powers which they exercised were derived from no other source than common consent.

They were in fact a trading company without political power. The English branch of their company regarded profit only. The great object of the New England part of the company was the maintenance of religious freedom, and to this object commerce was subordinate. Necessity however, made them commercial, and when the interest of the London partners was purchased, the colony presents the novel and interesting spectacle of a whole community forming one great partnership, in the success of which all were interested.

The lands were originally cultivated in common, and the corn was raised for the common benefit; no one was possessed of an exclusive title.

In a short time it was found beneficial to grant the use of the homestead and gardens in severalty. Afterwards the separate use of acre lots was given to each family, but at the time of assigning this use any estate of inheritance or in fee until the seven years to which the partnership had been limited should have expired, was denied. After the purchase, the use of twenty acre tillage lots to each share in the partnership, (still refusing any estate of inheritance or in fee,) was assigned. The mowing lands were held in common, and the use was not assigned in severalty, except by the season.

Thrown together in a remote wilderness with no power to restrain, and no laws to govern, on the footing of the most perfect equality, it is surprising indeed, that this voluntary government should have endured even for ten years.

It was nothing but their sober habits and that strong moral sense growing out of a pure religious feeling, that kept this little society together.

Upon the whole, they exhibit a spectacle by which the most civilized and best regulated nations with their constitutions of government, and their codes of established laws may be benefited and instructed.

It is not known that they had any written law during this period. Their right to the soil was founded on occupation. They found it desolate, destitute of inhabitants, and uncultivated, and they occupied it. To lands in a wilderness, the title by occupation is the strongest. In addition to this, they had the full and free consent of the savage chief in their vicinity for its occupation, and cultivation. They interfered with no native right, the right to fish and to hunt remained as free to the natives as it was before their arrival, and there was enough for both Indians and English, each might have said to the other as Abraham said to Lot, 'Is not the whole land before us?'

As the great patent of New England is the foundation of the English title to the lands comprised within its limits, it is inserted for the purpose of shewing the extent of that title.

## THE GREAT PATENT OF NEW ENGLAND.

JAMES, by the grace of God, King of England, Scotland, France, and Ireland,  
Defender of the Faith, &c.

To all to whom these presents shall come, greeting :—  
Whereas, upon the humble petition of divers of our well disposed subjects, that intended to make several plantations in the parts of America, between the degrees of thirtyfour and fortyfive, We, according to our princely inclination, favoring much their worthy disposition, in hope thereby to advance the enlargement of the christian religion, to the glory of God Almighty, as also by that means to stretch out the bounds of our dominions, and to replenish those deserts with people, governed by laws and magistrates, for the more peaceable commerce of all that in time to come shall have occasion to traffic into those territories, granted unto Sir Thomas Gates, Sir George Summers, knights, Thomas Hamon, and Raleigh Gilbert, Esquires, and others their associates, for the more speedy accomplishment thereof, by our letters patent, bearing date the 10th day of April, in the fourth year of our reign of England, France, and Ireland, and of Scotland the fortieth, free liberty to divide themselves into two several colonies : the one called the first colony, to be undertaken and advanced by certain knights, gentlemen, and merchants, in and about our city of London ; the other, called the second colony, to be undertaken and advanced by certain knights, gentlemen, merchants, and their associates, in or about our cities of Bristol, Exon, and our town of Plymouth, and other places, as in and by our said letters patents, amongst other things more at large, it doth and may appear.

And whereas, since that time, upon the humble petition of the said adventurers and planters of the said first colony, we have been graciously pleased to make them one distinct and entire body by themselves, giving unto them their distinct limits and bounds :

And have, upon their like humble request, granted unto them divers liberties, privileges, enlargements, and immunities, as in and by our several letters patents, it doth and may more at large appear.

Now forasmuch as we have been, in like manner, humbly petitioned unto by our trusty and well beloved servant, Sir Ferdinando Gorges, knight, captain of our fort and island, by Plymouth, and by certain the principal knights and gentlemen adventurers of the said second colony, and by divers other persons of quality, who now intend to be their associates, divers of which have been at great and extraordinary charges, and sustained many losses, in seeking and discovering a place fit and convenient to lay the foundation of a hopeful plantation, and have, divers years past, by God's assistance, and their own endeavors, taken actual possession of the continent hereafter mentioned, in our name, and to our use, as sovereign lord thereof, and have settled already some of our people in places agreeable to their desires in those parts, and in confidence of prosperous success therein, by the continuance of God's divine blessing, and our royal permission, have resolved, in a more plentiful and effectual manner, to prosecute the same ; and to that purpose and intent, have desired of us, for their better encouragement and satisfaction therein, and that they may avoid all confusion, questions, or differences between themselves and those of the said first colony, that we would likewise be graciously pleased to make certain adventurers, intending to erect and establish fishery, trade, and plantation, within the

territories, precincts, and limits of the said second colony, and their successors, one several distinct and entire body, and to grant unto them such estate, liberties, privileges, enlargements, and immunities there, as are in those, our letters patents, hereafter particularly expressed and declared.

And forasmuch as we have been certainly given to understand, by divers of our good subjects, that have, for these many years past, frequented those coasts and territories between the degrees of forty and fortyeight, that there is no other the subjects of any christian king or state, by any authority from their sovereign lords or princes, actually in possession of any of the said lands or precincts, whereby any right, claim, interest, or title, may, might, or ought, by that means accrue, belong, or appertain unto them, or any of them.

And also, for that we have been further given certainly to know, that within these late years, there hath, by God's visitation, reigned a wonderful plague, together with many horrible slaughters and murders, committed amongst the savages and British people there heretofore inhabiting, in a manner to the utter destruction, devastation, and depopulation of that whole territory, so as there is not left, for many leagues together, in a manner, any that do claim or challenge any kind of interest therein, nor any other superior lord or sovereign, to make claim thereunto, whereby we, in our judgment, are persuaded and satisfied, that the appointed time is come in which Almighty God, in his great goodness and bounty towards us, and our people, hath thought fit and determined, that those large and goodly territories, deserted as it were by their natural inhabitants, should be possessed and enjoyed by such of our subjects and people, as heretofore have, and hereafter shall, by his mercy and favor, and by his powerful arm,

be directed and conducted thither ; in the contemplation and serious consideration whereof, we have thought it fit, according to our kingly duty, so much as in us lieth, to second and follow God's sacred will, rendering reverend thanks to his Divine Majesty, for his gracious favor in laying open and revealing the same unto us, before any other christian prince or state ; by which means, without offence, and, as we trust, to his glory, we may with boldness go on to the settling of so hopeful a work, which tendeth to the reducing and conversion of such savages as remain wandering in desolation and distress, to civil society and christian religion, to the enlargement of our own dominions, and the advancement of the fortunes of such of our good subjects as shall willingly interest themselves in the said employment, to whom we cannot but give singular commendations for their so worthy intention and enterprise.

We, therefore, of our special grace, mere motion, and certain knowledge, by the advice of the lords and others of our privy council, have, for us, our heirs, and successors, granted, ordained, and established, and, in and by these presents, do, for us, our heirs, and successors, grant, ordain, and establish, that all that circuit, continent, precincts, and limits, in America, lying and being in breadth from forty degrees of northerly latitude from the equinoctial line, to fortyeight degrees of the said northerly latitude, and in length by all the breadth aforesaid, throughout the main land, from sea to sea, with all the seas, rivers, islands, creeks, inlets, ports, and havens, within the degrees, precincts, and limits of the said latitude and longitude, shall be the limits, and bounds, and precincts of the said second colony.

And to the end that the said territories may forever hereafter be more particularly and certainly known and distinguished, our will and pleasure is, that the same shall.

from henceforth, be nominated, termed, and called by the name of New England, in America, and by that name of New England, in America, the said circuit, precinct, limit, continent, islands, and places in America aforesaid, we do, by these presents, for us, our heirs, and successors, name, call, erect, found, and establish, and by that name to have continuance forever.

And for the better plantation, ruling, and governing of the aforesaid New England, in America, we will, ordain, constitute, assign, limit, and appoint, and for us, our heirs, and successors, we, by the advice of the lords, and others of the said privy council, do, by these presents, ordain, constitute, limit, and appoint, that from henceforth there shall be forever hereafter, in our town of Plymouth, in the county of Devon, one body politic and corporate, which shall have perpetual succession ; which shall consist of the number of forty persons, and no more ; which shall be, and shall be called and known by the name of the council established at Plymouth, in the county of Devon, for the planting, ruling, ordering, and governing of New England, in America, and for that purpose, we have, at and by the nomination and request of the said petitioners, granted, ordained, established, and confirmed, and, by these presents, for us, our heirs, and successors, do grant, ordain, establish, and confirm our right trusty and right well beloved cousins and counsellors, Lodowick, duke of Lenox, lord steward of our household ; George, lord marquis Buckingham, our high admiral of England ; James, marquis Hamilton ; William, earl of Pembroke, lord chamberlain of our household ; Thomas, earl of Arundel ; and our right trusty and right well beloved cousin, William, earl of Bath ; and our right trusty and right well beloved cousin and counsellor, Henry, earl of Southampton ; and our right trusty and right well beloved cousins, William, earl of Salisbury, and Robert, earl of Warwick ; and our



right trusty and right well beloved John, viscount Had-  
dington ; and our right trusty and well beloved counsel-  
lor, Edward, Lord Zouch, lord warden of our cinque ports ;  
and our trusty and well beloved Edmond, lord Sheffield,  
Edward, lord Gorges ; and our well beloved Sir Edward  
Seymor, knight and baronet ; Sir Robert Mansel ; Sir  
Edward Zouch, our knight marshal ; Sir Dudley Diggs,  
Sir Thomas Roe, Sir Ferdinando Gorges, Sir Francis  
Popham, Sir John Brooks, Sir Thomas Gates, Sir Richard  
Hawkins, Sir Richard Edgecomb, Sir Allen Apsley, Sir  
Warwick Heale, Sir Richard Catchmay, Sir John Bourg-  
chier, Sir Nathaniel Rich, Sir Edward Giles, Sir Giles  
Mompesson, Sir Thomas Worth, knights ; and our well  
beloved Matthew Sutcliff, dean of Exeter ; Robert Heath,  
Esq. recorder of our city of London ; Henry Bourgchier,  
John Drake, Raleigh Gilbert, George Chudley, Thomas  
Hamon, and John Argall, Esquires, to be, and in and by  
these presents, we do appoint them to be, the first modern  
and present council, established at Plymouth, in the county  
of Devon, for the planting, ruling, ordering, and govern-  
ing of New England, in America ; and that they, and the  
survivors of them, and such as the survivors and survivor  
of them shall, from time to time, elect and choose to make  
up the aforesaid number of forty persons, when and as often  
as any of them, or any of their successors, shall happen  
to decease, or to be removed from being of the said coun-  
cil, shall be, in and by these presents, incorporated, to  
have a perpetual succession forever, in deed, fact, and  
name, and shall be one body corporate and politic ; and  
that those, and such said persons, and their successors,  
and such as shall be elected and chosen to succeed them,  
as aforesaid, shall be, and, by these presents, are and be  
incorporated, named, and called by the name of the coun-  
cil established at Plymouth, in the county of Devon, for  
the planting, ruling, and governing of New England, in

America; and them, the said duke of Lenox, marquis Buckingham, marquis Hamilton, earl of Pembroke, earl of Arundel, earl of Bath, earl of Southampton, earl of Salisbury, earl of Warwick, viscount Haddington, lord Zouch, lord Sheffield, lord Gorges, Sir Edward Seymour, Sir Robert Mansel, Sir Edward Zouch, Sir Dudley Diggs, Sir Thomas Roe, Sir Ferdinando Gorges, Sir Francis Popham, Sir John Brooks, Sir Thomas Gates, Sir Richard Hawkins, Sir Richard Edgecomb, Sir Allen Apsley, Sir Warwick Heale, Sir Richard Catchmay, Sir John Bourghcier, Sir Nathaniel Rich, Sir Edward Giles, Sir Giles Mompesson, Sir Thomas Worth, knights; Matthew Sutcliff, Robert Heath, Henry Bourghcier, John Drake, Raleigh Gilbert, George Chudley, Thomas Hamon, and John Argall, Esquires, and their successors, one body corporate and politic, in deed and in name, by the name of the council established at Plymouth, in the county of Devon, for the planting, ruling, and governing of New England, in America.

We do, by these presents, for us, our heirs, and successors, really and fully incorporate, erect, ordain, name, constitute, and establish, and that, by the same name of the said council, they, and their successors, forever hereafter be incorporated, named, and called, and shall, by the same name, have perpetual succession.

And further, we do hereby, for us, our heirs, and successors, grant unto the said council established at Plymouth, that they, and their successors, by the same name, be, and shall be, and shall continue persons able and capable in the law, from time to time, and shall, by that name of council aforesaid, have full power and authority, and lawful capacity and ability, as well to purchase, take, hold, receive, enjoy, and to have to them and their successors, forever, any manors, lands, tenements, rents,

royalties, privileges, immunities, reversions, annuities, hereditaments, goods, and chattels whatsoever, of, or from us, our heirs, and successors, and of, or from any other person or persons whatsoever, as well in and within this our realm of England, as in and within any other place or places whatsoever or wheresoever; and the same manors, lands, tenements, and hereditaments, goods, or chattels, or any of them, by the same name, to alien and sell, or to do, execute, or ordain and perform all other matters and things whatsoever, to the said incorporation and plantation concerning and belonging.

And further, our will and pleasure is, that the said council, for the time being, and their successors, shall have full power and lawful authority, by the name aforesaid, to sue and to be sued, implead and to be impleaded, answer and to be answered unto, in all manner of courts and places that now are, or hereafter shall be, within this our realm, and elsewhere, as well temporal as spiritual, in all manner of suits and matters whatsoever, and of what nature or kind soever such suits or actions be or shall be.

And our will and pleasure is, that the said forty persons, or the greater number of them, shall, and may, from time to time, and at any time hereafter, at their own will and pleasure, according to the laws, ordinances, and orders of, or by them, or by the greater part of them hereafter, in manner and form in these presents mentioned to be agreed upon, to elect and choose, amongst themselves, one of the said forty persons, for the time being, to be president of the said council, which president, so elected and chosen, we will shall continue and be president of the said council, for so long time as by the orders of the said council, from time to time to be made, as hereafter is mentioned, shall be thought fit, and no longer; unto which president, or, in his absence, to any such person as,

by the orders of the said council, shall be thereunto appointed, we do give authority to give order for the warning of the said council, and summoning the company to their meetings.

And our will and pleasure is, that, from time to time, when, and so often as any of the said council shall happen to decease, or to be removed from being of the said council, that then, and so often, the survivors of them of the said council, and no other, or the greater number of them, who then shall be, from time to time, left and remaining, and who shall, or the greater number of which that shall be assembled at a public court, or meeting, to be held for the said company, shall elect and choose one or more other person or persons, to be of the said council, and which, from time to time, shall be of the said council, so that the number of forty persons of the said council may, from time to time, be supplied.

Provided always, that as well the persons herein named to be of the said council, as every other counsellor hereafter to be elected, shall be presented to the lord chancellor of England, or to the lord high treasurer of England, or to the lord chamberlain of the household, of us, our heirs, and successors, for the time being, to take his and their oath and oaths, of a counsellor and counsellors, to us, our heirs, and successors, for the said company and colony in New England.

And further, we will and grant, by these presents, for us, our heirs, and successors, unto the said council, and their successors, that they, and their successors, shall have and enjoy forever, a common seal, to be engraven according to their discretions.

And that it shall be lawful for them to appoint what other seal, or seals, they shall think most meet and necessary, either for their use, as they are one united body, in-

corporate here, or for the public use of their government and ministers in New England aforesaid, whereby the said incorporation may or shall seal any manner of instrument, touching the same corporation, and the manors, lands, tenements, rents, reversions, annuities, hereditaments, goods, chattels, affairs, and any other things, belonging unto, or in any wise appertaining, touching or concerning the said council, and their successors, or concerning the said corporation and plantation, in and by these our letters patents, as aforesaid, founded, erected, and established.

And we do further, by these presents, for us, our heirs, and successors, grant unto the said council, and their successors, that it shall and may be lawful to and for the said council, and their successors, for the time being, in their discretions, from time to time, to admit such and so many person and persons to be made free, and enabled to trade and traffic unto, within, and in New England, aforesaid, and unto every part and parcel thereof, or to have, possess, and enjoy any lands or hereditaments in New England, aforesaid, as they shall think fit, according to the laws, orders, constitutions, and ordinances, by the said council, and their successors, from time to time, to be made and established, by virtue of, and according to the true intent of these presents, and under such conditions, reservations, and agreements, as the said council shall set down, order, and direct, and not otherwise.

And further, of our especial grace, certain knowledge, and mere motion, for us, our heirs, and successors, we do, by these presents, give and grant full power and authority to the said council, and their successors, that the said council, for the time being, or the greater part of them, shall and may, from time to time, nominate, make, constitute, ordain, and confirm, by such name or names, style

or styles, as to them shall seem good, and, likewise, to revoke and discharge, change and alter, as well all and singular, governors, officers, and ministers, which hereafter shall be by them thought fit and needful to be made or used, as well to attend the business of the said company here, as for the government of the said colony and plantation.

And also, to make, ordain, and establish all manner of orders, laws, directions, instructions, forms, and ceremonies of government and magistracy, fit and necessary for and concerning the government of the said colony and plantation, so always as the same be not contrary to the laws and statutes of this our realm of England, and the same at all times hereafter, to abrogate, revoke, or change, not only within the precincts of the said colony, but also upon the seas, in going and coming to and from the said colony, as they, in their good discretion, shall think to be fittest for the good of the adventurers and inhabitants there.

And we do further, of our special grace, certain knowledge, and mere motion, grant, declare, and ordain, that such principal governor as, from time to time, shall be authorized and appointed, in manner and form in these presents heretofore expressed, shall have full power and authority to use and exercise martial laws, in cases of rebellion, insurrection, and mutiny, in as large and ample manner, as our lieutenants in our counties within our realm of England, have, or ought to have, by force of their commission of lieutenancy.

And forasmuch as it shall be necessary for all such our loving subjects as shall inhabit within the said precincts of New England aforesaid, to determine to live together, in the fear and true worship of Almighty God, christian peace, and civil quietness, each with the other, whereby

every one may, with more safety, pleasure, and profit, enjoy that, whereunto they shall attain with great pain and peril.

We, for us, our heirs, and successors, are likewise pleased and contented, and, by these presents, do give and grant unto the said council, and their successors, and to such governors, officers, and ministers, as shall be, by the said council, constituted and appointed according to the natures and limits of their offices and places respectively, that they shall and may, from time to time, forever hereafter, within the said precincts of New England, or in the way by the seas thither and from thence, have full and absolute power and authority to correct, punish, pardon, govern, and rule all such the subjects of us, our heirs, and successors, as shall, from time to time, adventure themselves in any voyage thither, or that shall, at any time hereafter, inhabit in the precincts and territories of the said colony as aforesaid, according to such laws, orders, ordinances, directions, and instructions, as by the said council aforesaid, shall be established; and, in defect thereof, in cases of necessity, according to the good discretions of the said governors and officers respectively, as well in cases capital and criminal as civil, both marine and others; so always as the said statutes, ordinances, and proceedings, as near as conveniently may be agreeable to the laws, statutes, government, and policy of this our realm of England.

And furthermore, if any person, or persons, adventurers, or planters, of the said colony, or any other, at any time or times hereafter, shall transport any monies, goods, or merchandizes, out of any our kingdoms, with a pretence and purpose to land, set, or otherwise to dispose the same, within the limits and bounds of the said colony, and yet, nevertheless, being at sea, or after he hath landed

within any part of the said colony, shall carry the same into any other foreign country, with a purpose there to set and dispose thereof, that then all the goods and chattels of the said person, or persons, so offending, and transported, together with the ship or vessel wherein such transportation was made, shall be forfeited to us, our heirs, and successors.

And we do further, of our special grace, certain knowledge, and mere motion, for us, our heirs, and successors, for, and in respect of the considerations aforesaid, and for divers other good causes and considerations, us thereunto especially moving, and by the advice of the lords and others of our said privy council, have absolutely given, granted, and confirmed, and, by these presents, do absolutely give, grant, and confirm, unto the said council, called the council established at Plymouth, in the county of Devon, for the planting, ruling, and governing of New England, in America, and unto their successors, forever, all the aforesaid lands and grounds, continent, precincts, place, places, and territories, (viz.) the aforesaid part of America, lying and being in breadth from forty degrees of northerly latitude from the equinoctial line, to forty-eight degrees of the said northerly latitude inclusively, and in length of, and within all the breadth aforesaid, throughout the main land, from sea to sea, together also with all the firm land, soils, grounds, havens, ports, rivers, waters, fishings, mines, and minerals, as well royal mines of gold and silver, as other mines and minerals, precious stones, quarries, and all and singular other commodities, jurisdictions, royalties, privileges, franchises, and pre-eminences, both within the said tract of land, upon the main, and also within the said island and seas adjoining.

Provided always, that the said islands, or any of the premises herein before mentioned, and, by these presents,



intended and meant to be granted, be not actually possessed, or inhabited by any other christian prince or state, nor be within the bounds, limits, or territories of that southern colony, heretofore, by us, granted to be planted by divers of our loving subjects in the south parts.

To have and to hold, possess, and enjoy all and singular the aforesaid continent, lands, territories, islands, hereditaments, and precincts, sea waters, fishings, with all and all manner their commodities, royalties, liberties, pre-eminences, and profits, that shall arise from thence, with all and singular their appurtenances, and every part and pareel thereof, and of them to, and unto the said council, and their successors, and assigns, forever, to the sole, only and proper use, benefit, and behoof of them, the said council, and their successors, and assigns, forever, to be holden of us, our heirs, and successors, as of our manor of East Greenwich, in our county of Kent, in free and common socage, and not *in capite*, nor by knights' services.

Yielding and paying, therefore, to us, our heirs, and successors, the fifth part of the ores of gold and silver which, from time to time, and at all times hereafter, shall happen to be found, gotten and obtained in, at, or within any the said lands, limits, territories, and precincts, or in, or within any part, or parcels thereof, for, or in respect of all and all manner of duties, demands, and services whatsoever, to be done, made, or paid to us, our heirs, and successors.

And we do further, of our especial grace, certain knowledge, and mere motion, for us, our heirs, and successors, give and grant to the said council, and their successors, forever, by these presents, that it shall be lawful and free for them, and their assigns, at all and every time and times hereafter, out of any our realms or dominions what-

sover, to take, lead, carry, and transport, in and into their voyages, and for and towards the said plantation in New England, all such and so many of our loving subjects, or any other strangers that will become our loving subjects, and live under our allegiance, or shall willingly accompany them in the said voyages and plantation, with shipping, armor, weapons, ordnances, munition powder, shot, victuals, and all manner of clothing, implements, furniture, beasts, cattle, horses, mares, and all other things necessary for the said plantation, and for their use and defence, and for trade with the people there, and in passing and returning to and fro, without paying or yielding any custom or subsidy, either inwards or outwards, to us, our heirs, or successors, for the same, for the space of seven years from the day of the date of these presents.

Provided, that none of the said persons be such as shall be hereafter, by special name, restrained by us, our heirs, or successors.

And, for their further encouragement, of our special grace and favor, we do, by these presents, for us, our heirs, and successors, yield and grant to, and with the said council, and their successors, and every of them, their factors and assigns, that they, and every of them, shall be free and quiet from all subsidies and customs, in New England, for the space of seven years, and from all taxes and impositions for the space of twenty and one years, upon all goods or merchandize, at any time or times hereafter, either upon importation thither, or exportation from thence, into our realm of England, or into any other our dominions, by the said council, and their successors, their deputies, factors, and assigns, or any of them, except only the five pounds per cent. due for custom upon all such goods and merchandizes as shall be brought or imported into our realm of England, or any other of our dominions, accord-

ing to the ancient trade of merchants ; which five pounds per centum only being paid, it shall be thenceforth lawful and free for the said adventurers, the same goods and merchandize, to export and carry out of our said dominions into foreign parts, without any custom, tax, or other duty, to be paid to us, our heirs, or successors, or to any other officers or ministers of us, our heirs and successors. Provided, that the said goods and merchandizes be shipped out within thirteen months after their first landing, within any part of those dominions.

And further, our will and pleasure is, and we do, by these presents, charge, command, warrant, and authorize the said council, and their successors, or the major part of them, which shall be present and assembled for that purpose, shall, from time to time, under their common seal, distribute, convey, assign, and set over such particular portions of lands, tenements, and hereditaments, as are, by these presents, formerly granted unto each our loving subjects, naturally born, or denizens, or others, as well adventurers as planters, as, by the said company, upon a commission of survey and distribution, executed and returned for that purpose, shall be named, appointed, and allowed, wherein our will and pleasure is, that respect be had, as well to the proportion of the adventurers, as to the special service, hazard, exploit, or merit, of any person so to be recompensed, advanced, or rewarded.

And we do also, for us, our heirs, and successors, grant to the said council, and their successors, and to all and every such governors, or other officers, or ministers, as, by the said council, shall be appointed, to have power and authority of government and command, in or over the said colony and plantation, that they, and every of them, shall, and lawfully may, from time to time, and at all times hereafter, forever, for their several defence and

safety, encounter, expulse, repel, and resist, by force of arms, as well by sea as by land, and all ways and means whatsoever, all such person and persons as, without the special license of the said council, and their successors, or the greater part of them, shall attempt to inhabit within the said several precincts and limits of the said colony and plantation.

And also, all and every such person and persons whatsoever, as shall enterprise or attempt, at any time hereafter, destruction, invasion, detriment, or annoyance to the said colony and plantation.

And that it shall be lawful for the said council, and their successors, and every of them, from time to time, and at all times hereafter, and they shall have full power and authority to take and surprise, by all ways and means whatsoever, all and every such person or persons whatsoever, with their ships, goods, and other furniture, trafficking in any harbor, creek, or place, within the limits and precincts of the said colony and plantation, and not being allowed by the said council to be adventurers or planters of the said colony.

And of our further royal favor, we have granted, and for us, our heirs, and successors, we do grant unto the said council, and their successors, that the said territories, lands, rivers, and places aforesaid, or any of them, shall not be visited, frequented, or traded unto by any other of our subjects, or the subjects of us, our heirs, or successors, either from any of the ports and havens, belonging, or appertaining, or which shall belong or appertain unto us, our heirs, or successors, or to any foreign prince, state, or potentate whatsoever.

And therefore, we do hereby, for us, our heirs, and successors, charge, command, prohibit, and forbid all the subjects of us, our heirs, and successors, of what degree

or quality soever they be, that none of them, directly or indirectly presume to visit, frequent, trade, or adventure to traffic into, or from the said territories, lands, rivers, and places aforesaid, or any of them, other than the said council, and their successors, factors, deputies, and assigns, unless it be with the license and consent of the said council and company, first had and obtained in writing, under their common seal, upon pain of our indignation, and imprisonment of their bodies, during the pleasure of us, our heirs, or successors, and the forfeiture and loss, both of their ship and goods, wheresoever they shall be found, either within any of our kingdoms or dominions, or any the place or places out of our dominions, and for the better effecting of our said pleasure herein, we do hereby, for us, our heirs, and successors, give and grant full power and authority unto the said council, and their successors, for the time being, that they, by themselves, their factors, deputies, or assigns, shall and may, from time to time, and at all times hereafter, attach, arrest, take, and seize all and all manner of ship and ships, goods, wares, and merchandizes whatsoever, which shall be brought from, or carried to the places before mentioned, or any of them, contrary to our will and pleasure, before in these presents expressed, the moiety, or one half of all which forfeitures, we do hereby, for us, our heirs, and successors, give and grant unto the said council, and their successors, to their own proper use, without accompt, and the other moiety, or half part thereof, we will shall be and remain to the use of us, our heirs, and successors.

And we, likewise, have condescended and granted, and, by these presents, for us, our heirs, and successors, do condescend, and grant to, and with the said council, and their successors, that we, our heirs, or successors, shall not, or will not, give and grant any liberty, license, or

authority to any person or persons whatsoever, to sail, trade, or traffic unto the aforesaid plantations of New England, without the good will and liking of the said council, or the greater part of them, for the time being, at any their courts to be assembled.

And we do, for us, our heirs, and successors, give and grant unto the said council, and their successors, that whensoever, or so often as any custom or subsidy shall grow due or payable, unto us, our heirs, or successors, according to the limitation and appointment aforesaid, by reason of any goods, wares, or merchandize, to be shipped out, or any return to be made, of any goods, wares, or merchandize, unto, or from New England, or any the lands or territories aforesaid, that then, so often, and in such case, the farmers, customers, and officers of our customs of England and Ireland, and every of them, for the time being, upon request made unto them by the said council, their successors, factors, or assigns, and upon convenient security to be given in that behalf, shall give and allow unto the said council, and their successors, and to all person and persons free of the said company as aforesaid, six months time, for the payment of the one half of all such customs and subsidy, as shall be due and payable unto us, our heirs, and successors, for the same; for which these, our letters patents, or the duplicate, or the enrolment thereof, shall be, unto our said officers, a sufficient warrant and discharge.

Nevertheless, our will and pleasure is, that, if any of the said goods, wares, and merchandizes, which be, or shall be, at any time hereafter, landed and exported out of any our realms aforesaid, and shall be shipped with a purpose not to be carried to New England aforesaid, that then such payment, duty, custom, imposition, or forfeiture, shall be paid and belong to us, our heirs, and successors, for the said goods, wares, and merchandizes, so fraudu-

lently sought to be transported, as if this our grant had not been made nor granted.

And we do, for us, our heirs, and successors, give and grant unto the said council, and their successors, forever, by these presents, that the said president of the said company, or his deputy, for the time being, or any two others of the said council, for the said colony in New England, for the time being, shall and may, at all times hereafter, and from time to time, have full power and authority to minister, and give the oath and oaths of allegiance and supremacy, or either of them, to all and every person and persons, which shall, at any time and times hereafter, go and pass to the said colony in New England.

And further, that it shall be, likewise, lawful for the said president, or his deputy, for the time being, or any two others of the said council, for the said colony in New England, for the time being, from time to time, and at all times hereafter, to minister such a formal oath, as by their discretions shall be reasonably devised, as well unto any person or persons employed, or to be employed in, for, or touching the said plantation, for their honest, faithful, and just discharge of their service, in all such matters as shall be committed unto them, for the good and benefit of the said company, colony, and plantation, as also unto such other person or persons as the said president, or his deputy, with two others of the said council, shall think meet, for the examination or clearing of the truth, in any cause whatsoever concerning the said plantation, or any business from thence proceeding, or thereunto belonging.

And to the end that no lewd or ill disposed persons, sailors, soldiers, artificers, husbandmen, laborers, or others which shall receive wares, apparel, or other entertainment from the said council, or contract and agree with the said council, to go, and to serve, and to be employed in the

said plantation, in the colony in New England, do afterwards withdraw, hide, and conceal themselves, or refuse to go thither, after they have been so entertained and agreed withal, and that no persons which shall be sent and employed in the said plantation of the said colony in New England, upon the charge of the said council, do misbehave themselves by mutinous, seditious, or other notorious misdemeanors, or which shall be employed, or sent abroad by the governor of New England, or his deputy, with any ship or pinnace, for provision of the said colony, or for some discovery, or other business and affairs concerning the same, do, from thence, treacherously either come back again, or return into the realm of England, by stealth, or without license of the governor of the said colony in New England, for the time being, or be sent hither as misdoers or offenders, and that none of those persons, after their return from thence, being questioned by the said council here for such their misbehaviors and offences, do, by insolent and contemptuous carriage, in the presence of the said council, shew little respect and reverence, either to the place or authority in which we have placed and appointed them, and others, for the clearing of their lewdness and misdemeanors, committed in New England, divulge vile and slanderous reports of the country of New England, or of the government or estate of the said plantation and colony, to bring the said voyages and plantation into disgrace and contempt, by means whereof, not only the adventurers and planters already engaged in the said plantation, may be exceedingly abused, and hindered, and a great number of our loving and well disposed subjects, otherwise well affected, and inclined to join and adventure in so noble a christian and worthy an action, may be discouraged from the same, but also the enterprise itself, may be overthrown,



which cannot miscarry, without some dishonor to us and our kingdom.

We, therefore, for preventing of so great and enormous abuses and misdemeanors, do, by these presents, for us, our heirs, and successors, give and grant unto the said president, or his deputy, or such other person, or persons, as, by the orders of the said council, shall be appointed, by warrant, under his or their hand or hands, to send for, or cause to be apprehended, all and every such person and persons, who shall be noted, or accused, or found, at any time or times hereafter, to offend, or misbehave themselves, in any the affairs before mentioned and expressed; and, upon the examination of any such offender or offenders, and just proof, made by oath, taken before the said council, of any such notorious misdemeanors, by them to be committed, as aforesaid, and also, upon any insolent, contemptuous, or unreverent carriage, or misbehavior, to, or against the said council, to be shewed or used, by any such person or persons, so called, convinced, and appearing before them, as aforesaid, that, in all such cases, our said council, or any two, or more of them, for the time being, shall, and may have full power and authority, either here to bind them over with good securities for their good behavior, and further therein to proceed, to all intents and purposes, as it is used in other like cases within our realm of England, or else, at their discretions, to remand and send back the said offenders, or any of them, to the said colony of New England, there to be proceeded against and punished, as the governors, deputy, or council there, for the time being, shall think meet, or otherwise, according to such laws and ordinances, as are, and shall be in use there, for the well ordering and good government of the said colony.

And our will and pleasure is, and we do hereby declare, to all christian kings, princes, and states, that, if any

person or persons, which shall hereafter be of the said colony or plantation, or any other, by license or appointment of the said council, or their successors, or otherwise, shall, at any time or times hereafter, rob, or spoil, by sea or by land, or do any hurt, violence, or unlawful hostility, to any of the subjects of us, our heirs, or successors, or any of the subjects of any king, prince, ruler, or governor, or state, being then in league and amity with us, our heirs, and successors; and that, upon such injury, or upon just complaint of such prince, ruler, governor, or state, or their subjects, we, our heirs, or successors, shall make open proclamation, within any of the parts of our realm of England commodious for that purpose, that the person or persons having committed any such robbery or spoil, shall, within the time limited by such a proclamation, make full restitution or satisfaction of all such injuries done, so as the said princes, or others so complaining, may hold themselves fully satisfied and contented; and if that the said person or persons, having committed such robbery or spoil, shall not make, or cause to be made, satisfaction accordingly, within such time so to be limited, that then it shall be lawful for us, our heirs, and successors, to put the said person or persons out of our allegiance and protection, and that it shall be lawful and free for all princes to prosecute with hostility the said offenders, and every of them, their and every of their procurers, aiders, abettors, and comforters in that behalf.

Also, we do, for us, our heirs, and successors, declare, by these presents, that all and every the persons being our subjects, which shall go and inhabit within the said colony and plantation, and every of their children and posterity, which shall happen to be born within the limits thereof, shall have and enjoy all liberties, and franchises, and immunities of free denizens and natural subjects, with any of our other dominions, to all intents and purposes,

as if they had been abiding, and born within this our kingdom of England, or any other our dominions.

And lastly, because the principal effect which we can desire, or expect of this action, is the conversion of, and reduction of the people in those parts, unto the true worship of God and christian religion, in which respect we would be loath that any person should be permitted to pass, that we suspected to affect the superstition of the church of Rome, we do hereby declare, that it is our will and pleasure, that none be permitted to pass in any voyage, from time to time to be made into the said country, but such as shall first have taken the oath of supremacy; for which purpose, we do, by these presents, give full power and authority to the president of the said council, to tender and exhibit the said oath to all such persons as shall, at any time, be sent and employed in the said voyage.

And we also, for us, our heirs, and successors, do covenant and grant to, and with the council, and their successors, by these presents, that if the council, for the time being, and their successors, or any of them, shall, at any time or times hereafter, upon any doubt which they shall conceive, concerning the strength or validity in law, of this our present grant, or be desirous to have the same renewed and confirmed by us, our heirs, and successors, with amendments of such imperfections and defects, as shall appear fit and necessary to the said council, or their successors, to be reformed and amended, on the behalf of us, our heirs, and successors, and for the furthering of the plantation and government, or the increase, continuing, and flourishing thereof, that then, upon the humble petition of the said council, for the time being, and their successors, to us, our heirs, and successors, we, our heirs, and successors, shall and will, forthwith, make and pass, under

the great seal of England, to the said council, and their successors, such further and better assurance of all and singular the lands, grounds, royalties, privileges, and premises aforesaid, granted, or intended to be granted, according to our true intent and meaning, in these our letters patents, signified, declared, or mentioned, as by the learned council of us, our heirs, and successors, and of the said company, and their successors, shall, in that behalf, be reasonably devised or advised.

And further, our will and pleasure is, that, in all questions and doubts, that shall arise upon any difficulty of construction or interpretation of anything contained in these our letters patents, the same shall be taken and interpreted, in most ample and beneficial manner, for the said council, and their successors, and every member thereof.

And we do further, for us, our heirs, and successors, charge and command all and singular admirals, vice admirals, generals, commanders, captains, justices of peace, mayors, sheriffs, bailiffs, constables, customers, comptrollers, waiters, searchers, and all the officers of us, our heirs, and successors whatsoever, to be, from time to time, and at all times hereafter, in all things aiding, helping, and assisting unto the said council, and their successors, and unto every of them, upon request and requests, by them to be made, in all matters and things, for the furtherance and accomplishment of all or any the matters and things by us, in, and by these our letters patents, given, granted, and provided, or by us meant, or intended to be given, granted, and provided, as they, our said officer, and the officers of us, our heirs, and successors, do tender our pleasure, and will avoid the contrary, at their perils.

And also, we do, by these presents, ratify and confirm unto the said council, and their successors, all privileges,

franchisees, liberties, and immunities, granted in our said former letters patents, and not in these our letters patents, revoked, altered, changed, or abridged, although expressed, mentioned, &c.—In witness, &c, witness ourself at Westminster, the third day of November, in the eighteenth year of our reign over England, &c.

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It will be perceived that by this patent of November 3d, 1620, King James I. undertook to grant to the council established at Plymouth, in the county of Devon, England, all the territory in North America included between the 40th and 48th degrees of north latitude. This grant included within its limits all that territory which now forms the provinces of Nova Scotia, New Brunswick, and Upper and Lower Canada; and within the United States, the New England States, New York, the largest part of New Jersey, nearly the whole of Pennsylvania, and of the new Western States, the greater part of Ohio, Indiana, Illinois, a small part of Missouri, the whole territory of Michigan, and a large tract of the wilderness extending to the Pacific ocean. Excepting therefrom however, such a part as should be 'actually possessed, or inhabited by any other christian prince, or state.'

A patent was granted by the council for trade, and for lands, in 1621, to John Peirce in trust for the use of the colony, as has been before related, which was signed by the duke of Lenox, the marquis of Hamilton, Sir Ferdinando Gorges, and another.\*

\* Judge Davis in his valuable edition of Morton's memorial, has set forth at large, the terms and conditions of this patent, which were as follows:

'It grants to the patentee and his associates, who are recited to have undertaken a plantation in New England, 100 acres of land for each person, if they should continue there three years; either at one or several times, or die in the

By this patent no territorial limits were defined, and it does not appear that any proceedings whatever were had on the part of the settlers under its authority.

Peirce afterwards in 1622, without their knowledge or consent, obtained a more ample patent in his own name, for which he paid £50, and under which he intended to establish a manorial court, and compel all the settlers to hold of him as lord of the manor, and with a view to enforce the privileges of his patent, he embarked for the colony in December, 1622, but disasters pursued him, and having been compelled to return twice, and being

mean season, after they should be shipped, with intent there to inhabit; the land to be taken and chosen in any place or places not inhabited or settled by any English, or by order of the council made choice of; and with the further allowance of 100 acres for every person sent by the undertakers, at their own expense, to the intended plantation, within the term of seven years, reserving a quit rent of 2s. for each 100 acres, to be paid to the president and council of New England, after the expiration of seven years. Fifteen hundred acres for every undertaker, are granted for the erection of churches, schools, hospitals, town houses, &c, and for the maintenance of magistrates, and officers. Free liberty of fishing on the coast, and in the bays, harbors, &c, of New England, is granted, and freedom of trade with England, or elsewhere, paying such duties, as the council were holden to pay: also privilege of trading with the savages, and to "hunt, hawk, fish, or fowl, in any place not inhabited by any English." There is covenant for further assurance, and after due survey of the lands located, within seven years, for enfeoffment and confirmation of the territory, by letters of incorporation, with authority to make laws, ordinances, and constitutions, for the rule and government of all persons belonging to the plantation. Authority is also given to defend the possessions and privileges granted, by force of arms, against all invaders and intruders, and when the lands granted should be planted, it is agreed that there shall be a further allowance and grant of 50 acres for each person transported and settled in the plantation. The patentees agree to cause a particular account to be rendered of all persons conveyed to the plantation, and "that they shall apply themselves and their labors, in a large and competent manner, to the planting, selling, making, and procuring of good and staple commodities, in and upon the said land granted unto them, as corn, and silk grass, hemp, flax, pitch, and tar, soap, ashes, and pot ashes, iron, clapboards, and other like materials."

both times in imminent danger of shipwreck, he became discouraged and relinquished his undertaking, and in consideration of £500, assigned his patent to the company.

Still the settlers were anxious to obtain a charter conferring more ample political powers, defining their limits, and placing them on the footing of the most favored English subjects. A patent was issued to William Bradford then the governor of Plymouth, and his associates, January 30th 1629, in the first year of the reign of King Charles, by which those powers and privileges were bestowed. To this patent the settlers were anxious to obtain the royal sanction, which the king promised to give, but delayed and finally refused to affix his signature to the instrument, and after waiting some years, probably to 1635 or 1636, they proceeded to settle the foundation of their government on a permanent basis, and defined particularly the powers of the governor and the assistants. In 1638 they transferred the power which was in the whole body of the freemen, to committees or deputies from the several towns in the colony, who assembled for the first time, June, 1639. On the 2d of March, 1640, Governor Bradford surrendered to the freemen the patent of the colony, which had been taken in his name, reserving three tracts, described in the instrument of assignment, for the 'purchasers or old comers.' The tracts reserved were the following: 'First from the bounds of Yarmouth, three miles to the eastward of Naemsketkitt, and from sea to sea, cross the neck of land; the second place of a place called Acconquesse, (alias Acokus) which lyeth in the bottom of the bay adjoining to the west side of Poynt Perill, and two miles to the western side of the said river, to another place called Acquissent river, which entereth at the western end of Nickatay, and two miles to the eastward thereof, and to extend eight miles up into the county:

the third place from Sowamsett river to Patuckquett river, with Cansumpsett neck, which is the cheefe habitation of the Indians, and reserved for them to dwell upon, extending into the land eight miles through the whole breadth thereof.\*

In this patent a tract of land was included on the Kennebeck river.

The general court at this time (probably) thought it expedient, (perhaps in consequence of the imperfection of their patent, which had never received the sanction of the crown,) to set forth their rights in a formal declaration, in which they carefully enumerated all their claims of title, and recited every circumstance which could be brought to strengthen it. As this declaration not only set forth the whole patent which was issued to Governor Bradford in 1629, but all the grounds on which they afterwards proceeded to act as an independent colony, and to grant the lands within its limits, its insertion in this work is not only proper but necessary for a right explanation of the manner in which titles to lands were derived in this territory.

A Declaration demonstrating the warrantable grounds and proceedings of the first associates of the Government of New Plymouth, in laying the first foundation of the Government in this jurisdiction, for making of laws and disposing of lands, and all such things as may conduce to the well being of this Corporation of New England.

Whereas John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, and divers others,

\* 'The first tract (says Judge Davis) is on Cape Cod, comprehending Eastham, Orleans, Brewster, and it is believed, Harwich and Chatham.

'The second tract is the present towns of Dartmouth, and New Bedford.'

The third tract the 'cheefe' residence of the Indians and reserved for them embraces Swansey and Rehoboth in Massachusetts, Barrington and Warren in Rhode Island, and perhaps Bristol.



the subjects of our late sovereign lord King James by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, who did in the eighteenth year of his reign of England, France, and Ireland, and of Scotland the fiftyfourth, which was in the year of our Lord God one thousand six hundred and twenty, undertake a voyage into that part of America called Virginia, or New England, thereunto adjoining, there to erect a plantation or colony of English, intending the glory of God, the enlargement of his Majesty's dominions, and the general good of the English nation.

And whereas, by the good providence of God, the said John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, and their associates arrived in New England aforesaid, in the harbor of Cape Cod, or Paomett, situate and being in New England aforesaid, where all the first persons entered into a civil combination being the eleventh day of November, in the year aforementioned, as the subjects of our said sovereign lord the King to become a body politic, binding ourselves to observe such laws and ordinances, and obey such officers as from time to time should be made and chosen ; for the well ordering and guidance ; and thereupon by the favor of the Almighty began the first colony in New England, there being then no other within the said continent, at a place called by the natives Apaum, alias Patuxett, and by the English New Plymouth, all which lands being void of inhabitants, we the said John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, and the rest of our associates entering into a league of peace with Massasoiet, since called Woosamequin, Prince or Sachem of these parts, he the said Massasoiet freely gave them all the lands adjacent to them, and their heirs forever, acknowledging himself content to become the subject of

our lord the King aforesaid, his heirs and successors, and taking protection of us the said John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, and their associates the natural subjects of our sovereign lord the King aforesaid: but having no special letters patents for the said parts of New England, but only the general law and liberty of our consciences in the public worship of God wherever we should settle; being therefore now settled and requiring special license and commission from his majesty for the ordering of our affairs, under his gracious protection, had sundry commissions made and confirmed by his said majesty's council for New England, to John Peirce and his associates whose names we only made use of, and whose associates we were in the late happy and memorable reign of our sovereign lord King James:—But finding ourselves still straightened, and a willingness in the honorable council aforesaid to enlarge us, partly in regard of the many difficulties we had undergone, and partly in regard of the good service we had done, as well in relieving his majesty's subjects as otherwise, we procured a further enlargement under the name of William Bradford aforesaid and his associates, whose names we likewise used, and whose associates as formerly we still are, by virtue of which said letters patents liberty is given to us derivatory from our sovereign lord King Charles, bearing date the thirtieth of January 1629, being the first year of his reign of England, and Scotland, France and Ireland, &c, and signed by the right honorable Robert, earl of Warwick, in the behalf of his majesty's council for New England, and sealed with their common seal to frame and make orders, ordinances, and constitutions for the ordering, disposing, and governing of our persons, and distributing of our lands within the said limits.

To be holden of his majesty, his heirs and successors, as of his manor of East Greenwich in the county of Kent, in free and common socage, and not *in capite*, nor by knights service : viz.—all that part of America and tract and tracts of land that lyeth within or between a certain rivolett or rundelett commonly called Coahasset alias Conahassett towards the north, and the river called Narragansett river, towards the south, and the great western ocean towards the east, and within and between a straight line directly extending into the maine towards the west from the mouth of the said river called Narragansett river, to the utmost bounds and limits of a country or place in New England called Pocanaukett, alias Puckanakick, alias Sowamsett, westwards; and another like straight line extending itself directly from the mouth of the said river called Coahasset, alias Conahassett towards the west, so far up into the maine land westwards, to the utmost limits of the said place or country called Pocanaukett, alias Pocanaukick, alias Sowamsett, doth extend: together with the one half of the said river called Narragansett, and the said rivolett or rundelett, called Coahasset, alias Conahassett, and all lands, rivers, waters, havens, creeks, ports, fishings, fowlings, and all hereditaments, profits, commodities, and emoluments, whatsoever, situate, lying and being or arising within or between the said limits or bounds, or any of them :—

Furthermore, all that tract or part of land in New England, or part of America aforesaid, which lyeth within or between, and extending itself from the utmost limits of Cobbisecontee, alias Comaccecontee, which adjoins to the river of Kennebeck, alias Kenebekick, towards the western ocean, and a place called the falls at Nekaumkick, in America aforesaid; and the space of fifteen English miles on each side of the river commonly called Kennebeck river,

that lyeth within the aforesaid bounds eastwards, westwards, and northwards, and southwards, last abovementioned, and all lands, grounds, soils, rivers, waters, fishings, hereditaments, and profits, whatsoever situate lying and being, arising, happening, or accruing within the said limits or bounds, or either of them, together with free ingress, egress, and regress, with ships, boats, shallops, and other vessels from the sea called the western ocean, to the river called Kennebeck, and from the said river to the same western ocean, together with all prerogatives, rights, royalties, and jurisdictions, privileges, franchises, liberties, and immunities, and also marine liberties, escheats, and casualties, (the admiralty jurisdiction excepted,) with all the interest, right, title, claim, and demand whatsoever, where the said council and their successors now have, or ought to have, or may have, or require hereafter, in or to any of the said tract or portion of lands hereby mentioned to be granted, or any the premises in as free, large, ample, and beneficial manner to all intents and constructions whatever, as the said council by virtue of his majesty's said letters patent may or can grant.

To have and to hold the said tract or tracts of land, and all and singular the premises abovementioned, to be granted with their and every of their appurtenances to the said William Bradford, his heirs, associates, and assigns forever, to the only proper use and absolute behoofe of the said William Bradford, his heirs, associates, and assigns forever, yielding and paying unto our sovereign lord the king, his heirs, and successors forever, one fifth part of the ore of the mines of gold and silver, and one other fifth thereof to the president and council, which shall be had, possessed and obtained within the precincts aforesaid for all services and demands whatsoever; allowing the said William Bradford,

his associates, and assigns; and every of them, his and their agents, tenants and servants, and all such as he or they shall send or employ about the said particular plantation; shall and may from time to time freely, lawfully go and return, trade or traffic as well with the English as any the natives within the precincts aforesaid, with liberty of fishing upon any part of the sea coast, and sea shores of any of the seas or islands adjacent, and not being inhabited and otherwise disposed of by order of said president and council, forbidding all others to traffic with the natives or inhabitants in any of the said limits without the special leave of the said William Bradford, his heirs, and associates, and allowing the said William Bradford, his heirs and associates to take, apprehend, seize, and make prize of all such their ships and goods, as shall attempt to inhabit, or trade with the salvage people as aforesaid.

Moreover, whereas in the first beginning of this colony divers merchants and others of the city of London, and elsewhere, adventured divers sums of money with the said John Carver, William Bradford, Edward Winslow, William Brewster and the rest of their associates, on certain terms of partnership, to continue for the term of seven years, the said term being expired, the said plantation by reason of manifold losses, and crosses by sea and land, in the beginning of so great a work, being largely indebted, and no means to pay the said debts but by the sale of the whole, and the same being put upon sale, the said William Bradford, Edward Winslow, William Brewster, Isaac Allerton and others our associates, the inhabitants of New Plymouth, and elsewhere, being loath to be deprived of our labor; bought the same for and in consideration of eighteen hundred pounds sterling, viz. all and singular the privileges, lands, goods, chattels, ordinance, ammunition, or whatsoever appertained to the said plantation, or the

adventurers, with all and singular the privileges thereunto belonging as appears by a deed between the said Isaac Allerton then agent for the said William Bradford and his associates on the one part, and John Pocock, Robert Keine, Edward Basse, James Shirley, and John Beauchamp on the other part, being thereunto requested by the said merchants, and the rest adventuring as aforesaid, as appears by a deed bearing date the sixth of November, in the third year of the reign of our sovereign lord, Charles, by the grace of God, king of England, Scotland, France, and Ireland, et Anno Dom. 1627.

Be it known unto all men by these presents, that according to our first intents, and for the better effecting the glory of God,—the enlargement of the dominions of our said sovereign lord the king, and the special good of his subjects, by virtue as well of our combination aforesaid, as also the several grants by us procured in the name of John Peirce, and William Bradford, their heirs, and associates, together with our lawful right, in respect of our donation and purchase of the natives, and our full purchase of the adventurers before expressed, having given unto and allotted and assigned and granted to all and every them and theirs, whose name or names shall follow upon this public record such proportion or proportions of lands with all and singular the privileges thereunto belonging as aforesaid; to him or them, his or their heirs, or assigns successively forever:—to be holden as of his majesty, his manor of East Greenwich, in the county of Kent, in free and common socage, and not *in capite* nor by knight's service:—yielding and paying unto our said sovereign lord the king, his heirs, and successors forever, one fifth part of the ore of the mines of the gold and silver, and one other fifth part to the president and council, which shall be possessed and obtained as aforesaid.

And whatsoever lands are granted to any by the said William Bradford, Edward Winslow, William Brewster, Isaac Allerton, or their heirs, or associates, as aforesaid, being acknowledged in public court, and brought to this book of records of the several inheritances of the subjects of our sovereign lord the king within this government.— It shall be lawful for the governor of New Plymouth (from time to time successively) to give under his hand and the common seal of the government, a copy of the said grant so recorded, confirming the said lands to him or them; his or their heirs, or assigns, forever, with the several bounds and limits of the same, which shall be sufficient evidence in law from time to time, and at all times for all intents and purposes, the said party or parties, his or their assigns forever.

To have and to hold the said portion of lands, so granted, bounded, and recorded, as aforesaid, with all and singular the appurtenances belonging thereunto; to the only proper and absolute use and behoof of the said party or parties, his or their heirs, or assigns forever.

It is unaccountable that the general court after this careful enumeration of the several titles to the lands and sovereignty of New Plymouth, namely, their original combination for civil government November 11th, 1620; the donation of Massasoiet, of Patuxet, and the lands adjacent; the two patents of Peirce; the final patent to William Bradford; the purchase from Pocock, Keine, Bass, Shirley, and Beauchamp, acting on the part of the adventurers, of all the trade and common property of the colony, should have omitted the mention of the great patent of New England to the council established at Plymouth, (England,) although they recite the very words of that patent so far as respects the grants of lands, which were

unquestionably copied from the great patent when the patent of 1629 was issued.

This great patent is the foundation of all the titles to land in New England. Under a patent derivatory from this, Massachusetts afterwards claimed a tract of land equal in breadth to the length of the western line of that state in the western territory of New York, which claim was compromised to the satisfaction of Massachusetts.

Connecticut on similar grounds, claimed a part of the territory called the Susquehannah country, and obtained the Connecticut Reserve in the state of Ohio.

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## CHAPTER X.

Settlement of Massachusetts.—First public execution in Plymouth.—Kindness of the Indians.—Mr Allerton becomes dissatisfied and leaves the colony.—Dispute with Massachusetts.—Narragansetts threaten Massasoiet.—Allerton's enmity.—Sir Christopher Gardner arrested, and Massachusetts and Plymouth brought into difficulty, but finally satisfy King Charles.—Edward Winslow elected Governor.—A trading house on Connecticut river erected.—Disputes with the Dutch and with Massachusetts.—Infectious fever.—Mr Collier arrives.—Thomas Prince elected Governor.—Capt. Stone seizes a Plymouth bark in Connecticut river.—Hocking killed at Kennebeck, and John Alden arrested at Boston and released.—Trade of Plymouth.—William Bradford again elected Governor.—Trading house at Penobscot captured by the French, and negotiation with Massachusetts for their dislodgment.—First Settlements in Connecticut.

1630. THE failure of Weston's attempt to settle Wessagusset in the summer of 1622, and the ill success of Gorges who renewed the attempt in September 1623, have been already related. Two of Gorges' company it is probable remained at Wessagusset, namely, Mr Jeffrey and Mr Burslem, (or Burseley) where they were joined by some families from Weymouth, (in England) in 1629, who gave to Wessagusset the name of Weymouth. Wollaston's settlement at Mount Wollaston, (afterwards Braintree now Quincy) shared the ill fortune of the two first, and was evacuated in 1628.

In 1624, John Oldham expelled from Plymouth, settled at Nantasket, (since called Hull) where Roger Conant and some others who were displeased with the proceedings at Plymouth, joined him. Oldham probably remained at

Nantasket until 1630, when he was at Watertown. Conant and some of the others in 1625 went to Cape Anne, and afterwards removed to Naumkeag, (of which he, together with John Woodbury, John Balch, and Peter Palfreys, were the first settlers in 1626.) About that time William Blackstone an Episcopalian Clergyman was the sole occupant of Shawmut, (Boston) where he had erected a cottage and planted an orchard. David Thompson who had removed from Piscataqua, occupied Thompson's Island in Boston Harbor, and Samuel Maverick who is represented by the ancient writers as a gentleman of the kindest and most courteous disposition, occupied Noddle's Island which he had fortified. Thomas Walford\* a smith, was at Mishawum (Charlestown). Previous to 1628 these were all the settlers of Massachusetts, as far as can be ascertained.

On the 19th of March, 1627, the council for New England granted a patent for trade, soil, and planting, &c. to Sir Henry Roswell, Sir John Young, Thomas Southcoat, John Humphrey, John Endicot, Simon Whetcomb, and their associates. This association was formed through the influence and exertions of Mr White, a puritan minister of Dorchester, (England,) whose object was to establish a religious colony of a faith pure and undefiled in New England.

A royal charter was obtained March 4, 1628, by the patentees and their associates.†

\* The name of Thomas Walford appears in 1640, at Portsmouth, as a church warden.

† The associates were Sir Richard Saltonstall, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Cradock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Goff, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pynchon, and George Foxcraft.

In September, 1628, John Endicot, one of the associates, with several others, amongst whom were Mr Gott, Mr Brackenbury, Capt. Trask, and three brothers of the name of Sprague, (Ralph, Richard, and William,) arrived at Naumkeag. Theirs was the first successful attempt to establish a permanent settlement in Massachusetts, and Endicot, although he was afterwards overshadowed by the high character of John Winthrop, may be considered the real founder of the colony.

At a meeting of the associates in the city of London, (April 30, 1629,) Endicot was elected governor of the plantation, and Francis Higginson, Samuel Skelton, and Francis Bright, three Puritan ministers, John Brown, Samuel Brown, Thomas Graves, and Samuel Sharp, were chosen a council. On the 24th of June, they, (with the exception of Endicot, who was already there,) and many others arrived at Naumkeag, which place they immediately called Salem. Shortly after, Thomas Graves and Mr Bright, went to Mishawum, and several joining them, they laid out and settled a town, which they called, in honor of the king, Charlestown. Ralph Smith, the other minister, who was sent to Salem, left that place and went to Nantasket, and afterwards to Plymouth, of which he became the first pastor, in 1629.

On the thirtieth of May, 1630, Warham, Maverick, Rossiter, and Ludlow, arrived at Nantasket. Taking a boat, they went up Charles river, and sat down at a place since called Watertown, but in a few days they were ordered to remove to Mattapan, (now Dorchester,) and there they commenced a settlement.

Between the twelfth of June and the thirtieth of July, (1630,) a fleet of eleven ships arrived from England, bringing over a great number of passengers; with them came the governor, the eminent John Winthrop. They

first settled at Charlestown, where Mr Bright, Mr Graves, and several others, had previously seated themselves, but not finding good water, Sir Richard Saltonstall and some others were induced to go up the river, and they settled Watertown.

The only person residing on the peninsula then called Shawmut, (now Boston,) was William Blackstone. The English at Charlestown, learning from him, that there was a spring of fine water there, and being cordially invited to come, Mr Johnson and some others went over and settled; the governor and most of the others soon followed; and the accidental advantage of a spring of good water transferred the metropolitan honors of New England from Charlestown to Boston.

Blackstone had been an Episcopalian clergyman in England; but disliking 'the power of the lords Bishops,' to escape from it, he abandoned his country. In 1634, his right and title to the peninsula of Shawmut, 'he having been the first European occupant,' was purchased by the inhabitants of Boston, each of them paying him 6s. and some of them more. In 1635, 'becoming discontented with the power of the Lord's brethren here,' he removed from Boston, to a place on Pawtucket river, (to which river his name has been transferred,) which afterwards fell within the corporate limits of the ancient Rehoboth, a part of the territory of Plymouth.

Before the end of the year, five other vessels arrived with passengers. The whole number who came over during this year, (1630,) was estimated at fifteen hundred.

Mr Pynchon settled beyond the neck, and founded the town of Roxbury, and in the same year, Cambridge, (at first called New Town,) and Medford, (then called Mystic,) were settled.

John Winthrop had been elected governor in England ; John Humphry deputy governor, who being at that time unable to come, his place was supplied by Thomas Dudley ; Sir Richard Saltonstall, Isaac Johnson, John Endicot, Increase Nowell, William Vassall, William Pynchon, Roger Ludlow, Edward Rossiter, Thomas Sharp, John Revell, Matthew Cradock, Simon Bradstreet, Samuel Aldersy, John Venn, Sir Brian Jansen, William Coddington, and Thomas Adams, were elected assistants.

Mr Cradock, an eminent London merchant, Col. Venn, afterwards a member of the Long Parliament for the city of London, and Sir Brian Jansen, never came over.

The rank and circumstances of this second band of New England pilgrims were strikingly contrasted with those of the first. From the time of the emigration of Robinson's church to Holland, in 1608, a period of twentyone years had elapsed, during which the Puritans had been elevated from an humble sect, few in numbers, and alike destitute of wealth and learning, into a powerful party, already excited by the strongest impulses of political ambition, inflamed with controversy, and beginning to see in the prospective a throne in the dust, and a monarch in chains. The circle, originally so narrow, had enlarged itself to such an extent, that it threatened, at no distant period, to embrace three powerful kingdoms. The puritans were persecuted and oppressed, and the crown assumed all the terrors of the prerogative, but they never quailed from the contest, and so successful had they been, that they already began to feel that rancour of political rivalry, which springs from an equality of political power, and to look forward without dread to the time when their 'swords would be measured with their antagonists' in the field. Their characters were more elevated, but their dispositions were less kindly, and their tempers more aus-

tere, sour, and domineering, than those of their Plymouth brethren. They had brought themselves to a positive conviction of their own evangelical purity and perfect godliness, and therefore they tolerated not even the slightest difference in theological opinions. They had almost reached that degree of enthusiasm, when, without regret, they would have dragged a 'malignant' to the scaffold, or have gone to it themselves, without fear. The flowers of literature had begun to bloom amongst the thorns of polemic divinity, and rank and wealth were embraced in their connection. Governor Winthrop was a gentleman of fortune, and was descended from a lawyer, eminent in the reign of Henry VIII. Humphry and Johnson, also men of fortune, had married two sisters, daughters of the Earl of Lincoln, the root of the present ducal house of Newcastle. Dudley had been a captain of the English Auxiliaries which served with the armies of Henry IV. of France. Sir Richard Saltonstall was the son of Sir Richard Saltonstall, lord-mayor of London, in 1597, who was descended from an ancient and honorable family in Yorkshire. Nowell was the nephew of Alexander Nowell, Dean of St Paul's in the time of Queen Elizabeth. Vassall, who still remained an Episcopalian, and Coddington, afterwards a large proprietor of Barbadoes and of Barbuda, in the West Indies, were men of family and fortune. Bradstreet had been educated at Cambridge university. Pynchon, the founder of Roxbury, and afterwards of Springfield, was a gentleman of extensive learning and acquirements. Many of the ministers were of no less consideration. Bulkley, the minister of Concord, was of an honorable family in Bedfordshire. Whiting, the minister of Lynn, married a daughter of Oliver St John, and Sherman, minister of Watertown, married a granddaughter of the Earl of Rivers. Many of them possessed

large estates, and were accustomed to all the refinements of polished society. Many gentlemen of rank and fortune followed the first emigrants. Sir Henry Vane first displayed his wily and subtle disposition, and his profound genius for politics in the controversies of Massachusetts, and nothing but that disastrous fate which seemed to influence all the acts of Charles I. prevented this humble colony from being the theatre to which the prodigious energies of Hampden, Cromwell, Hazelrig, and Pym would have been confined, for they had actually embarked, but were compelled to return by a royal order.

The Plymouth Colonists of humbler rank, and less excited, from having been so long removed from the scene of controversy in England, were more tolerant and mild, and although much swayed by the influence of their domineering neighbors, to whom, on all great occasions, they seemed to defer, were never led into these horrible excesses of fanaticism which disgrace the early annals of Massachusetts.

The subsequent conduct of the colonies in their intercourse with each other,—the arrogance of Massachusetts, and the profound respect with which she was always treated by Plymouth, may, in some degree, be traced to the difference of the colonists of each in rank, and wealth. Massachusetts at times assuming a superiority, was, however, except on one or two occasions, just to Plymouth, and frequently generous.

In October, the colonists of Plymouth were compelled to endure the grievous sight of a public execution.

One John Billington, a Londoner, a profane and profligate young man, who had been accidentally admitted into the company, waylaid and shot John Newcomen, in revenge for some injury or insult.

The trial was conducted with great care and caution. Billington was found guilty both by the grand and petit jury, but the court for some time doubted their authority to inflict the punishment of death, inasmuch as the council from whom their authority was derived, had no such power themselves.

The advice of governor Winthrop, and of the ablest men of Massachusetts Bay, was sought, and it was the universal opinion that the murderer 'ought to die, and the land be purged of blood.' This was the first execution in the colony.

An accident happened, which served to shew the extreme kindness of feeling which at this time prevailed amongst the Indians towards the English. Richard Garrett and several others from Boston were shipwrecked on Cape Cod. Some of them died of their hardships. The Indians buried the dead with much difficulty, the ground being hard frozen, and literally nursed the survivors back to life; and after curing and strengthening them, secured the remains of their dead companions against wild beasts, and then guided them fifty miles through the woods to Plymouth.

1631. Mr Hatherly and Mr Allerton went as passengers in the *White Angel*, which sailed for England, September 6.

Mr Allerton having lost the confidence of the colony, was no longer employed as their agent. The cause of their dissatisfaction does not fully appear. The Leyden people had taken up some prejudices against him; the colony complained that too much money had been lavished by him and Mr Shirley to obtain a royal charter. As an agent, he appears to have been indefatigable in his attempts to promote the interests of his employers. He



was a person of uncommon activity, address, and enterprise. He left the colony, and it is supposed that after attempting some commercial enterprises at the eastward, he resided for a time at the Dutch colony of New Netherlands, and afterwards at New Haven, where it is supposed he was in 1653. Governor Hutchinson says that he finally returned to England, and that his male posterity settled in Maryland.

On the 17th of November, Governor Bradford visited Boston :—previous to this visit, Plymouth and Massachusetts had been on the eve of a quarrel respecting the traffic which was carried on by the latter for corn with the Indians on Cape Cod. The governor of Plymouth finding the Salem pinnace driven into Plymouth harbor by distress, and laden with corn which had been purchased of the natives, forbade the traffic, which he declared he was determined to interrupt by force, if they persisted. A correspondence took place between the Governors, and after this visit to Boston, the dispute subsided.

1632. In April, Massasoiet who was now called Ossamequin,\* having been assaulted by the Narragansetts, fled for refuge to an English house at Sowams. Intelligence of this having been received at Plymouth, Standish was immediately despatched thither. There being but three Englishmen in the house, Standish sent a messenger to Plymouth to urge the governor to send a force instantly, and ammunition and provisions sufficient to enable them to hold out, as they were apprehensive that Caunonicus the great sachem of the Narragansetts, would attack them with all his force. There being no ammunition at that time at Plymouth, application was made to Governor Winthrop, who sent a messenger on foot, (there being then

\* The Indians frequently changed their names.

but few horses in New England) who carried 27 pounds taken from the governor's own store.—But the Narragansetts having learned that the Pequots had attacked their country, retired from Sowams without doing any injury. It is not a little surprising that this act of Governor Winthrop was afterwards urged against him as an offence by Dudley, the deputy governor of Massachusetts. During the year suspicions were again excited respecting a conspiracy amongst the Indians, but they soon died away.

On the 5th of June, Edward Winslow arrived at Boston from England. Mr Hatherly also arrived in the course of the month with a view to remain in the country.

Allerton now inimical to Plymouth, formed a trading company, hired the *White Angel* of Mr Shirley, and attempted to establish a rival house on the Kennebeck river. He also attempted to deprive Plymouth of the trade at Penobscot, by establishing another house there, but the French in 1633 attacked the house at Penobscot, killed two of his men, despoiled them of all their goods and sent the remainder prisoners to France.

This year the colonies of Massachusetts and Plymouth fell into some trouble by reason of a petition to the King and council, from Sir Christopher Gardner, Thomas Morton, and Philip Ratcliff,\* who were instigated as it was supposed, by Sir Ferdinando Gorges, and Captain Mason, who were desirous of having a general government established over New England.

Gardner was a man of rank, (he had been created a knight of the holy sepulchre at Jerusalem,) allied to the celebrated Gardner, bishop of Winchester, and a concealed papist.

\* Ratcliff had been a servant of Mr Cradock, and had suffered punishment at Boston; whipping, loss of ears, and banishment, for his invectives against the churches and government.—*Winthrop's Journal*.

He came first into the colony of Massachusetts attended by one or two servants, and pretended that he had forsaken the world, and desired to lead a godly life in privacy and retirement, and disdained no employment however humble. He made application to several churches to be admitted as a member, but having with him a 'comely young woman,' whom he called his cousin, but who was suspected to be his mistress, they refused him.

Having been accused of having two wives in England, the government of Massachusetts endeavored to apprehend him, but hearing of the accusation, he escaped into the jurisdiction of Plymouth, and there lived awhile amongst the Indians. The Namasket Indians with whom he lived, gave information of his residence to Governor Bradford, and he authorised them to take him and to convey him to Plymouth, but expressly forbade them to do him any injury. They finding a favorable opportunity, seized and bound, him and conducted him to the governor, by whom he was kindly used.\* Governor Winthrop was informed of his apprehension, and he caused him to be brought to Boston as a prisoner, and immediately sent him to England, but directed that he should be treated respectfully on account of his quality.

In the petition both colonies were charged with intended rebellion. It was alleged that they had cast off their allegiance, 'and meant to be wholly separate from the church and laws of England, and that their ministers and

\* The Indians discovering him near a river, set upon him; but reaching a canoe which lay in the stream, he stood on the defensive, and being armed with a musket and rapier, kept them at bay; the current however, dashing his canoe against a rock it was upset, and he lost both gun and rapier in the water. He then drew a small dagger, and the Indians unwilling to injure him, or to receive injury from him, would not close with him, but seizing some long poles beat his dagger out of his hands, and he yielded.

people did continually rail against the state, the church, and the bishops.’

Mr Cradock, together with Sir Richard Saltonstall, and Mr Humphrey, who were then in England, were called before the council to answer the accusation, which they did in writing. So satisfactory was their defence, that the committee of the council reported both to the lords and the king so much in commendation of the colonies, that King Charles was pleased to say, ‘ that he would have them severely punished who did abuse his government and plantation.’ The defendants were dismissed with a favorable order for their encouragement.\*— And they were also

\* At the court at Whitehall, January 19, 1632.

Sigillum Crescent	Lord Cottington
Lord Privy Seal	Mr Treasurer
Earl of Dorset	Mr Vice Chamberlain
Lord Viscount Falkland	Mr Secretary Cook
Lord Bishop of London	Mr Secretary Windebank.

Whereas his majesty hath lately been informed of great distraction and much disorder in the plantations in the parts of America called New England, which if they be true, and suffered to run on, would tend to the dishonor of this kingdom, and utter ruin of that plantation; for prevention whereof, and for the orderly settling of government, according to the intention of those patents which have been granted by his Majesty, and from his late royal father King James; it hath pleased his majesty that the lords and others of his most honorable privy council should take the same into consideration; their lordships in the first place, thought fit to make a committee of this board, to take examination of the matters informed; which committee having called divers of the principal adventurers in that plantation, and heard those that are complainants against them; most of the things informed being denied, and resting to be proved by parties that must be called from that place, which required a long expense of time, and at present their lordships finding they were upon despatch of men, victuals, and merchandize for that place, all which would be at a stand if the adventurers should have discouragement, or take suspicion that the state here had no good opinion of that plantation; their lordships not laying the fault or fancies (if any be) of some particular men upon the general government or principal adventurers, which in due time is to be inquired into; have thought fit, in the mean time, to declare that the appearances were so fair, and hopes so great, that the country would prove both beneficial to the kingdom, and profitable to the particulars, as that the

assured by some of the council that his majesty 'did not intend to impose the ceremonies of the church of England upon them,' for it was considered that the freedom of religion was one of the principal causes of emigration to New England, and that it was a favorite object of the government to strengthen New England, because if the Baltic was closed against England, their masts and cordage must come from New England.

1633. At the annual election, Governor Bradford, having now been chosen to the office of governor twelve years in succession, desirous of being relieved from its cares, importuned the people with so much earnestness, that they consented to release him, and Edward Winslow was chosen his successor.

Bradford was chosen the first assistant or deputy governor, and the number of assistants was increased from five to seven. Capt. Standish, John Howland, John Alden, John Doane, Stephen Hopkins, and William Gilson, were also elected assistants.

A singular law had been enacted in the preceding year, (1632.) Any person chosen to the office of governor, and refusing it, was to be fined £20; a counsellor or magistrate chosen, and refusing the office, was to be fined £10.

This year was remarkable for an invasion of locusts, (probably grasshoppers,) who, emerging from the earth, destroyed every green thing before them.

adventurers had cause to go on cheerfully with their undertakings, and rest assured, if things were carried as was pretended when the patents were granted, and accordingly as by the patents it is appointed, his majesty would not only maintain the liberties and privileges heretofore granted, but supply anything further that might tend to the good government, prosperity, and comfort of his people there of that place, &c.

WILLIAM TRUMBALL.

About this time, the disputes with the Dutch respecting the trade of Connecticut river, commenced.

The Dutch, in their trading intercourse with Plymouth, had communicated some information of a fine river, which extended far into the country, to which they had given the name of Fresh river, but which was called by the natives, Quonektacut. They represented the lands which lay upon the river as well adapted to planting, and the river as convenient for trade, and they urged the people of Plymouth, with much earnestness, to commence a trading intercourse with the natives; but not being willing, at that time, to extend the sphere of their commercial operations, they neglected the advice.

The Dutch then being feeble in strength and few in numbers, probably reckoned upon the assistance of the English, should they become involved in any serious difficulties with the natives.

Some Indians who dwelled upon this river, being driven from their homes by the Pequots, who usurped their lands, solicited the English with much entreaty, to establish a trading house there, in the hope that through their intervention they might be restored to their homes.

The people of Plymouth were induced to fit and send out some trading expeditions to this place, and they found the representations of the Dutch and the Indians to be true. They had great success in their traffic, but still were unwilling to venture upon the establishment of a trading house.

The Indians who had been expelled, anxious to be restored, then solicited the government of Massachusetts to undertake the same enterprise, but their solicitations were not heeded by the governor. Some of the principal individuals of Massachusetts, however, having some in-

elination to engage in this enterprise, proposed to the people of Plymouth a conference at Boston, to agree upon the terms of a copartnership.

A distinct proposition having been submitted at this meeting, that a trading house should be established on this river to anticipate the Dutch,—to shew that this proposition was inexpedient, it was urged that the country was inhabited by three or four thousand warlike Indians; that the mouth of the river was made difficult of access by a bar; and that for seven months in a year it was not free from ice. Discouraged by these representations, the agents on the part of Massachusetts became indifferent, and declared themselves unwilling to engage in the project. Upon hearing this, Governor Winslow and Governor Bradford expressed a determination to persevere, and at the same time a hope, that inasmuch as they were unwilling to adventure without their approbation, they should not incur the displeasure of their brethren of Massachusetts, if they attempted the enterprise with their own means, and received from the agents of Massachusetts the strongest assurances of consent and approbation.

The Dutch, upon learning this determination of the people of Plymouth, repented of their previous invitations, and now thinking themselves sufficiently strong for self-defence, resolved to anticipate and to prevent them from pursuing this undertaking. For this purpose, they forthwith despatched an expedition, which reached the mouth of the river a short time previous to the arrival of the English, and going up the river, their troops were disembarked at the place afterwards called Hartford. A house was hastily erected, and fortified with two pieces of ordnance, and the Dutch gave out that they intended to dispute the passage of the English up the river.

The English adventurers having been ordered to seat themselves on the river above the Dutch, prepared the frame of a house, and putting it on board their bark with the necessary materials to put it together, and taking with them the Indians who had been expelled from Nattawanute,\* (at which place they intended to establish themselves,) proceeded up the river, in despite both of the Dutch and the hostile Indians. The expedition was commanded by Lieutenant Holmes.

When they reached the spot where the Dutch had raised their national flag, they were hailed and questioned as to their intentions and destination. They replied that their destination was up the river, where they intended to trade. They were ordered to stop or to strike, and were threatened in case of disobedience with an attack, to which they replied that they acted by the direction of the governor of Plymouth, and that his order should be obeyed at every risk,—they had no intention to molest the Dutch, but they ‘would go on.’ The Dutch did not think proper to come to extremities, but suffered them to pass. They proceeded about a mile and then disembarked, erected their house, which they fortified, landed their provisions, and sent their bark home.

Intelligence of this affair was immediately sent to Manhattan.† A company of seventy men, well armed, was despatched forthwith to dispossess the English. They proceeded against the fort at Nattawanute in hostile array, with their colors flying, but apprehending the strength of the English to be greater than it really was, they came to a parley, and returned without committing hostilities. The Dutch had no rightful claim to the lands at Natta-

\* Afterwards called Windsor.

† New York.



wanute, for the English, at the solicitation of the original native owners, had purchased them at a fair price. Nevertheless, their conduct was not, by any means, marked with that degree of violence and injustice towards the people of Plymouth, as was the subsequent conduct of their puritan brethren of Massachusetts.

In the summer of 1635, some of the people of Dorchester in that colony, emigrated to the Connecticut river, and seated themselves on the lands claimed by Plymouth, near the fort. Governor Bradford complained of their injustice, as the lands there had been obtained by fair purchase, which was followed by occupancy and possession, and their claim had been strengthened by their resistance to the pretensions of the Dutch; but notwithstanding they had been more injuriously treated by their Massachusetts brethren than by the Indians or Dutch, by whom they had never been molested after they had made their establishment permanent. After repeated unsuccessful remonstrances, Governor Winslow visited Boston in person to claim redress. Plymouth, averse to a quarrel, offered to accept a sixteenth part of the lands and £100 as a full compensation, but such was the encroaching and domineering spirit of Massachusetts, that even this imperfect justice was refused; but the equity of the Plymouth claim was so apparent, that Massachusetts was afterwards induced to give them £50, Plymouth retaining forty acres of meadow or interval land and a large tract of upland, with which this large and just claim was finally quieted. Massachusetts, sensible of her own injustice, could offer no reasonable objection to the claim of Plymouth, yet for a long time was it resisted, and was not finally compromised until many years had elapsed.

During this year, Plymouth was attacked with an infectious fever, of which twenty men and women, (besides children,) died. Amongst them was Samuel Fuller, their physician and surgeon, and a deacon of the church, a man of great practical usefulness. Thomas Blossom, one of the Leyden church, died.

William Collier, one of the adventurers and a great benefactor to the colony, came over, and was immediately employed in affairs of trust.

1634. Thomas Prince was chosen governor, Bradford was elected first assistant or deputy governor. Mr Doane and Mr Gilson were not re-elected assistants. Mr Doane supplied the place of Dr Fuller as deacon of the church. Governor Winslow and Mr Collier succeeded them as assistants; the other assistants were re-elected. The Indians during this year were sorely afflicted with the small pox, of which great numbers died.

One Captain Stone, a West Indian of St Christopher's, by intoxicating the governor of the Dutch fort on Connecticut river, obtained his leave to take a Plymouth bark which was lying there at anchor. The merchant and most of the men being on shore, he succeeded, and after weighing her anchor, set sail for Virginia, but some Dutch sailors who had received kind treatment at Plymouth discovering his design, pursued him with two vessels, and recaptured the bark.

Stone afterwards going to Massachusetts, was served with a process, and for the purpose of a compromise, he went to Plymouth. In a dispute with the governor he was so transported with rage, that he attempted to stab him,

but was prevented by the vigilance of the governor's attendants.\*

Another act of violence was perpetrated at Kennebeck, within the limits of the Plymouth patent. A pinnace belonging to Lord Say and Sele, and commanded by one Hocking, sailed from Piscataqua into the Kennebeck, and he attempted to pass up the river for the purpose of trading with the natives. Two of the magistrates of Plymouth being there, forbade him; he persisted, and declaring that he would go up and trade with the natives in despite of them, and 'lye there as long as he pleased,' went on.

The Plymouth men pursued him in a boat, and after entreating him to depart, and receiving nothing but 'ill words' and positive refusals, finding his pinnace at anchor, two of them went in a canoe, cut one of the cables and attempted to cut the other; Hocking threatened to shoot them; they defied him, and persisted; he fired, and killed one. The pinnace having come up with five or six men on board, they fired on Hocking and killed him.

At the general court at Boston, (May 15,) upon complaint of a kinsman of Hocking, John Alden, one of the Plymouth magistrates present at this transaction, (then in Boston,) was arrested and held to bail, 'and withal (says Governor Winthrop,) we wrote to Plymouth to certify them what we had done, and to know whether they would do justice in the cause, (as belonging to their jurisdiction)

\* Some time after the commission of this outrage, while lying in Connecticut river, in his vessel, asleep in the cabin, he together with one Capt. Norton were assailed by the Indians, and both were killed. Norton defended himself with great resolution, but having set out some powder on a table, it accidentally took fire and exploded, by which he was blinded and fell a prey to his assailants, who then succeeded in plundering the vessel. The murderers escaping, were harbored by the Pequot Indians, and this was one of the causes of the subsequent war with that tribe.

and to have a speedy answer,' &c. 'This we did, (continues the governor,) that notice might be taken, that we did disavow the said action, which was much condemned of all men, and which was feared would give occasion to the king to send a general governor over; and besides had brought us all and the gospel under a common reproach of cutting one another's throats for beaver.'

Governor Bradford, Governor Winslow, and Mr Smith, the pastor of Plymouth, held a conference at Boston with some of the magistrates and ministers of Massachusetts (amongst whom were Governor Winthrop, Mr Cotton, and Mr Wilson,) concerning this transaction. After they 'had sought the Lord,' they commenced the discussion. The cause of Plymouth was defended with much ability.—The question involved their right of exclusive trade.—The Plymouth conferees contended that for this, they not only had the king's grant, 'but they had taken up this place as *vacuum domicilium*, and so had continued without interruption or claim of any of the natives for divers years.' They also strongly urged that the trade to the Kennebeck had been created by them, inasmuch, as they had introduced *wampumpeage* as an article of traffic, the use of which in commerce, they had been the first to discover and improve. Admitting that their servant did kill Hocking, it was done in self defence, and to save the lives of others whom he would have killed, 'yet, they acknowledged, that they did hold themselves under guilt of the breach of the sixth commandment, in that they did hazard man's life for such a cause, and did not rather wait to preserve their rights by other means, which they rather acknowledged, because they wished it were not done; and hereafter they would be careful to prevent the like.'

Governor Dudley, and Governor Winthrop both interested themselves in the exculpation of Plymouth, and to effect it, wrote friendly and interceding letters to England. Afterwards Governor Bradford and Mr Collier visited Boston on this affair, and wrote an ample account of it to Mr Wiggin, the overseer at Piscataqua.

Lord Say and Sele, and Lord Brook, who were interested in the plantation at Piscataqua, at first were much exasperated with Plymouth, but learning the exact truth were pacified.

It is not a little remarkable, that the arrogant spirit of Massachusetts should have displayed itself in such early infancy. Endicot indeed had deported himself somewhat arbitrarily at its very birth, by attacking Morton at Merry Mount, but Morton was considered as an outlaw.—But that a magistrate of the colony of Plymouth should be arrested while at Boston on his own concerns, and held to bail, for an offence committed within the jurisdiction of Plymouth, and that two conspicuous characters (both having been governors of the colony) and the minister, should have been obliged to visit Boston to defend their people against a charge, of which, Massachusetts then a government of scarcely four years standing, had no more jurisdiction than Virginia, almost ‘*passes comprehension.*’ The governor of Massachusetts, however, appears to have conducted equitably, and no other injustice was done to Plymouth, than to arrest one of their magistrates without the authority of law. The government of Plymouth generally sensitive as to their rights and dignity, appear always to have succumbed to Massachusetts, through fear perhaps of the strong influence which Massachusetts could make in England through the instrumentality of her leading men, who, were connected in England with persons of high rank.

Plymouth now transacted a large trade with the Dutch at New Netherlands, and with the natives of Kennebeck, and Connecticut river. At Kennebeck they exchanged the wampum which they obtained at Connecticut, for beaver, of which they shipped to England twenty hogsheads.\*

1635. William Bradford was again called to the chair, and Edward Winslow was elected first assistant, or deputy governor. Governor Prince was chosen an assistant, and the other assistants were all reelected.

Winslow again visited England as the agent of the colony, and rendered good service to Massachusetts, against whom, complaints had been exhibited.

A trading house belonging to Plymouth at Penobscot was captured by the French, who took the goods, and gave bills on France for the payment. The governor despatched a vessel under the command of Mr Girling, to dispossess the French, but the latter having notice of the intended attack, prepared for defence, and refused to surrender. Application was then made to Massachusetts for assistance; their general court agreed to assist Plymouth both with men and munitions, but required that one duly authorized should be sent to treat with them as to the terms on which their assistance was to be rendered. 'Resolving (says Governor Winthrop) to drive them out, whatsoever it should cost, (yet first to put them to bear

\* Governor Winslow while on a trading excursion from Connecticut to Narragansett, left his bark at the latter place, meaning to go to Plymouth by land. Ossamequin (Massasoiet) offered to be his guide, but he despatched a messenger to Plymouth to inform the people that the governor was dead. This intelligence occasioned much grief and alarm. The next day appearing with the governor at Plymouth, he excused himself for the falsehood by saying that he knew that the belief of his death would make him more welcome when it was ascertained that he was alive.

the charge if it might be ;) for we saw their neighborhood would be very dangerous to us.'

Governor Prince and Captain Standish on the part of Plymouth, meeting the commissioners of Massachusetts, insisted that the dislodgment of the French was an affair of as much interest to the latter colony as to Plymouth, and that it was but just that the expense of the expedition should be equally borne by the two colonies. The Massachusetts commissioners insisting that the whole expense should be borne by Plymouth, the negotiation terminated.

In the summer of this year, a settlement was made on Connecticut river by people who emigrated from Dorchester in Massachusetts, as has already been related.

Tradition says that some from Watertown had settled at Pyquag, (Wethersfield) the winter before. Mr Warham the minister of Dorchester followed.

Mr Hooker the minister of Cambridge, who had projected the settlement, Mr Stone, and about one hundred men, women, and children, settled at Newtown, (afterwards Hartford) the succeeding year 1636.

The fathers of Connecticut were John Haynes, who had been governor of Massachusetts, Roger Ludlow, Mr Hooker, and Mr Warham, the ministers of Cambridge and Dorchester, Mr Henry Wolcot, and Mr Thomas Wells, also ministers, Edward Hopkins, George Wyllys, —— Whiting, William Phelps, Thomas Webster, Captain John Mason, William Swain, John Talcott, John Steel, —— Mitchel, Thurston Rayner, Henry Smith, Andrew Ward, and John Deming.

About the time that the settlements commenced up the river, John Winthrop, junior, son of the governor of Massachusetts, under a commission from Lord Say and Sele, and Lord Brook, commenced a settlement at its mouth,

which, from the names of the patrons, was called Saybrook. David Gardner, and John Davenport, actively engaged in this project.\*

\* On the 15th of August, Plymouth was visited by a tremendous storm or hurricane, unparalleled until that of September, 1815. Morton says 'It began in the morning a little before day, and grew not by degrees, but came with great violence from the beginning, to the great amazement of many; It blew down sundry houses, and uncovered divers others: divers vessels were lost at sea in it, and many more were in extreme danger. It caused the sea to swell in some places to the southward of Plymouth, as that it rose to twenty feet right up and down, and made many of the Indians to climb into the trees for safety. It threw down all the corn to the ground, which never rose more, and the which through the mercy of God, it being near the harvest time, was not lost, though much the worse; and had the wind continued without stifling, in likelihood it would have drowned some part of the country. It blew down many hundreds thousands of trees, turning up the stronger by the roots, and breaking the high pine trees and such like, in the midst, and the tall young oaks, and walnut trees of good bigness, were wound as withes by it, very strange and fearful to behold. It began in the southeast, and veered sundry ways, but the greatest force of it at Plymouth, was from the former quarter, it continued not in extremity above five or six hours before the violence of it began to abate; the marks of it will remain this many years, in those parts where it was forest. The moon suffered a great eclipse two nights after it.'

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## CHAPTER XI.

Edward Winslow again elected governor.—Settlement of Providence, Portsmouth, and Newport, in Rhode Island, who receive a Charter from the Parliament of England.—Review of the Laws and Usages of the Plymouth Colony.—The fundamental Laws of that Colony established in 1636.

1636. MR WINSLOW having returned from England, was again elected governor, and Bradford first assistant or deputy governor. The other assistants were Governor Prince, William Collier, John Alden, Timothy Hatherly, John Brown, and Stephen Hopkins.

In the latter part of the preceding year, Roger Williams, driven from Salem by the intolerance and persecutions of the government of Massachusetts, fled to Seekonk,\* but this place being within the limits of the Plymouth jurisdiction, and the people of that colony being unwilling to embroil themselves with Massachusetts, governor Winslow informed him with much friendliness of the difficulty which was apprehended, and advised him to occupy a spot on the opposite side of the river, which was without the limits of either jurisdiction. Williams thus driven both from Plymouth and Massachusetts, and 'utterly forlorn,' crossed the river, and threw himself upon the mercy of Caunonicus, the ruling sachem of the Narragansetts. From this savage chief, that generosity and kindness which was denied him by his countrymen, he received.

\* Afterwards Rehoboth, but now, by a division of the town, the ancient name is restored.

Caunonicus not only permitted Williams and the wretched wanderers who had followed him from Salem to have a resting place in his domain, but he gave them all 'the neck of land lying between the mouths of Pawtucket and Moshasuck rivers, that they might set down in peace upon it, and enjoy it forever.' Here, with John Throckmorton, William Arnold, William Harris, Stukley Wescot, John Greene, Thomas Olney, Richard Waterman, Thomas James, Robert Cole, William Carpenter, Francis Weston, and Ezekiel Holliman, who had accompanied him in his flight from Salem, he founded, in the early part of 1636, another New England colony, and called it Providence. Here he formed his associates into a church, and divided the lands with which he had been endowed by Caunonicus equally amongst them, and now, although independent, still pursuing his principles of universal toleration, he attracted the discontented of the neighboring colonies of Plymouth and Massachusetts, and many were added to his church.\*

Soon after his settlement, he purchased of Caunonicus, almost the whole of the territory now comprised within the limits of the county of Providence, excepting Cumberland, and a few years after, a settlement was established at Patuxet, near Providence, by William Arnold, William Carpenter, Zachariah Rhodes, and William Harris, who went there from Providence. Although the order of time may be anticipated by a few months, yet the settlement of Providence was followed so soon by that of Rhode Island, so intimately were they connected, having been united under the same government shortly after the settlement, that it will be no violation of historical propriety to place the accounts of both in juxta-position.

\* Particularly Robert Williams, John Smith, Hugh Bewit, William Wickenden, John Field, Thomas Hopkins, and William Hawkins.

In 1637, the celebrated Mrs Hutchinson, who had, by her enthusiasm, eloquence and talents, excited great disturbances at Boston, shared the fate of Mr Williams, and was banished for entertaining the Antinomian heresy, as in the language of the day it was called, although many of the most considerable persons in Boston were partial to her doctrines, particularly Sir Henry Vane the governor, and Mr Cotton. She was accompanied in her exile by her husband, William Hutchinson, William Coddington, Esq., an assistant of Massachusetts, John Clark, John Coggeshall, William Aspinwall, Samuel Wilbore, John Porter, John Sandford, Edward Hutchinson, Thomas Savage, William Dyer, William Freeborn, Philip Shearman, John Walker, Richard Carder, William Baulston, Edward Hutchinson, jr., and Henry Bull. Mr Clark and one other went to Providence to advise with Mr Williams, who recommended either the purchase of Sowams, (about Warren,) or Aquedneck, (Rhode Island.) Fearful of intruding on the Plymouth colony, they went to Plymouth to ascertain the extent of their claim. Sowams was considered by that government 'as the garden of their colony,' but they informed Mr Clark and Mr Williams that they had no claim to Aquedneck, and advised that Mrs Hutchinson's followers should settle there, 'where they should be esteemed as friends and neighbors.'

By the good offices of Williams, Miantonimo the young sachem of the Narragansetts, (who had now assumed the government,) Aquedneck, or Aquetneck was granted to Mr Coddington, Mr Clark, and their associates, by deed, dated March 24, 1637,—8 old style. Mr Williams in his account of this transaction, said, 'it was not price or money that could have purchased Rhode Island, but 'twas obtained by love, that love and favor which that honored gentleman, Sir Henry Vane, and myself, had with the

great sachem Miantonimo, about the league which I procured between the Massachusetts English, and the Narragansetts, in the Pequod war,'—'for the Indians were very shy and jealous of selling lands to any, and chose rather to make a grant (gift) of them to such as they affected.'

The associates settled on the island at a place opposite to Mount Hope, which they called Portsmouth, and elected Mr Coddington governor. Their numbers were soon increased, and in a short time several of them separating from the others in 1639, founded the town of Newport.

The government established by Williams was a pure democracy, all laws being made, trials had, offenders sentenced to punishment in the town meetings, and there all proceedings touching the welfare of the settlement, were voted.

The government of Rhode Island was of the same character. An inhabitant of Newport, of great note, was tried for a capital crime in town meeting, sentenced, and in pursuance of the sentence of the meeting, executed!

This similarity in the practice of government induced them to seek a union, and Mr Williams was sent over to England as their joint agent to obtain a common charter for both. For this purpose he left America in 1642, and found his countrymen there in the midst of a furious civil war; but the Parliament being masters of the fleet could control the plantations. By the influence of Sir Henry Vane, with whom he had an intimate friendship, he obtained an instrument in 1643, by which the towns of Providence, Portsmouth, and Newport were granted 'a free and absolute charter of incorporation, to be known by the name of the Incorporation of Providence Plantations, in the Narragansett Bay, in New England.' By this charter, the form of the government was left to the

choice of the people. A chief magistrate was constituted, who was called a president, and Mr Williams became the first political president ever known in America.

It has been already related that a patent had been issued to William Bradford, and such as he should associate with him in 1629, which remained for some time in one of the public offices of England in the vain hope of obtaining the sanction of the king.

The pilgrims had adopted no constitution or instrument of government except the simple compact which was signed by all the company in the cabin of the *Mayflower*, (Nov. 1620,) and which recognized no principle but that of allegiance to the king, and the controlling power of the majority of the people in the transactions of the colony. No laws were made for the general organization of the government; the limits of political rights and political powers were not defined; the governor and assistants maintained their small portion of authority rather by common consent, than by a lawful delegation of power. The royal authority was recognized, and the laws of England were considered as having force in the colony, unless altered or repealed by colonial statutes; but it was very difficult to ascertain the character, authority, and force of those laws;—with the subtle logic of construction, and the system of artificial reasoning, growing out of the practice of special pleading, this people were entirely unacquainted; none amongst them understood the science of the law, and their long absence from England had deprived them of any practical knowledge. The clergy only understood its elementary principles, but they were more disposed to follow the laws of Moses than the laws of England.

Crimes and punishments were neither declared nor defined; even in a plain case of murder, the advice of

Governor Winthrop, (who had been educated to the law,) was sought, and he advised them to inflict the punishment of death, not because the punishment was required by the law of England, but 'that the land might be purged of blood.' The only magistrates were the governor and assistants. The office of justice of the peace was unknown. Trials were had in the general court before juries selected from the whole body of the freemen of the colony, and until 1634, the governor and assistants were not by law considered a judicial court. The magistrates had no jurisdiction of civil actions, and in criminal offences their jurisdiction was confined to the power of 'binding over' the accused to appear at the general court. The rule as to the descent of estates and the law of contracts was unsettled. The duties, powers, and obligations of husband and wife, parent and child, guardian and ward, master and servant, &c, were controlled and influenced by usages, which had been varied from the usages of England founded on the laws, by a residence in Holland, and in a wilderness, where in a manner men were put upon the elementary principles of society. The ecclesiastical law, which, in England, regulates marriages, divorces, the probate of wills, administrations, &c, was but little understood and but little regarded. Marriage was deemed a civil contract, and was solemnized by the civil magistrate, and not by the pastor or elder.

An imperfect attempt had been made in 1633, in case of an insufficiency of the goods and chattels of a deceased person to pay his debts, to charge them upon his lands, but as a portion was to be set apart for his family, it did not give much chance to the creditor.

With respect to the natives of the country, the situation of the English was peculiar, anomalous, and difficult; and no precedents existed to guide them. How far the laws in

force in the colony were applicable to the Indians; how far their penal power, and the power to enforce contracts extended, were questions which perplexed the wisest. In some instances a qualified, in others an absolute title was admitted in the Indians to the lands within the jurisdiction. Sometimes a verbal donation was deemed sufficient to pass the title, and sometimes deeds were executed with all the formality and precision of legal instruments. The sachems, however, appear to have been considered as the only natives having authority to convey lands.

With respect to political objects, previous to the year 1636, the Plymouth colony may be considered to have been but a voluntary association, ruled by the majority, and not by fixed laws. It does not appear, (except in a very few instances,) that they had availed themselves of their delegated powers under their patent to enact laws until 1633. A few laws only, and such as were of the most urgent necessity were then established, such as declaring every person within the jurisdiction liable to the performance of military duty; giving the jurisdiction of the probate of wills, and of granting administrations to the governor and assistants; regulating fishing and fowling; authorizing constables and persons trespassed upon to impound cattle taken in *damage feasant*. Penalties were directed to be inflicted on such as fired the woods. Lands of deceased persons were made liable for their debts in case of the insufficiency of personal property. No provision was made for the support of schools or the clergy; the attachment of the people, then, ensured the maintenance of the clergy without the coercion of the law, and no oaths of office were administered or required. The power of the church, in effect, was superior to the civil power, but in terms, was confined to the infliction of censure only.

A people like the members of Robinson's church, of pure morals, austere manners and enthusiastic piety, if confined to a small space, where the conduct of each would daily fall under the observation of the pastor, elder, and all such as they had been taught to venerate, and accustomed to respect, might be preserved for a time from the commission of any gross offences or any desperate crimes. But as the settlements expanded, as trade increased, as strangers came in in pursuit of gain without any reference to the ordinances of religion, and who, regardless of their spiritual good, pursued their temporal interest,—the authority, founded on the dread of censure alone, became impaired, and the selfish principles of man inwoven in his system, became predominant in his conduct. Codes of ethics, or the precepts of the gospel, could not prevent the occurrence of disputes, or the existence of wrongs.

Civilians arguing upon the theoretic principles of government without considering the actual state of the people, have deemed the colonists to have been a trading corporation with confined and limited powers, not having the authority to enact laws or to perform any act of sovereignty: they did in fact exercise sovereign power during the whole period of their colonial existence, but the essential laws on which the rule and government rested, may be dated from this year.

After the imperfect commencement in 1633, the years 1634 and 1635 were suffered to pass without any further progress, but the period had now arrived when all perceived the necessity of defining the limits of the power, and of prescribing the actual duties of the magistrates and people; of securing civil privileges; of establishing fundamental and organic laws, both civil and criminal, and to provide for their execution; of changing the legal



condition of the associates by making them a body politic, ruled by law and not by opinion; of placing their government on a stable foundation, and advancing another stage in the progress of social life.

On the 15th of November, at a court of Associates, the following declaration was ordered :

‘ We the associates of New Plymouth, coming hither as freeborn subjects of the State of England, and endowed with all and singular the privileges belonging to such, being assembled, do ordain that no act, imposition, law, or ordinance be made or imposed upon us at the present or to come, but such as shall be made and imposed by consent of the body of the associates, or their representatives legally assembled, which is according to the liberties of the state of England.’

This order is of no ordinary character; whether the laws of England which preceded this order were renounced, is equivocal; the authority of English laws, ‘ at present or to come,’ was renounced, and Parliament were denied the right of legislating for New Plymouth by the whole body of the associates. This order is the first declaration of rights if not of independence, and the laws which followed became absolutely necessary for the preservation of the government.

The courts were all to be holden at Plymouth unless otherwise ordered by the governor and assistants, who were authorised upon reasonable cause ‘ to keep some courts of assistants elsewhere.’

It was enacted that on the first Tuesday of June, a governor and seven assistants should be chosen ‘ to rule and govern the plantation within the limits of this corpo-

ration,' and the election was confined to the freemen.\* The qualifications required to constitute a freeman were, twentyone years of age, 'sober and peaceable conversation, orthodox in the fundamentals of religion,' and a rateable estate of the value of twenty pounds. All these were prerequisites before they could be admitted to the oath prescribed to be taken by freemen.

Some of the best men in the colony were precluded. William Vassal Esq. of Scituate, who had been an assistant in Massachusetts, and was one of the wealthiest as well as worthiest and most intelligent gentlemen of whom the colony could boast, was disqualified for office, for although a puritan, he continued an Episcopalian.

It was also enacted that the governor in due season, by warrant directed to the several constables in the name of his majesty should give notice to the freemen either to make their personal appearance at the courts of election, or to send their votes by proxy for the choice of officers, and that all warrants, summons, and commands, 'be all done, directed, and made in the name of our sovereign lord the king.'

\* The following oath was prescribed for the freemen at this court.

'You shall be truly loyal to our dread lord King Charles, his heirs and successors, you shall not do, nor speak, devise or advise anything or things, act or acts, directly or indirectly by land or water that shall or may tend to the destruction or overthrow of the present plantations or township of the corporation of New Plymouth; neither shall you suffer the same to be spoken or done, but shall hinder, oppose, and discover the same to the governor and assistants of the said colony for the time being, or some one of them; you shall faithfully submit unto such good and wholesome laws and ordinances as either are or shall be made for the ordering and government of the same, and shall endeavor to advance the good and growth of the several townships and plantations within the limits of this corporation by all due means and courses, all which you promise and swear by the name of the great God of heaven, and earth, firmly, truly, and faithfully to perform, as you hope for help from God, who is the God of truth, and punisher of falsehood.'

The vote by proxy would appear somewhat strange at this day, and although in the simple days of our forefathers the agent might honestly vote as his principal directed, yet in the fury of modern contests, it would at certain periods have been considered an act of sturdy honesty in one entrusted with this power, to use it for the discomfiture of his party, although such had been his instruction.

The jurisdiction of all causes under 40s. was given to the governor and any two of the assistants, 'to try at any time, and also in offences of small nature to do as God shall direct them.' The power of trying the larger offences and suits, still abided in the whole body of the freemen, by their juries.

This law although it may be evidence of the piety of our forefathers, seems to be too general in its terms—'to do as God shall direct,' might have produced contradictory decisions. For men interpret the will of God so variously, that no uniformity in decisions could have been established under a power so undefined. It would seem as though the decision of the governor and assistants in small cases was final, and this certainly when considered in one way, was not an unwise law; it prevented the ruinous prosecution of small suits, which is generally to the injury of both contending parties. Yet the trial by jury would be yielded at this period with great reluctance, even in disputes of the most trifling character.

The duties and power of the governor were thus defined by law.

'The office of governor for the time being, consisting in the execution of such laws and ordinances as are or shall be made and established for the good of the corporation according to the bounds and limits thereof, namely, in calling together and advising with the assistants in

council of the said corporation, upon such material causes or so seeming to him, as time shall bring forth. In which assembly and all others, the governor to propound the occasion of the assembly, and have a double vote therein; if the assistants judge the cause too great to be decided by them, and refer it to the general court, then the governor to summon a court by warning all the freemen that are then extant, as also in case the majority of the freemen seeing weighty cause for the whole body of freemen to come together, and in an orderly way acquaint the governor with their desires thereof; then he shall summon the whole body of freemen together with all convenient speed, and there also to propound causes, and go before the assistants in the examination of particulars, and to propound such sentence as shall be determined. Further it shall be lawful for him to arrest and commit to ward any offender, provided that with all convenient speed he bring the case to hearing either of the assistants or general court, according to the nature of the offence; also it shall be lawful for him to examine any suspicious persons for evil against the colony, as also to interrupt or oppose such letters as he conveniently may send to the overthrow of the same, and that his office continue one year, and no more, namely, until another be elected.\*

\* Previous to entering on the duties of his office, the following oath was to be taken by the governor.

‘ You shall be truly loyal to our sovereign lord, King Charles, his heirs and successors; also, according to that measure of understanding and discerning given unto you, shall faithfully, equally, and indifferently, without respect of persons administer justice in all cases coming before you as the governor of New Plymouth. You shall in like manner faithfully, duly, and truly, execute the laws and ordinances of the same, and shall labor to advance the good of the townships and plantations within the limits thereof, to the uttermost of your power, and oppose anything that shall seem to hinder the same. So help you God, who is the God of truth and the punisher of falsehood.’

The office of governor seems to have given to the incumbent but little more than the privilege of acting as chairman of the courts of assistants, or of the general court;—the honorary station of being the official head of political society. He was destitute of the power of appointing the officers of the government, or even of nominating them, of course he had no patronage, or any mode of securing influence, excepting what arose from the weight of his personal character. He could call the assistants together for the purpose of advising with them in council, and in voting his voice was double, but the assistants could refer all matters to the general court, which the governor was obliged to summon if they required it, and his duty in that court was confined to the statement of the questions upon which they were to act. The power of arrest was given to him, but no further than to restrain the offender until his offence could be investigated either by the court of assistants or the general court. The power of examining suspicious persons, and of ‘interrupting letters,’ was given probably in consequence of the misconduct of Lyford. It cannot well be conceived how a government could be administered with such limited authority in the executive. The personal influence of the governor must have supplied the want of legal power.

The assistants were required to appear at the governor’s summons, and to give their best advice both in public court and private council with the governor for the welfare of the several plantations within the government, ‘and not to disclose such things as concerned the public good, and shall be thought most to be considered by the governor and council of assistants. To have a hand in examining of public offenders, and in contriving the affairs of the colony, and a voice in censuring such offenders as shall be brought to public court.’ In the absence of the governor the

government was to be administered by an assistant of his nomination with the consent of the other assistants, and also to examine and commit offenders to ward, the hearing of the offender however to be before the governor and the other assistants. Assistants were also authorized in his majesty's name to direct their warrants to constables who were required to execute them, and to 'bind out persons for matter of crime to answer at the next ensuing court of his majesty after the fact committed, or person apprehended.'\*

The want of power in the governor was not supplied by the greater powers of the assistants. They were to advise the governor, and were restrained from 'betraying council.' They presided in the examination of offenders in public court, 'and had a voice in censuring.' One of them by the consent of the others on the nomination of the governor could discharge the executive duties in his absence, and their power to arrest was similar to that of the governor.

Within this narrow circle were confined the powers of the assistants. In a factious society, this power would have been constantly defied and contemned, but the colonists were sober, moral, reflecting, and religious, in fact

\* The following oath was prescribed to the assistants.

'You shall all swear to be truly loyal to our sovereign lord King Charles, his heirs and successors:—You shall faithfully, truly, and justly, according to the measure of discerning and discretion God hath given you, be assistant to the governor for this present year, for the execution of justice in all cases, and towards all persons coming before you without partiality,—according to the nature of the office of an assistant read unto you:—Moreover, you shall diligently, duly, and truly, see that the laws and ordinances of this colony be duly executed, and shall labor to advance the good of the several plantations within the limits thereof, and oppose anything that shall seem to annoy the same, by all due means and courses. So help you God, who is the God of truth, and punisher of falsehood.'

a well regulated family, loving and obeying their magistrates with an affection and reverence like that which children render their parents, and the influence of the clergy was a powerful support to this paternal government which depended so little on physical strength, and so much on the moral force of opinion. But yet a most extraordinary power was given to the governor and any two of the assistants by a law of 1636, which forbid any person to 'live and inhabit within this government of New Plymouth without their leave and liking.'\*

At every election court it was provided 'that some one of the assistants, or some other sufficient man be chosen treasurer who was to remain in office a year, who was authorized to demand and receive whatever accrued from fines, ameracements, or otherwise,' and he was directed 'to improve the same for the public benefit of this corporation.' For this office neither oath nor bond were required.

The responsibility of the treasurer could not have been great, his receipts being confined to fines and ameracements, and it was from this circumstance probably, that the precautions which in times more modern have been used to secure the faithful performance of this high trust

\* The following oath was prescribed to be taken by any residing in the government.

'You shall be truly loyal to our sovereign lord King Charles, his heirs and successors, and whereas you choose at present to reside within the government of New Plymouth, you shall not do or cause to be done any act or acts directly or indirectly, by land or water, that shall or may tend to the destruction or overthrow of the whole or any the several plantations or townships within the said government that are or shall be orderly erected or established, but shall contrawise hinder, oppose, and discover the same, and such intents and purposes as tend thereunto, to the governor for the time being, or some one of the assistants with all convenient speed. You shall also submit unto and obey all such good and wholesome laws, ordinances, and offices as are or shall be established within the limits thereof. So help you God!'

were omitted, and not from an overweening confidence in the honesty of the individual to whom its duties were then entrusted.

The office of sheriff was not recognized. The office of marshal of the colony was established subsequently. At this period no other civil executive office (that of governor and assistants excepted) existed, except that of constable, which was then of much more consideration than now. This office appears to have been established very early, and is recognized as existing. The constables seem to have been entrusted with all the executive processes of the law,\* and they had the power to apprehend 'suspicious persons' without precept.

At the present period, the power to arrest on suspicion 'without precept,' is scarcely allowed even to the chief magistrate of the nation or of a State.

#### CRIMINAL LAWS.

The offences which were made capital, and ordered to be punished with death, were—

\* The following was the official oath prescribed to be taken by constables, and as it seems a pregnant oath and to contain a compendium of his duties, it is inserted.

'You shall swear to be truly loyal to our sovereign lord King Charles, his heirs and successors. You shall faithfully serve in the office of constable for the ward of ——— for this present year, according to that measure of wisdom, understanding, and discretion God hath given you: in which time you shall diligently see that his majesty's peace commanded, be not broken, but shall carry the person or persons before the governor of this corporation, or some one of his assistants, and there attend the hearing of the case, and such order as shall be given you:—You shall apprehend all suspicious persons and bring them before the said governor or some one of his assistants as aforesaid: You shall duly and truly serve such warrants, and give such summons as shall be directed to you from the governor or assistants before mentioned, and shall labor to advance the peace and happiness of this corporation, and to oppose anything that shall seem to annoy the same, by all due means and courses. So help you God, who is the God of truth and punisher of falsehood.'



1. Treason or rebellion against the person of our sovereign lord the king, the State or Commonwealth of England, or this corporation.

2. Wilful murder.

3. Diabolical conversation, or conversing with the Devil, by way of witchcraft, conjuration, or the like.

4. Wilful or purposed burning of ships or houses.

5. Rape, and the crimes against nature.

In the enumeration of capital offences, burglary and highway robbery are omitted. Witchcraft is made capital, as it then was in England, and probably throughout Christendom. The belief in its existence was a delusion common to all, and the punishment was warranted by the general belief. We may lament the ignorance and fanaticism of the age which cherished such belief, but we cannot with justice impugn the motives of those who provided this punishment. However, in the Plymouth Colony the law was a dead letter, or at least no convictions were had, and no punishment inflicted.

The wilful burning of ships or houses, without discriminating between the night and the day, was made capital; the more lenient and wiser legislation of modern times inflicts capital punishment only on such as wilfully and maliciously burn dwelling houses in the night time. The law in modern times has also been wisely relaxed as to the punishment of the crimes against nature, although such were punished capitally in Massachusetts, until 1806. Whether the laws of England would have been recognised in the punishment of highway robbery, and burglary, cannot be known as those crimes never became the subject of judicial investigation during the existence of the colony. neither was any capital punishment inflicted in the colony except for the crime of murder.

Stocks and whipping-posts were ordered to be placed in each town.

Drunkenness was punished by a fine, 'or like other misdemeanors.'

With respect to juries, it was enacted 'that it shall be lawful for the governor to impanell such of his majesty's subjects as are of good report and freeholders, upon juries, although no freemen do appear therein, as well as such as have taken their freedom,' and 'that all tryals whether capital or between man and man be tried by juries according to the precedents of the laws of England as near as may be.' Each town was to choose one juror, except the remote towns.

The grand inquest was to be empannelled by the governor and assistants out of all the townships, 'and warned to serve his majesty by inquiring into abuses, breaches of the peace, wholesome laws and ordinances as tend to the preservation of the peace and the good of the subject, and that they shall present such to the court as are guilty, that they may be prosecuted by the court by all means.' They were also to inquire into all such misdemeanors as tended 'to the hurt and detriment of society, civility, peace, and neighborhood,' and to make presentment thereof.

It does not appear that the grand jury were to be under oath, or that complaints made to them should be made on oath, and probably this was not the fact, for subsequently laws were enacted requiring both.

The whole militia law was contained substantially in these words :

Every person both for himself and every man servant able to bear arms, was required to provide 'a piece, powder, and shot, with bandaleers, sword, and other appurtenances, and to be at all times furnished with a pound of

powder, and four pounds of bullets, and four fathoms of match for every matchlock musket.'

Every person by a previous law had been made liable to perform military duty, but no penalty appears to have been provided for non-performance, either then, or at this time.

In 1636, it was provided that no servant coming out of his time, or single person, 'be suffered to keep house for themselves,' until they were completely provided with arms and ammunition, and were not allowed to be house-keepers or 'to build any cottage or dwelling, till such time as they be allowed by the governor and council of assistants or some one or more of them.'

It was enacted that inheritances should 'descend according to the commendable custom of England and as they hold of East Greenwich.' This was the highest title known in English law, unincumbered with any of the complicated provisions of the feudal age, knight's service, &c. the ancient Saxon law as preserved in the county of Kent, free from all the trappings and forms of the Norman law.

Mortgages, leases, or other conveyances of houses and lands, were to be acknowledged before the governor or an assistant, and 'committed to public record.'

A preference was given to the natives of the colony in one respect, as it was enacted that 'children born here, and next unto them, such as are here, and brought up under their parents, of age, wanting land for their accommodation, to be provided for in preference to any coming from England and elsewhere.' And persons covenanting to give lands to their servants after service, were to do it out of their own proper lands.

None were allowed to marry who were under 'the covert of parents,' without their consent and approbation,

‘except in case of refusal, the governor or an assistant, it being fit, and their approbation published three several times in public before solemnization,’ and a master refusing to permit his servant to marry, the magistrate was authorized to permit the marriage. If the consent of parents, masters, or guardians, could not be obtained ‘through any sinister or covetous desire,’ the magistrates upon complaint and examination, might order that which was ‘most equal and best.’

The paternal character of the governor and assistants, is strongly recognised in this law ;—an express authority is given to them to interfere in a reasonable, but in an effectual manner, in matters respecting which all nations and people have rejected and prohibited all interference beyond the domestic roof.

The origin of town-governments in New England, is involved in some obscurity. The system does not prevail in England. Nothing analogous to it is known in the southern states, and although the system of internal government in the middle states bears a partial resemblance to that of New England, it is in many respects dissimilar. Those who are strangers to our customs, are surprised to find the whole of New England divided into a vast number of little democratic republics, which have full power to do all those things which most essentially concern the comforts, happiness, and morals of the people.

The revenue expended for town purposes, far exceeds the amount which is expended for the support of the state governments. The tax gatherer of the national government is not known except to the importing merchants, who are few in number, and are residents of the cities on the seaboard.

The whole expense of supporting paupers, maintaining schools, and repairing public roads, is paid by the inhab-

itants of the towns in their corporate capacity. The supplies for these and other incidental purposes, are voted in the town meetings, the inhabitants determine the amount, and direct the mode of expenditure. The chief executive power is in the hands of the selectmen, who have a general oversight and supervision of the affairs of the towns, but the power of local legislation is in the hands of the townsmen.

Under the government of these little republics, society is trained in habits of order, and the whole people acquire a practical knowledge of legislation within their own sphere. To this mode of government may be attributed that sober and reflecting character, almost peculiar to the people of New England, and their general knowledge of politics and legislation. Many distinguished orators and statesmen have made their first essays in town meetings. In the popular branch of the state legislature the members are not now the representatives of the whole people but of town corporations.

To return to the question of the origin of these governments. It will be recollected that at the time of the first settlement of Plymouth and for many years after, all matters of general interest were decided at general meetings of the whole people called courts. Plymouth was settled by a church, and at first the ecclesiastical government was most respected. The settlements extended. A new church was formed at Duxbury, one afterwards at Marshfield, another at Scituate. It became inconvenient to legislate on matters of local interest at Plymouth, and constablers were allowed in these distant places. During this period, the lands for the most part were held by occupancy, and not by any title founded on English law.—The people soon began to purchase from the Indians. The practice becoming common, the court thought proper to restrict

it, and to pass a law that no title should be good unless confirmed by them. Hence originated the practice of forming companies of proprietors generally called proprietaries—A purchase of territory was made from the Indians, which was allowed by the court, who upon application, issued a charter, and the company became a body corporate. Settlements were made, and an act of incorporation by which the territory was created a town followed. Instead of being settled by the church only, ministers were settled by the towns in town meetings, the salary established and annually voted, and in some towns this practice continues to this day. In consequence of the increase of such as were called sectarians, at first Quakers, then Baptists, and occasionally Episcopalians, the practice of settling ministers in town meeting and supporting them by the town's funds has fallen into disuse. At first there were no paupers, there were poor people who received partial support from the liberality of individuals, and in the first years of the Plymouth colony there was no provision made by law for the support of schools. The roads then as now, were kept in repair by the common and personal labor of the people.

As circumstances changed, the laws were changed, and at last the present perfect system came into operation, having been gradually accommodated to the progress of society, and the condition of the people. Another change is now demanded. The system of town representation cannot endure; the increase of rateable polls, on which that representation is founded has been such, that the numbers of one of the legislative bodies in this state is so great, as to obstruct the course of public business and almost paralyze legislation.

To the independent churches, we may trace the original notion of independent communities, which afterwards

assumed the name of towns, and which after having passed through an ecclesiastical state, and after the proprietaries became extinct from the special appropriation of all the lands within the bounds of their charter, assumed the shape of political corporations, with municipal and in fact legislative powers within their own limits.

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## CHAPTER XII.

William Bradford again elected Governor.—Pequot War.—Thomas Prince elected Governor.—Earthquake.—Murder of an Indian by four Englishmen.—Three of them executed.—Controversy with Gorton.—Gorton's doctrines.—Settlement of New Haven.

1637. MR BRADFORD was again chosen Governor, and Mr Winslow first assistant. Five other assistants only are named by Secretary Morton as having been elected, who were Timothy Hatherly, William Collier, Gov. Prince, Capt. Standish, and John Jenny for the first time.

The war with the Pequots commenced and terminated this year in their utter overthrow and extermination. Plymouth was a party in the war, and fiftysix men marched under the command of Capt. Standish, but before he reached the scene of action, the war was terminated, and Standish returned. The history of this war belongs to Connecticut.

1638. Thomas Prince was elected Governor; William Bradford first assistant. The other assistants were Edward Winslow, Capt. Standish, John Alden, John Jenny, John Atwood, John Brown.

The people during this year were alarmed by a great earthquake which however did but little injury.

Four young men of Plymouth, who were servants, absconding from their masters, attacked a solitary Indian at



Pawtucket, near Providence, but within the limits of Plymouth, and after inflicting upon him a mortal wound, robbed him of a quantity of wampum, and fled to Providence. The Indian escaped to his countrymen. The Englishmen discovering that he had escaped, continued their flight to Aquedneck, (Rhode Island,) where they were apprehended. Mr Williams informed the Governor of Massachusetts of the transaction, and requested his advice. He was advised to notify the government of Plymouth, and upon their requisition to surrender the criminals, 'otherwise seeing no English had jurisdiction in the place where the murder was committed, neither had they at the island any government established, it would be safest to deliver the principal, who was certainly known to have killed the party, to the Indians his friends, with caution that they should not put him to torture, and to keep the other three for further consideration.' Williams pursued the advice, and notified the government of Plymouth, who thereupon required the offenders, and three were surrendered, the other having escaped. The governor of Plymouth understanding that the prisoners intended to appeal to England, also solicited the advice of Governor Winthrop, who replied that the whole country was interested, and urged the Plymouth government to have 'justice done' here, and it was, as they were all put upon trial. They confessed that they murdered the Indian in order to possess themselves of his wampum. Some difficulty occurred at the trial, inasmuch as no witness could swear positively that the Indian was dead; but Mr Williams and Mr James of Providence testifying that his wound was mortal, and two Indians (notwithstanding the general panic which prevailed amongst them in consequence of this event) having been persuaded to appear and swearing that if he were not dead of the wound, they

themselves would suffer death, the prisoners were all condemned and executed. Two died penitents especially Arthur Peach an Irishman, 'a young man (says Governor Winthrop;) of good parentage and fair conditioned, and who had done very good service against the Pequots.' John Barnes was another. The name of the third is not mentioned. The one who escaped fled to Piscataqua, where he was protected even by force, and finally escaped out of the country.\* Roger Williams and many of the natives were present at the execution.

\* The following account of this transaction is contained in a letter from Roger Williams to Governor Winthrop.

'Sir, there hath been a great hubbub in all these parts, as a general persuasion that time was come of a general slaughter of natives, by reason of a murder committed upon a native within twelve miles of us by four desperate English. I presume particulars have scarce as yet been presented to your hand. The last 5th day, towards evening, a native, passing through us, brought me word, that at Pawtuckqut, a river four miles from us towards the bay, four Englishmen were almost famished. I instantly sent provisions and strong water, with invitations, &c. The messengers brought word that they were one Arthur Peach of Plymouth an Irishman, John Barnes, his man, and two others come from Pascataquack, travelling to Qunnihticut; and that they had been lost five days, and fell into our path but six miles, whereas they were importuned to come home, &c. They pleaded soreness in travelling, and therefore their desire to rest there.

'The next morning they came to me by break of day, relating that the old man at Pawatuckqut had put them forth the last night, because some Indians said that they had hurt an Englishman, and therefore that they lay between us and Pawatuckqut.

'I was busy in writing letters and getting them a guide to Qunnihticut, and inquired no more, they having told me that they came from Plymouth on the last of the week in the evening, and lay still in the woods the Lord's day, and then lost their way to Weymouth, from whence they lost their way again towards us, and came in again six miles off Pawatuckqut.

'After they were gone, an old native comes to me, and tells me that the natives round about us were fled, relating that those four had slain a native, who had carried three beaver skins and beads for Caunonicus' son, and came home with five fathom and three coats; that three natives which came after him found him groaning in the path; that he told them that four Englishmen had slain him. They came to Pawatuckqut, and inquired after the English,

This execution is an undeniable proof of that stern sense of duty which was cherished by the Pilgrims. To

which when Arthur and his company heard, they got on hose and shoes, and departed in the night.

‘ I sent after them to Nanhiggantick, and went myself with two or three more to the wounded in the woods. The natives at first were shy of us, conceiving a general slaughter, but (through the Lord’s mercy,) I assured them that Mr Governor knew nothing, &c, and that I had sent to apprehend the men. So we found that he had been run through the leg and belly with one thrust. We dressed him and got him to town the next day, where Mr James and Mr Greene endeavored all they could, his life; but the wound in the belly, and blood lost, and fever following, cut his life’s thread.

‘ Before he died, he told me that the four English had slain him, and that (being faint and not able to speak,) he had related the truth to the natives who first came to him, viz. that they, viz. the English, saw him in the bay and his beads; that sitting in the side of a swamp a little way out of the path, (I went to see the place, fit for an evil purpose,) Arthur called him to drink tobacco, who coming and taking the pipe of Arthur, he run him through the leg into the belly, when, springing back, Arthur made a second thrust, but mist him; that another of them struck at him, but mist him, and his weapon run into the ground; that getting from them a little way into the swamp, they pursued him till he fell down, when they mist him, and getting up again, when he heard them close by him, he run to and again in the swamp, till he fell down again, when they lost him quite; afterwards, towards night, he came and lay in the path, that some passenger might help him as aforesaid.

‘ Whereas they said, they wandered Plymouth way; Arthur knew the path, having gone it twice; and beside, Mr Throckmorton met them about Naponset river, in the path, who, riding roundly upon a sudden by them, was glad he had passed them, suspecting them. They denied that they met Mr Throckmorton.

‘ The messenger that I sent to Nanhiggantick, pursuing after them, returned the next day, declaring that they showed Miantonomu letters to Aquedneck, (which were mine to Qunnihtiquit,) and so to Aquedenick they past, whither I sent information of them, and so they were taken. Their sudden examination they sent me, a copy of which I am bold to send to your worship enclosed.

‘ The Islanders, (Mr Coddington being absent,) resolved to send them to us, some thought, by us to Plymouth, from whence they came. Sir, I shall humbly crave your judgment whether they ought not to be tried where they are taken? If they be sent any way, whether not to Plymouth? In case Plymouth refuse, and the Islanders send them to us, what answers we may give if others unjustly shift them unto us. I know that every man, quatenus man, and son of Adam, is his brother’s keeper or avenger; but I desire to do bonum

put three Englishmen to death for the murder of one Indian, without compulsion, or without any apprehension of consequences, (for it does not appear that any application was made on the part of the Indians for the punishment of the murderers, and they might have been pacified by the death of one, and probably even without that,) denotes a degree of moral culture unequalled in new settlements. It stands in our annals without a parallel instance; the truth of the fact is avouched by all our early historians, and it stands an eternal and imperishable monument of stern, unsparing, inflexible justice, and in all probability it was not without its earthly reward, for the Indians, convinced of the justice of the English, abstained from all attempts to avenge their wrongs, by their own acts for many years.

Samuel Gorton, a native of the city of London, after visiting Boston in 1636, went to Plymouth, where he advanced opinions touching religion extremely offensive to the church, and productive of much controversy amongst the people, some of whom embraced his doctrines. Engaging in a controversy with Mr Smith, the pastor, whose capacity was small, and who probably was foiled in the dispute by Gorton, Smith sought his revenge by citing Gorton to appear at a court to be holden at Plymouth, in

bene. Thus beseeching the God of heaven, most holy and only wise, to make the interpretation of his holy meaning in all occurrences, to bring us by all these bloody passages to an higher price of the blood of the Son of God, yea of God, by which the chosen are redeemed, with all due respects to your dear self and dear companion, I cease. Your worship's most unworthy,

‘ROGER WILLIAMS.’

In another letter he says—

‘Sir,—At Plymouth it pleased the Lord to force the prisoners to confess, that they all conspired and intended murder; and they were, three of them, (the fourth having escaped by a pinnace, from Aquednick,) executed in the presence of the natives, who went with me.’

December, 1638. Gorton maintaining his principles not only with firmness but with insolence, the court sentenced him to find security for his good behaviour during his stay in Plymouth, which was limited to fourteen days, and amerced him in a large fine. He went from Plymouth to Rhode Island, and although the settlers there had just been expelled from Massachusetts for heresy, they could not endure the intrusion of Gorton's opinions amongst them, and he was sentenced to be whipped, and then banished. From Rhode Island he went to Providence, and so riotous was his conduct, that even the mild and tolerant Williams found himself constrained to solicit the aid of Massachusetts to expel him. He retired amongst the Indians of Narragansett, and purchased of two of the petty sachems a tract of land called Sha-o-met, of four miles in width, and extending back twenty miles. The sachems afterwards denied the sale, but Miantonimo, the chief sachem of the Narragansetts, confirmed it. The petty sachems having conveyed their title to Massachusetts, that colony claimed jurisdiction of the territory, and cited Gorton and his followers, who were settled on the lands, to appear at Boston. Gorton denied their jurisdiction and refused to go. Capt. George Cook and forty men were then despatched from Boston to apprehend Gorton and his company. They seized their cattle, destroyed and carried away their goods, and guarded all the men, being ten in number, besides Gorton, viz. Randall Holden, John Wickes, John Grene, Francis Weston, Richard Waterman, John Warner, Richard Carder, Sampson Shotton, Robert Potter, and William Woodale, as prisoners to Boston, leaving their families at the mercy of the Indians.

It would seem that some of the followers both of Roger Williams and Mrs Hutchinson, had been seduced from

their fidelity by Gorton. Greene, Waterman, and Weston had accompanied Williams in his flight from Salem. Carder had been a follower of Mrs Hutchinson. Wickes followed Gorton from Plymouth.

They were brought to trial in Massachusetts, not for contumacy or defrauding the Indians, but for blasphemy and heresy, and the trial was for life or death. Gorton's writings were produced in proof, but so satisfactory was his explanation, that Governor Winthrop declared in court that he could agree with them, yet such was the horrible bigotry of the age, that these eleven men escaped a sentence of death by a majority of two voices only. Their punishment, however, was as cruel as it was unjust; each was compelled to wear an iron chain fast bolted round the leg, and in this manner to labor. If they spoke to any except an officer of church or state, they were to suffer death. If they spoke on the subject of religion, or complained of their usage, they were to suffer death. They were kept at labor through the winter, and then banished the jurisdiction, 'not to return on pain of death.'

Gorton, Greene and Holden went to England. They obtained an order from the earl of Warwick and the other commissioners of the plantations, dated August 19, 1644, directed to the Massachusetts colony, of the following tenor. After 'expostulating with them for their want of charity,' they were required not again to molest the settlers of Shaomet, (now Warwick,) on account of their religion or lands, 'and to permit them to pass peaceably through their government.' Massachusetts yielded to this order with great reluctance, and an agent was sent to England to answer to the charges of Gorton, who, assumed in this early stage of their political existence this bold position, 'that the doings of the Massachusetts colony were not subject to any re-examination in England!'

After this, Gorton and his followers enjoyed their lands in quiet. Gorton was again in Boston in 1648, but being threatened he went away. He afterwards lived in tranquillity to a great age.

Gorton was one of those daring spirits which this enthusiastic age brought forth. He appeared at a period when men, relieved from the thralldom of long established creeds, pursue without restraint the phantasies of their excited imaginations, as well as the sober truths of the gospel. The vaunted independence of opinion, is productive of error as well as of good, and the crudities of fanatics will disturb the world, as long as the shouts of the multitude shall proclaim the triumph either of the coxcomb or the martyr. It has remained for the present age to achieve the consummation of that divine toleration which Roger Williams preached two centuries ago, but yet the toleration of opinion has not succeeded the toleration of law, and men are not yet willing to believe that in the house of the common Father 'there are many mansions.'

We may glorify ourselves for our superior intelligence, but we can feel but little pride when we contrast our wisdom with that of our ancestors. We have fanatics as wild, as insane, as ignorant, and as blasphemous as James Naylor or George Fox. The Shakers, Jemima Wilkinson, Joanna Southcott, and Richard Brothers bring home to our minds, the mortifying truth that if we are more tolerant than our ancestors, we are still liable to witness the excesses of folly and fanaticism under the name of religion. Even now a sect are increasing in numbers and respectability, who hold to the practicability of conversing while on earth, with the beings of the invisible world, and of ascending while in the flesh, to the heaven of the saints; and this sect are for the most part men of learn-

ing, intellect, and great purity, both in principles and conduct. However, the improvement of society is progressive, the march of man is onward. Who could have believed that the successors of the early Baptists would have been spirited and generous patrons of learning, or that the greatest donation ever made in America for the purposes of education, would have been from the hands of a Quaker!

There has been much diversity of opinion as to the doctrines of Gorton. Whatever they might have been in reality, he always had the ingenuity so to explain them, as to satisfy the candid. He was supercilious, self-sufficient, insolent, stubborn, and intractable, but ingenious, plausible, and eloquent; and although he might not have preached any doctrines which would offend the expanded liberality of the present age, yet in that, he experienced all the ire which is engendered in bigoted minds from resistance to those opinions and lights which they are well persuaded are from heaven, and therefore infallible.

Secretary Morton represents him as 'a proud and pestilent seducer, and leavened with blasphemous and famalistical opinions, and as an Atheist; that he and his followers "blasphemed the Lord Jesus himself, his words and ordinances in such a manner, as scarce in any age any heretics or apostates have done the like; not only abandoning and rejecting all civil power and authority, except moulded according to their own fancies, but belching out errors in their famalistical allegories. If, (says he,) I may so call them, as, to speak with holy reverence, they rendered the Lord Christ no more than an imagination; shunning not blasphemously to say, that Christ was but a shadow, and resemblance of what is done in every christian; that Christ was incarnate in Adam, and was the image of God wherein Adam was created; and that



his being born afterwards of the Virgin Mary, and suffering, was but a manifestation of his suffering in Adam; that man losing God's image, was the death of Christ; that Christ is the covenant properly, and that Faith and Christ are all one. They call the holy word, and sermons of salvation, tales; the Lord's supper an abomination, and a spell; Baptism vanity and abomination; the ministers of the word necromancers, &c."

'He was (says the secretary,) a subtle deceiver, courteous in his carriage to all, at some times for his own ends, but soon moved with passion, and so lost that which he gained on the simple.' He calls him a sordid man, and one that denies a future existence.

To these charges Gorton replied,— 'In that,' says he, you declare I have spoken words, (or to that effect,) that there is no state nor condition of mankind after this life. I do verily believe that there is not a man, woman or child upon the face of the earth, that will come forth and say, that ever they heard any such words come from my mouth, and I appeal to God, the judge of all secrets, that there was never such a thought entertained in my heart.'

'And whereas you say I am become a sordid man in my life; I dare be so bold as to lay my conversation among men to the rules of humanity, with any minister among you, in all the passages of my life, which God hath brought me through, from my youth unto this day, that it hath been as comely and innocent as his. Whose ox or whose ass have I taken, or when or where have I lived upon other men's labors, and not wrought with my own hands for things honest in the sight of man, and to eat my own bread.

'For the rest of the expressions you charge upon us, you falsely apply them. We never called sermons of sal-

vation tales; nor any ordinances of the Lord an abomination or vanity; nor holy ministers necromancers. We honor, reverence, and practice these things. And however you term me a belcher out of errors, I would have you know, that I hold my call to preach the gospel of Christ, not inferior to any minister in this country, though I was not bred up in the schools of human learning, and I bless God that I never was; least I had been drowned in pride and ignorance, through Aristotle's principles, and other heathen philosophers, as millions are, and have been, and ground their preaching of the gospel upon human principles, to the falsifying of the word of God, in the ruin of men's souls. Yet this I doubt not of, that there has been as much true use made of the languages within this twenty years past, in the place where I live, as hath been in any church in New England: I know the manner of your preaching very well.'

He then alludes to the manner in which his preaching was received in England,—the great favor he there enjoyed, &c.

It is probable that his intolerable insolence excited more irritation and prejudice than his preaching, and incited his enemies in many cases to pervert his allegories into blasphemies, for Letchmere, (who was in New England about the time that Gorton was driven from Newport,) a lawyer, and not partial to the religion or the churches of New England, says, 'there (Newport) they lately whipt one Master Gorton, a grave man, for denying their power and abusing some of the magistrates in uncivil terms: the governor, Master Coddington, saying in court, "you that are for the king, lay hold on Gorton," and he again on the other side called forth, "all you that are for the king, lay hold on Coddington; whereupon Gorton was banished the island, so with his wife and children he

went to Providence. They began about a small trespass of swine, but it is thought some other matter was ingredient.'

During this year, (1638\*) Quinnipiack which had been explored in the preceding year, was settled and called New Haven, and it existed until 1665, as a separate colony. It was then united to Connecticut.

The principal founders were Theophilus Eaton, Esq., an eminent London merchant who had been deputy governor of the East India Company, and minister to Denmark. He was elected the first governor. John Davenport, a celebrated minister, their first pastor, Samuel Eaton, Thomas Gregson, Robert Newman, Matthew Gilbert, Nathaniel Turner, Thomas Fugill, Francis Newman, Stephen Goodyear, and Joshua Atwater. Mr Peter Prudden was also an early adventurer at New Haven.

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\* In the month of April.

## CHAPTER XIII.

Progress of the Settlements, and the local and ecclesiastical History of the town of Plymouth, and of the towns of Duxbury, Scituate, Taunton, Sandwich, Barnstable, and Yarmouth.—Governor Bradford re-elected.—First meeting of the Committees or Deputies from the several towns in General Court.—Renewal of the treaty with Massasoiet and his son.—Marshfield incorporated.—Governor Bradford surrenders the Patent.—Extent of the towns.—Indian Territory.—Literature.—Conclusion of the first part of the History.

To present a clear view of the circumstances and situation of the Plymouth colony at this period, when a great change in the government was about commencing, which had become necessary from the increase of population, and the remoteness of some of the settlements from the seat of government ;—the local and ecclesiastical history of the several towns, and the history of their commencement and progress is indispensable.

## PLYMOUTH.

For twelve years after the commencement of the settlement of Plymouth, that town constituted the whole colony, and in their various departments, exercised all those functions of government which are now performed in towns, counties, and commonwealths :—but local, municipal, and political regulations were esteemed of little consequence when compared with ecclesiastical rule. The doctrines and discipline of the church were far more important in the eyes of the pilgrims than their civil privileges, their political rights as secured

by a free constitution, and their code of laws. The good of the church was with them the supreme law of the land, but being a trading community they yielded a reluctant toleration to such as were so unfortunate or so unwise as to keep without its pale, hence some civil regulations became necessary to restrain the ungodly, but the censures of the church were held to be sufficient for the restraint of its members, although they could not be excepted from the provisions and penalties of a general law.

The Plymouth church was formed from the minority of the Leyden church and the two churches were like a family separated for a time, but expecting a reunion.

The state of the colony in March, 1621, has been already related:—at that time, of the original company consisting of one hundred and one but fiftyfive were left alive, and before the arrival of the second vessel the *Fortune*, in November, 1621, four more had died, leaving the number of survivors 51. The *Fortune* brought over thirtyfive passengers who have been named. In July, 1623, arrived the *Anne*, and the *James*.

In 1623 the lands were assigned in severalty, to be cultivated by families as has been related. In the old colony records, the situation of the lands, and the number of acres to each is particularly mentioned, viz.

‘ The fall’s of their grounds which came first over in the *Mayflower*, according as their lots were cast, 1623.

The number of acres to each one.		The number of acres to each one.	
Robert Cushman,*	1	Isaac Allerton,	7
Mr William Brewster,	6	John Billington,	3

\* Mr Cushman embarked in the *Mayflower*; but after she put back, he remained, but it seems he is considered as having been one of the company in the *Mayflower*.

William Bradford,	3	Peter Brown,	1
Richard Gardiner,	1	Samuel Fuller,	2
Francis Cooke,	2	Joseph Rogers,*	2
George Soule,	1		

These lye on the south side of the brook, to the baywards.

These contain twentynine acres.

John Howland,	4	Edward Leister,	1
Stephen Hopkins,	6	Gilbert Winslow,	1
Edward Doten,	1	Samuel Fuller, jr.	3

These lye on the south side of the brook, to the woodward, opposite to the former.

These contain sixteen acres, besides Hobbomock's ground, which lieth between Jo. Howland's and Hopkins'.

William White, 5

This five acres lyeth behind the fort to the little pond.

Edward Winslow, †	4	Marie Hilton, † (probably Chilton),	
Richard Warren,	2	Capt. Miles Standish,	2
John Goodman,		Francis Eaton,	4
John Crackston,		Henry Samson,	1
John Alden,		Humility Cooper,	1

These lye on the north side of the town next adjoining their gardens who came in the Fortune.

The fall's of their grounds who came in the Fortune according as their lots were cast, (1623).

William Hilton, †	1	John Adams,	1
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\* Supposed by Judge Davis to have been a son of Thomas Rogers, who died the first winter.

† Supposed to have been the daughter of James Chilton, married John Winslow.

‡ In Purchas' Pilgrims, part iv. 1640, (says Judge Davis,) we find the following letter from William Hilton to a kinsman in England.

‘ Loving Cousin,—At our arrival at New Plymouth, in New England, wee

John Winslow,	1	William Tench,	1
William Coner,	1	John Cannon,	1

These lie to the sea, eastward.

The following lye beyond the second brook

Hugh Stacy,	1	Austin Nicolas,	1
William Beale, } Thomas Cushman, }	2	Widow Foord,	4

Fourteen acres.

William Wright, } William Pitt, }	2	Clement Briggs,	1
Robert Hickes,	1	James Stewart,	1
Thomas Prence,	1	William Palmer,	2
Stephen Dean,	1	Jonathan Brewster,	1
Moses Simonson (Sinmons,) } Philip De La Noye (Delano,) }	2	Bennet Morgan,	1
Edward Bomfasse,	1	Thomas Flavell and his Son,	2
		Thomas Morton,	1
		William Bassett,	2

Nineteen acres.

These lye beyond the first brook to the westward.

found our friends and planters in good health, though they were left sick and weak, with very small means; the Indians round about us are peaceable and friendly; the country very pleasant and temperate, yielding naturally of itself great store of fruits, as vines of divers sorts, in great abundance. There is, likewise, walnuts, chestnuts, smallnuts, and plums, with much variety of flowers, roots and herbs, no less pleasant than wholesome and profitable. No place hath more gooseberries and strawberries, nor better; timber, of all sorts you have in England, doth cover the land, that affords beasts of divers sorts, and great flocks of turkies, quails, pigeons and partridges; many great lakes, abounding with fish, fowl, beaver and otters. The sea affords us great plenty of all excellent sorts of sea-fish, as the rivers and isles doth variety of wild-fowl of most useful sorts. Mines we find to our thinking, but neither the goodnes nor quality we know. Better grain cannot be than the Indian corn, if we will plant it upon as a good ground as a man need desire. We are all freeholders; the rent day doth not trouble us, and all those good blessings we have, of which and what we list for taking.

Our company are, for the most part, very religious, honest people; the wor of God sincerely taught us every Sabbath; so that I know not anything a contented mind can here want. I desire your friendly care to send my wife and children to me, where I wish all the friends I have in England, and so I rest your loving kinsman,

WILLIAM HILTON.

The fall's of their grounds which came over in the ship called the Anne, according as their lots were cast, (1623.

James Rand,

1

These following lie beyond the brook to Shawberry Hill.

Edmund Flood,	1	Francis Cooke,	4	
Christopher Conant,	1			
George Morton,	}	8	Thomas Morton, jr.	1
Experience Mitchell,			William Hilton's wife and two chil-	
Christian Penn,	1	dren,		3

These butt against the swamp and reed ponds.

Francis Sprague,	3	Goodwife Flavell,	1
Edward Burcher,	2	Manasseh and John Faunce,	2
John Jennings,	5		

These to the sea, eastward.

Alice Bradford,	1	Patience and Fear Brewster, with	
Robert Hickes, his wife and children,	4	Robert Long,	3
Bridget Fuller,	1	William Heard,	1
Ellen Newton,	1	Miles Standish,	1

This goeth in with a corner by the pond.

These following lye on the other side of the town toward Eele river.

Marie Bucket, adjoining to Joseph		Cuthbert Cuthbertson,	9
Rogers,	1	Anthony Anable,	4
Mr Oldham and those joined with		Thomas Tilden,	3
him,	10	Richard Warren,	6
——— Bangs,	4		

Robert Radcliffe, beyond the swamp and stony ground, 4

Nicholas Snow,	1	Mr Perrès, two servants,	
Anthony Dixe,		Ralph Walen,	

These butt against Hobb's hole.



North side.		South side.	
Edward Holman, one acre,	1	Stephen Tracy, three acres,	3
Frances, wife to William Palmer,	1	Thomas Clarke, one acre,	1
Josiah Pratt, }	2	Robert Bartlett, one acre,	1
Phineas Pratt, }			

At the close of the year 1624, the number of souls in the colony was one hundred and eighty, who were then all dwelling within the town. The planters had some cattle and goats, and much swine and poultry. Thirtytwo dwelling houses had been erected. The town was impaled for half a mile in circumference. A well built fort was on the hill, surmounted by a watch tower. For the last three years the health of the colony had been remarkable, and not one of the first planters had died. A ship of one hundred and eighty tons had been freighted. The general stock employed by the adventurers to Plymouth amounted £7000. At Cape Anne, a plantation had been commenced by people from Dorchester in England which they held of the Plymouth people, and a fishing stage was erected there.

On the 22d of May, 1627, it is believed that every family and person in the town, (and the town was at that time the colony) can be ascertained from a record of the division of the cattle.

#### THE FAMILIES WERE

Francis Cooke,  
Hester Cooke, his wife,  
John Cooke,  
Jacob Cooke,  
Jane Cooke,  
Hester Cooke,  
Mary Cooke.

Isaac Allerton,  
Fear Allerton, his wife,  
Bartholomew Allerton,  
Mary Allerton,  
Sarah Allerton.

Cuthbert Cuthbertson,  
Sarah Cuthbertson,  
Samuel Cuthbertson.

John Adams,  
Eleanor Adams,  
James Adams.

Mary Priest,  
Sarah Priest.

John Winslow,  
Mary Winslow.

Miles Standish,  
Barbara Standish, his wife,  
Charles Standish,  
Alexander Standish,  
John Standish.

William Bassett,  
Elizabeth Bassett,  
William Bassett, jr.  
Elizabeth Bassett, jr.

Edward Winslow,  
Susannah Winslow, his wife,  
John Winslow,  
Edward Winslow,  
Resolved White,  
Peregrine White.

Francis Sprague,  
Anna Sprague,  
Mercy Sprague.

John Howland,  
Elizabeth Howland, his wife,  
John Howland, jr.  
Desire Howland.

Stephen Hopkins,  
Elizabeth Hopkins, his wife,  
Giles Hopkins,  
Caleb Hopkins,  
Deborah Hopkins.

Nicholas Snow,  
Constance Snow.

John Alden,  
Priscilla Alden,  
Elizabeth Alden,  
John Alden.

William Palmer,  
Frances Palmer, his wife,  
William Palmer, jr.

William Brewster,  
Love Brewster,  
Wrestling Brewster,  
Jonathan Brewster,  
Lucretia Brewster,  
William Brewster,  
Mary Brewster,

John Billington,  
Helen Billington,  
Francis Billington.

Samuel Fuller,  
Bridget Fuller,  
Samuel Fuller, jr.

Thomas Prince,  
Patience Prince,  
Rebecca Prince,  
Humillie Cooper,  
Henri Samson.

Peter Browne,  
Martha Browne,  
Mary Browne.

John Ford,  
Martha Ford.

Anthony Anable,  
Jane Anable,  
Sarah Anable,  
Hannah Anable,  
Damaris Hopkins.

Richard Warren,  
Elizabeth Warren, his wife,  
Nathaniel Warren,  
Joseph Warren,  
Mary Warren,  
Ann Warren,  
Sarah Warren,  
Elizabeth Warren,  
Abigail Warren,  
John Billington.

George Sowle,  
Mary Sowle,  
Zacchariah Sowle.

Francis Eaton,  
Christian Eaton, his wife,  
Samuel Eaton,  
Rahell Eaton.

Stephen Tracy,  
Triphosa Tracy,  
Sarah Tracy,  
Rebecca Tracy.

Ralph Wallen,  
Joyce Wallen,  
Sarah Morton.

William Bradford, the Governor,  
Alice Bradford, his wife,  
William Bradford, jr.  
Mercy Bradford.

Manasses Kempton,  
Julian Kempton.

Nathaniel Morton,  
John Morton,  
Ephraim Morton,  
Patience Morton.

John Jenne,  
Sarah Jenne, his wife,  
Samuel Jenne,  
Abigail Jenne,  
Sarah Jenne.

Robert Hicks,  
Margaret Hicks,  
Samuel Hicks,  
Ephraim Hicks,  
Lydia Hicks,  
Phebe Hicks.

Moses Simonson, (Simmons,)  
Philip De La Noye, (Delano.)  
Experience Mitchell,  
John Faunce,  
Joshua Pratt,  
Phineas Pratt,  
Edward Bompassee, (Bumpus,  
Bump,)  
John Crackstone,  
Abraham Peirce,  
Thomas Clarke,  
Clement Briggs,  
Edward Doten, (Dotey.)  
Edward Holdman, (Holman.)  
Richard More,  
John Shaw,  
Robert Bartlett,  
Thomas Prence,  
Joseph Rogers,  
Thomas Cushman,  
William Latham,  
Stephen Deane,  
Edward Bangs.

It evidently appears that between the last part of the year 1624, and the 22d of May 1627, there had been a decrease of numbers. This may be partially accounted for, from the expulsion of Oldham and Lyford, and their followers, and the removal of Mr Conant and some of his friends, and probably a few had begun to settle in the surrounding wilderness who took no share in the cattle. It is somewhat singular that the name of Carver does not appear in this list. The family of Governor Carver were numerous, and this name is frequent now, and is supposed to be borne by none except by the descendants of the governor. Gilbert Winslow a brother of Governor Winslow is not mentioned.\*

\* A catalogue is subjoined of the names then extant in the colony, and the numbers which bore them, male and female,

	Male.	Female.		Male.	Female.
Adams,	2	1	Fuller,	2	1
Anable,	1	3	Faunce,		1
Allerton,	2	3	Ford,	1	1
Alden,	2	2	Howland,	2	2
Basset,	2	2	Hopkins,	3	3
Brewster,	4	3	Hickes,	3	3
Billington,	3	1	Holdman,	1	
Browne,	1	2	Jenney,	2	3
Bradford,	2	2	Kempton,	1	1
Bompassee,	1		Latham,	1	
Briggs,	1		Mitchell,	1	
Bartlett,	1		Morton,	3	2
Bangs,	1		More,	1	
Cooper,		1	Priest,		2
Cooke,	3	4	Prence,	2	2
Cuthbertson,	2	1	Pratt,	2	
Crackstone,	1		Palmer,	2	1
Clarke,	1		Standish,	4	1
Cushman,	1		Sowle,	2	1
De La Noye,	1		Simonson,	1	
Deane,	1		Sampson,	1	
Doten,	1		Peirce,	1	
Eaton,	2	2	Shaw,	1	

It has been already related that the emigrants from Holland in the constant expectation of Robinson's arrival, omitted to ordain a pastor or teaching elder. Robinson although in Holland, was in fact the pastor of the Plymouth church and would have administered his office had he arrived, without any new ordination, consecration, or ceremony. His absence was the less regretted inasmuch as Brewster the ruling elder was eminently qualified not only for his own, but for the pastoral office.

After the death of Robinson, (in March, 1625) it was the universal wish of the church that Brewster should succeed him, but he steadily refused an ordination as pastor, but did in fact perform the duties of both offices.

The arrival of Lyford in 1624, and his expulsion from Plymouth, and the miserable termination of his career have already been noticed. He preached occasionally at Plymouth, but was called to no ecclesiastical office.

In 1628 the company in England as has also already been related, sent over one Rogers, intending that he should officiate as pastor, but his utter unfitness, and his eventual insanity, induced the Plymouth church to send him back to England at their own charge.

Sprague,	1	2	Warren,	3	6
Snow,	1	1	Wallen,	1	1
Rogers,	1		White,	2	
Tracy,	1	3	Winslow,	4	2

The names of Allerton, Cuthbertson, Priest, and Wallen are believed to be extinct.

Holdman is changed into Holman, and Simonson into Simmons.

The names of Bompasse, De La Noye, and Doten, are unquestionably of French origin. The persons who originally bore them were probably admitted into the Plymouth company from amongst the French Protestants resident at Leyden.

They have been changed by English pronunciation and usage into Bumpus and Bump, Delano and Doty.

Many of the other names have not been unknown to fame, and have extended far beyond the limits of the colony.

In 1629, Ralph Smith arrived at Naumkeag. He was one of four puritan ministers sent out by the Massachusetts company. Another, (Mr Bright) accompanied Thomas Graves to Charlestown, and became the first pastor of that ancient Church. Higginson and Skelton as pastor and teaching elder, remained at Salem. Smith who was held in slight estimation, finding his services were not required at Salem, retired to Nantasket, where a settlement had been made by Oldham. Finding himself in a wretched situation there, he besought some Plymouth people who casually visited Nantasket, to take him to Plymouth, which they did. Being a man of piety and good intentions, his want of capacity was overlooked, and he was ordained (probably in 1630) the first pastor of the ancient church of Plymouth, and remained there five or six years.

His controversy with Gorton has already been noticed.

In 1635 as he was a person of 'low gifts and parts,' he was induced by his own sense of his incapacity and the persuasions of the people to resign his pastoral office, and after residing some time at Plymouth was invited in 1645 to preach to a new church which had been formed at Manchester in Massachusetts.

The want of qualifications in Smith was less regarded, as Plymouth was peculiarly fortunate for a long period in having some of the most eminent of the puritan preachers as sojourners with them, who taught and labored with as much assiduity, vigilance, and zeal, as though they had been regularly inducted into the higher ecclesiastical offices.

In the summer of 1631, the celebrated Roger Williams who afterwards founded Providence came to Plymouth. He arrived at Boston in the preceding year, and was soon called to the office of teacher by the church at Salem, but becoming discontented in consequence of some differ-

ence of opinion between him and Mr Skelton the pastor, removed to Plymouth.

Of his life in England but little is known, only that he was by birth a Welshman, liberally educated, and had been for a time a pupil of Sir Edward Coke, the illustrious lawyer.

He resided at Plymouth about three years, and his talents were greatly admired. At length he discovered some eccentricity in his opinions and doctrines, and being unsuccessful in converting many to his sentiments, in 1634 he requested the Plymouth church to dismiss him to the church at Salem.

Many who admired his genius were unwilling to lose him, but the calm and sagacious Brewster foreseeing the difficulties and divisions which might grow up in the church if he remained, and having witnessed the course of John Smith at Amsterdam, in becoming at first a rigid separatist, and finally an Anabaptist, he predicted that the opinions of Williams would bring him to the like result, and by his persuasions the church at Plymouth were induced to dismiss him; but so great was the attachment which was cherished for Williams, that many followed him to Salem.\*

\* The following extract from Governor Winthrop's Journal, describes the mode of conducting public worship while Williams was at Plymouth.

‘ On the 25th of October, 1632, Governor Winthrop and Mr Wilson, the pastor of the church at Boston, and the two captains, went by water to Wessagusset, and then set forth on foot through the woods for Plymouth. Governor Bradford and Mr Brewster, and several others, went out of the town to meet them, and they were entertained at Governor Bradford's house. On the Lord's day they partook of the sacrament together, and in the afternoon, Mr Roger Williams, according to the custom, proposes a question, to which the pastor, Mr Smith, speaks briefly; then Mr Williams prophecies, (or explains,) and after the Governor of Plymouth, (who had studied the Hebrew language and antiquities,) speaks to the question; after him the elder (a man of learning;) then two or three more of the congregation; then the elder, (agreeably to Acts

He arrived there just previous to the death of Mr Skelton, and again assisted him in the work of the ministry. Mr Skelton died, and in a short time after, Williams was called by the church at Salem to supply his place.

The government of Massachusetts took the alarm and endeavored to prevent his settlement, but their efforts were vain.

Williams soon began to preach doctrines which at that time were considered 'abominable,' and 'heretical.'

He held that it was unlawful for an unregenerate man to pray, or to take an oath even of fidelity to the government, and that it was unlawful 'for a godly man to have communion either in family prayer or in an oath with such as they judged unregenerate,' refusing to take an oath himself, and advising others to do the same, 'and that it was not lawful to hear the godly ministers of England.'—But he brought forth one truth, which broke through the gloom of the age like a sunbeam,—like the dawn of the morning light, after a night of thick darkness, and which taken in connexion with the circumstances under which it was proclaimed, the times in which he lived, the notions of those with whom he consorted, and even his own fanaticism seems but little less than the inspiration which in 'olden time,' filled the bosoms of those holy men who were selected to proclaim the eternal truths of the Almighty to those who were hard of heart, and desperate in unbelief. 'He affirmed that the magistrates had nothing to do in matters of the first table, but only the

xiii. 14, 15, &c.) desires Governor Winthrop and Mr Wilson to speak to it, which they do: when this is ended, the deacon, Mr Fuller, puts the congregation in mind of their duty of contribution; whereupon the governor and all the rest go down to the deacon's seat, and put it in the bag, and then return.' This was the practice of Robinson's church at Leyden, and was founded on the practice of the primitive church of Corinth, as described and regulated by the Apostle Paul, but it was afterwards abandoned. After remaining five days at Plymouth, Governor Winthrop and his companions departed for Boston.



second; and that there should be a general and unlimited toleration of *all religions*, and for any man to be punished for matters of his conscience was *persecution!*'

He possessed sufficient influence with his own church to obtain their consent to send letters of admonition to the churches of Boston, Charlestown, and Newtown.

The government of Massachusetts became more alarmed. Cotton, Hooker, and all the most eminent ministers attempted to reason him out of his errors, but opposition made him inexorable. At last, he caused a letter to be delivered to his own church, in which he threatened in absolute terms that if the church of Salem would not separate from the churches not only of 'Old England,' but of 'New England,' he would separate from them. Hitherto he had been sustained by his own church, but they now began to be alarmed, and most of them abandoned him, whereupon he denounced them as anti-christian, and refused any longer to commune with them:—neither would he pray, nor give thanks with his wife and family because they still attended the meetings of the church. He kept a meeting in his own house, where many of his adherents resorted to worship. Their numbers continuing to augment, the magistrates fearful of distractions amongst the people, after attempting with much earnestness to reclaim him, proceeded at length to banish him from the colony 'as a disturber of the peace both in the church and commonwealth.'

The civil authority were the more alarmed as Williams had asserted that 'the king of England had no right to take the lands in America from the Indians and give them to his own subjects,' and had induced Endicot the military commander to cut the cross of St George from the flag of the colony.

Williams submitted quietly to his sentence, and attended by a few followers who adhered to him in every fortune,

went forth into the wilderness and seated himself at Seekonk, and then passed the river into the Indian country, and founded Providence as has been already related.

He verified Brewster's prediction, and from a rigid separatist became an Anabaptist, renouncing the baptism which he had received in his infancy. His adherents changed with him, but he soon became dissatisfied, and told them 'that he was out of the way himself and had misled them, for he did not find that there was any upon earth that could administer baptism, and therefore their last baptism was a nullity as well as their first; and therefore they must lay down all and wait for the coming of the apostles.' In consequence of this new exposition of Williams, his church was dissolved and its members became *seekers*.

It is easy to conceive that one like Williams, with an ardent and sanguine temper, an honest zeal for the truth, an acute and metaphysical mind, and a bold imagination, might pass through these various changes of opinion without justly incurring the imputation of vanity or insincerity. In all his changes he steadily adhered to his principles of toleration, and this alone is enough to redeem his memory with the wise and humane.

His colony became the asylum of the persecuted, and *all* were received with the like humanity, and many had reason to bless the kindness and charity of this illustrious exile. The Indians revered him for his justice and philanthropy.\*

At the commencement of the difficulties with the Pe-

\* Although Williams was perfectly disinterested and humane, it would nevertheless seem that he experienced both selfishness and ingratitude from his own followers. The lands of the Providence plantations were bought by Mr Williams himself, and then generously divided amongst his followers without any consideration from them. In 1654, he preferred a remonstrance to the town of Providence, 'in which he expostulates with the people for their disor-

quots, the services of Williams were inestimable. By his personal influence with the Narragansetts he prevented them from joining the Pequots. In the management of this dangerous business he discovered uncommon address, and the most intrepid courage. When the Narragansetts were strongly suspected of being inclined to hostilities, he repaired to their quarters and found them undecided, and the Pequot ambassadors urged them to put him to death, and thus provoke the war, but undismayed by the perils which surrounded him, he persisted at the hazard of his own life in persuading the Narragansetts to the English alliance and finally succeeded.

The junction of the Pequots and Narragansetts would probably have terminated in the destruction of all the English settlements, and the extermination of the English race, and this great service did he perform for Massachusetts and Plymouth, immediately after he had been banished from the jurisdictions of one, and denied a resting place in the other.

ders and great animosities; and upbraids them with their great ingratitude to heaven, and to himself? 'I am (says he,) like a man in a fog; I know not well how to steer; I fear to run upon rocks at home, after having had many trials abroad; I fear to run quite backwards, and to undo all that I have been this long time undoing myself to do: to wit, to keep up the name of a people, a free people; not enslaved in body or soul, to the bondages and iron yokes of oppression, both of the English and barbarians about us; nor to the divisions and disorders within ourselves. Since I set the first step of any English foot in these wild parts, and have maintained a chargeable and hazardous correspondence with the barbarians, and spent almost five years' time with the State of England to keep off the rage of the English against us, what have I reaped of being the root, of being the stepping stone to so many families and towns about us, but grief, and sorrow, and bitterness? I have been charged with folly, for that freedom and liberty I have always stood for; I say liberty and equality, both in land and government. I have been blamed for parting with Moshasuck, and afterwards Pawtucket, which were mine own as truly as any man's coat upon his back, without reserving to myself one foot of land, or one inch of voice, more than to my servants, or strangers. It hath been told me that I have labored for a licentious and contentious people,—that I have foolishly parted with many advantages, &c.'

His principles of toleration were not of that licentious character which made no distinction between vice and virtue, and tolerated evil as well as good, but were sound, practical, and wise. He explains them in his communication to the town of Providence.

‘Loving friends and neighbors,—It pleaseth God yet to continue this great liberty of our town meetings, for which we ought to be humbly thankful, and to improve these liberties to the praise of the Giver, and to the peace and welfare of the town and colony, without our own private ends. I thought it my duty to present you with this my impartial testimony, and answer to a paper sent you the other day from my brother,\* *that it is blood-guiltiness, and against the rule of the gospel, to execute judgment upon transgressors, against the private or public weal.* That ever I should speak, or write a tittle that tends to such an infinite liberty of conscience, is a mistake; and which I have ever disclaimed and abhorred. To prevent such mistakes, I at present shall only propose this case. There goes many a ship to sea, with many a hundred souls in one ship, whose weal and woe is common; and is a true picture of a commonwealth, or an human combination, or society. It hath fallen out sometimes, that both Papists and Protestants, Jews and Turks, may be embarked into one ship; upon which supposal, I do affirm, that all the liberty of conscience that ever I pleaded for, turns upon these two hinges, that none of the Papists, Protestants, Jews, or Turks, be forced to come to the ship’s prayers or worship; nor, secondly, compelled from their own particular prayers or worship, if they practise any. I further add, that I never denied that, not-

\* *Quere.* Does he mean his christian brother or his natural brother? If his natural brother, was it Richard Williams of Taunton.

withstanding this liberty, the commander of this ship ought to command the ship's course; yea, and also to command that justice, peace, and sobriety, be kept and practised, both among the seamen and all the passengers. If any seamen refuse to perform their service, or passengers to pay their freight; or if any refuse to help in person or purse, towards the common charges, or defence; if any refuse to obey the common laws and orders of the ship, concerning their common peace and preservation; if any shall mutiny and rise up against their commanders and officers; if any shall preach or write, that there ought to be no commanders nor officers, because all are equal in Christ, therefore no masters, nor officers, no laws, nor orders, no corrections, nor punishments,—I say, I never denied, but in such cases, whatever is pretended, the commander or commanders may judge, resist, compel, and punish such transgressors, according to their deserts, and merits. This, if seriously and honestly minded, may, if it so please the Father of Lights, let in some light, to such as willingly shut not their eyes.

‘I remain, studious of our common peace and liberty.

‘ROGER WILLIAMS.’

In a government so free as that of Rhode Island, productive of many goodly fruits, it was impossible to avoid some weeds. The licentiousness of faction is ever a concomitant of perfect freedom. Mr Williams did not escape the tongue of slander. ‘However, (says the Author of the Account of Providence,) in imitation of a noble Greek, he thanks God that he had been the author of that very liberty, by which they dared to abuse him; and expostulates with the people in these words,—‘I am told that I am a traitor, and as good as banished by yourselves, that both sides wished I might have never landed here again, that so, the fire of contention might have had no

stop in burning ; I, at last, was forced to say, they might well silence all complaints, if I once began to complain, who was importunately drawn from my employment, and sent so vast a distance from my family, to do your work of a costly and high nature, for so long a time ; and there left to starve, or steal ; or beg, or borrow. But blessed be God, who gave me favor to borrow one while, and to work another, and thereby to pay your debts, and to come over with your credit and honor, as your agent ; yet I may say, you seem to have provided a sponge to wipe off all your scores and debts. But gentlemen, blessed be God, who faileth not, and blessed be his name for his wonderful providence, by which alone this town and colony, and the grand cause of truth and freedom of conscience, hath been upheld to this day, &c.” The great principle of toleration, however, still continued to prevail in the government of Rhode Island ; for upon the first appearance of the Quakers in 1656, the other colonies of New England invited this to join in taking measures to prevent the spread of their doctrines. The assembly replied, ‘ we shall strictly adhere to the foundation principle on which this colony was first settled : to wit, that every man who submits peaceably to the civil authority, may peaceably worship God according to the dictates of his own conscience, without molestation.’ And again, in 1659, in an address to Richard Cromwell, they say, ‘ we being an out-cast people, formerly from our mother nation, in the Bishop’s days, and since from the rest of the New English over zealous colonies ; our frame being much like the present frame and constitution of our dearest mother England ; bearing with the several judgments and consciences, each of other in all the towns of our colony, to which our neighbor colonies do not, which is the only cause of their great offence against us.’

The life of this venerable divine, lawgiver, statesman, and philosopher, was protracted until 1682, having reached an age exceeding 80. He passed through the subsequent Indian war without injury. The Indians revered and loved him. Once in each month he preached to the Narragansetts, whose language he had acquired; they listened with respect out of regard to the man. His doctrines they steadily rejected.

Edward Winslow, while on the business of his agency at London, invited Mr Glover to undertake the office of teaching elder in conjunction with Mr Smith, then pastor, who engaged to come, but died at London, before the ship sailed in which his passage had been engaged. Glover was a man of great eminence among the puritans. Winslow then engaged John Norton, afterwards the celebrated minister of Boston, who arrived in 1635, and preached one season so much to the satisfaction of the people, that they used many entreaties to induce him to remain and Mr Smith voluntarily offered to relinquish his office, but Norton persisted in his refusal, and was soon after settled at Ipswich, and finally at Boston, after the death of Mr Cotton.

Shortly after the dismissal of Mr Smith in 1636, the Rev. John Reyner who had been a settled clergyman in England, and who was the brother of Mrs Southworth, the second wife of Governor Bradford, was ordained as the successor of Mr Smith. He was a person of great humility, worth, and piety, and withal of great ability. In 1638, the celebrated Charles Chauncy, afterwards the minister of Scituate, and president of Harvard College, was strongly urged to undertake the office either of teacher or pastor over the Plymouth church, in conjunction with Mr Reyner. Mr Chauncy preached at Plymouth

three years, but as his sentiments touching baptism were not in conformity to those of the people generally, (his tenets in that particular being similar to those of the Anabaptists of the present day,) he declined a settlement, although the people, enamored with his high qualities (even in that day when little was yielded to the tenderness of conscientious scruples,) were sufficiently liberal and enlightened to consent that he might practise the rite of baptism by immersion to such as desired to be admitted to the church in that mode, provided Mr Reyner should be permitted to baptize in the usual mode. Mr Chauncy succeeded Mr Lothrop as pastor of Scituate.

The further account both of Mr Reyner and Mr Chauncy, belongs to a subsequent part of this history.

Governor Carver, and the surgeon, Samuel Fuller, had been chosen the deacons of this church in Holland; after their deaths, their places were supplied by Richard Masterson and Thomas Blossom, both of whom died about the year 1630. After that the deacons were John Doane, William Paddy, and John Cook. Cook was excommunicated for creating dissensions in the church, and became an Anabaptist. He was succeeded by John Dunham.

During all this period, Brewster remained in his office of ruling elder.

#### DUXBURY.

The extensive pine forest, the certain evidence of a sandy and barren soil, which even now almost skirts the ancient town of Plymouth on the south and the west prevented any extension of population in that direction, and on the east the ocean was its boundary. So unconquerable is the barrenness of this region, that even now the wild deer makes his lair in the same place where deer



were hunted by our forefathers two centuries ago, and a few wretched Indians inhabit the primeval woods in which their ancestors disdained to dwell.

The settlers of Plymouth, apprehensive of the natives, felt but little inclination to extend their settlements inland, but they found themselves as their numbers increased, within limits too narrow for comfort, they therefore sought to continue the settlements along the ocean. The territory comprised within the limits of Duxbury was contiguous, now was healthy, and, in comparison with that of Plymouth, fertile, and probably as early as 1627 or 1628, settlers went in, amongst whom were some of the principal men of the colony, Captain Standish, William Collier, John Alden, and Jonathan Brewster. William Bassett, Love Brewster, Francis Eaton, Experience Mitchel, Philip De La Noye, Henry Sampson, Stephen Tracy, George Soule, Edmund Chandler, Edward Bompassee, Henry Howland, Moses Simonson, (Simmons,) Francis West, Edmund Freeman, Thomas Bisbee, Edmund Hunt, and Edmund Weston, were early settlers.\*

The strong settlements which were formed around the bay of Massachusetts and on its rivers, were additional inducements for the Plymouth people to spread themselves in that direction, and probably in consequence of the settlement of Massachusetts, so many were induced to go there, that they soon found themselves competent in numbers for a church. The inconvenience of attending public worship at a place so distant as Plymouth, induced them to seek a dismissal from that church, and the es-

\* To these may be added Richard Church, who probably came from Boston, as his name appears in the list of the freemen of Massachusetts, October 19, 1630. He was the father of the celebrated Indian warrior.

Daniel Pryor another early settler, probably came from Plymouth, although his name is not found amongst those who were at Plymouth, May, 1627.

tablishment of another. With some reluctance their request was granted, and the second church within the colony was established in 1632.

As a pastor was not ordained over this church until 1637, it seems not improbable that elder Brewster might have administered in the same manner as he did over that of Plymouth while destitute of a pastor, and this supposition is corroborated by this circumstance, that both his sons went there, and when he died, some years afterwards, his residence was there.

Ralph Partridge, a clergyman of the established church in England, educated at the University of Cambridge, a distinguished scholar and a man of eminent ability, having been persecuted at home, and, (to use his own words) 'being hunted like a partridge on the mountains,' fled to New England, and in 1637, was settled over the church at Duxbury as pastor.

Although the second church in the colony was established at Duxbury, it was posterior in its incorporation as a town to Scituate. Duxbury was incorporated in 1637, and within its limits were included the present towns of Pembroke and Hanson, the greater part of Marshfield, part of Kingston, and part of Bridgewater.

Amongst the earlier settlers after the incorporation, were Constant Southworth, Samuel Nash, Francis Sprague, William Paybody, Christopher Wadsworth and Joseph Rogers.

In 1638, an annual fair was allowed in this town.

The third church was also gathered here. A settlement nearly contemporaneous with that of Duxbury, was commenced at a place called Green Harbor, still farther north, on the sea. Amongst the early settlers here, was the third governor, Edward Winslow, who built a handsome seat, and acquired an extensive tract of land. His place he called Careswell.

## SCITUATE.

Scituate, a corruption from the Indian word Seteuat or Satuit, (in English Cold Brook) received its incorporation in 1636. On the 5th of October in that year, 'it was allowed to be a township provided they have in case of justice, recourse to Plymouth as before.' It was therefore the second town in the old colony which became invested with municipal powers, although no church was gathered here previous to those of Duxbury and that part of Duxbury afterwards called Rexham and now Marshfield.

This town included the territory on the bay north of that part of Duxbury afterwards called Marshfield, and the line of Massachusetts. Settlers were here early. Nathaniel Tilden,\* and his sons, Henry Merritt, and Thomas Bird, as early as 1628. In 1633 it was a constablerick.

It has been already related that Mr Hatherly after residing in Plymouth for a time had returned to England. In 1632 he returned and settled at Scituate, of which town he may be considered the father and founder.

In 1633 the court ordered that 'the whole tract of land between the brook at Scituate on the northwest side, and Conahasset be left undisposed of till we know the resolution of Mr James Shirley, Mr John Beauchamp, Mr Richard Andrews,† and Mr Timothy Hatherly, as also that portion of land lately made choice of by Mr Hatherly. They belonged to the company of merchant adventurers.

In 1633 the settlers of Scituate who were freemen of the colony were

\* Mr Tilden died in 1641, and left a numerous posterity. He came from Tenterden in Kent, England. He was the son of Joseph Tilden, one of the merchant adventurers.

† Afterwards Lord Mayor of London.

Anthony Annable, who came to Plymouth in the Fortune, in 1621, died 1673.

Henry Cobb. Elder Cobb died in 1679.

Isaac Robinson, the son of the Leyden pastor.

William Gilson, an assistant, died in 1639, without children.

Humphrey Turner, a deputy to the court, died 1673, leaving a numerous posterity.

William Hatch, an elder, died in 1672.

Samuel House.

Besides these there were many who took the oath of fidelity only.

In 1634. James Cudworth, afterwards commander in Philip's war, was admitted a freeman.

Samuel Fuller,  
John Cooper,  
Henry Rowley.

In 1635. Mr Timothy Hatherly,  
George Kenrick,  
Edward Foster.

In 1636. George Lewis,  
Benjamin Lombard.

In 1637. Rev. John Lothrop,  
Henry Bourne,  
Samuel Hinckley,  
Mr Thomas Besbidge,  
John Lewis.

In 1638. Edward Fitzrandle.  
Richard Gillis.

Those who did not take the freemen's oath were

Henry Ewell,  
William Crocker,  
Robert Shelley,  
Isaac Welles,  
Robert Linnet,  
Edward Casely,  
Mr William Vassall,  
John Crocker,  
Joseph Coleman,  
Nicholas Wade,

George Willard,  
Thomas Hyland,  
Thomas Pinchin,  
Thomas Prior,  
William Holmes, sen.  
Thomas Chittenden,  
William Perry,  
Joseph Checkett,  
John Stockbridge.

Besides Henry Merritt, already mentioned as one of the earliest settlers.

Others who were admitted to take this oath, but the time not exactly ascertained, were

Daniel Standlake,  
Samuel Jackson,  
William Willis,  
George Moore,  
Robert Studson, (Stetson,)

Hercules Hills,  
Lt James Torrey,  
Thomas Weyborne,  
Joseph Wermall,  
——— Beamont,

Mr Thomas King,	William Barstow,
John Vassall,	John Hollet,
John Turner, sen. and sons,	William Brooks,
James Cushman,	Gilbert Brooks,
Resolved White,	Richard Curtis,
George Russell,	William Curtis,
Stephen Vinall,	Walter Hatch,
Abraham Preble,	William Peakes,
Thomas Lapham,	John Sutton,
Rhodolphus Elmes,	John Hanmore,
Jeremiah Hatch,	Ephraim Kempton,
Henry Mason,	Matthew Gannett,
Isaac Buck,	Peter Colamore,
Walter Briggs,	Michael Peirce,
Humphrey Johnson,	William Randall.

In October, 1637, the land already mentioned as having been reserved for Messrs Hatherly, Andrews, Shirley, and Beauchamp, was granted to them by the court 'extending three miles up into the woods from the high water mark in the brook provided it do not too much prejudice the town of Scituate.'

Three fourths of this tract were afterwards sold, Mr Hatherly reserving his fourth.

'This tract was bounded by Conahasset neck north, the sea east, the brook south, and the commons west.

In January, 1637, a committee of fifteen planters, amongst whom were Mr Hatherly and Mr Lothrop, 'complained to the colony court that they had such a small proportion of lands allotted them that they cannot subsist upon them.' The court granted them 'all the lands between the north and south rivers, provided they make a township there, inhabit upon them, compose their differences with Mr William Vassal, and others, before the next court, and establish and support a ferry at North river, which Mr Vassal was willing to do, that so the removal from Scituate may be without offence.'

This tract as late as 1773, was ceded to Marshfield.

In December, 1638, the lands at Seipican (now Rochester) were granted to Mr Thomas Besbeeck (Bisbee) James Cudworth, William Gilson, Anthony Annable, Henry Cobb, Henry Rowley, Edward Foster, and Robert Linnett, as a committee of Scituate. This grant was not accepted, as the Scituate people had determined to remove to Barnstable.

‘A further grant two miles by one, up the north river, was made in 1640. To this the Indian title was extinguished in 1652 by the payment of £14 to Josiah Wampatuck, the sachem of Mattakeeset; but the court who had then forbidden the purchase of lands by individuals from the Indians, say ‘Forasmuch as they have bought nothing but what was formerly granted, the court have remitted what might be a breach of order therein.’

In 1638, the population was freemen 22, townsmen 19—41.

Many of the early settlers came from the county of Kent, in England.

Anthony Annable, Henry Cobb, George Kenrick, George Lewis and others, were dismissed November 23d, 1634, from the church at Plymouth, and on the 18th of January, 1635, a church was established at Scituate which was the fourth in the colony, and on that day the Rev. John Lothrop was installed as pastor, and remained until 1639, when he and most of the church removed to Barnstable.

A Mr Saxton, and Adam Blackman, (afterwards settled at Guilford, Connecticut,) occasionally preached to the people who remained, until the settlement of Dr Chauncy.

In 1639 and 1640, the great emigration from Scituate to Barnstable took place.

## TAUNTON.

Edward Winslow, and Stephen Hopkins, were the first Englishmen who in journeying to visit Massasoiet, (July, 1621) traversed the soil of this ancient town :—they found it depopulated and desolate; the ravages of the great plague in 1612 were everywhere discernible :—two Indians disputed their passage over the river, but it does not appear that they were inhabitants. At Tetiquet and Namasket there were Indian villages; the territory of Taunton proper, (namely, what is now included within the present town of Taunton, and the towns of Berkley, and Raynham,) was claimed by the sachem of Tetiquet. Within this territory there were no Indian settlements except in a small part of Raynham, but the whole country which was traversed by the river had been thickly populated, for Winslow and Hopkins found that the land had been cleared on both sides of the river for some distance, and they discovered many unburied remains of those who had died (probably in the great sickness,) and some ruined wigwams, and they were informed by the Namaskets, that upon the river, ‘were and had been many towns.’

There is a traditional account that settlers were here as early as 1626, but they must have been like Blackstone at Boston, Walford at Mishawum (Charlestown) and Maverick at Noddle’s Island, insulated and solitary men who sought the wild independence of the forest, held by occupancy, and suffered not their native independence to be ‘curtailed of its fair proportions,’ by the usages and restraints of society. At the head of the list of purchasers stands the name of Henry Uxley, without the respectable prefix of Mr; none now can tell who he was, whence he came, or whither he went. His name is extinct, not a vestige remains, not a memorial exists to tell us what kind

of a man he was, or at what period he sought the Indian Cohannet. His house and lot were sold to Richard Williams, and about him much is known, for he may in some measure be considered as the father, although not the founder of Taunton. He certainly was in Taunton before the purchase by Miss Pool. Tradition says he was accompanied by a brother, and it also says that he came from Scituate. None of the name appear on the catalogue of the first purchasers.

He might have come immediately from Scituate, but there is a strong probability that he was one of those who accompanied Endicot to Salem, for his wife Frances Dighton was the sister of Endicot's first wife. He might have gone from Salem to Scituate, and from there to Taunton. Williams was a Welshman, and it is not improbable that he was a relation of Roger Williams. A tradition has always existed amongst his descendants, that he was related by blood to Oliver Cromwell, the original name of whose family it is well known was Williams, (which name was changed for an estate) and one of Cromwell's ancestors bore the name of Richard Williams.\*

The local situation of Taunton being so far inland, prevented for some time any great accession of numbers; none but men fearless of danger had as yet sought this wilderness. All the settlements in the colony were con-

\* This venerable man was born as early as 1599. He was a deputy from Taunton to the General Court at Plymouth in 1646, 1648, 1650, 1651, and several subsequent years.

His name appears at the head of the list both of those who made the South purchase, (Dighton,) and of those who made the north purchase, viz. Norton, Easton, Mansfield, and a part of Attleborough. He outlived the Plymouth government, having died in 1692. He was a rigid puritan. When blind and deaf, from age, he was accustomed to attend public worship, saying, 'that although he could neither see nor hear, yet it was consoling to his feelings to know that he was present while the people of God were at their worship.'



fined to the sea-side, and in Massachusetts, no settlement had been made excepting round the bay, and on Charles river; the fear of the natives who inhabited the whole of the interior, confined the English to the sea-shore. At this time, Elizabeth Pool, a lady of family and fortune, from Taunton in Somersetshire, Eng'and, who had at first settled at Dorchester, conceived the bold design of occupying the territory of Cohannet. This spot was at the distance of twenty-six miles from Plymouth, the nearest settlement. The lands now embraced in the extensive towns of Middleborough and the ancient town of Bridgewater, were unoccupied by any excepting natives, and between Cohannet and Plymouth, were the Namaskets and Tetiquets governed by their own sachems. On the south no English settlement intervened, and the great sachem Massasoiet had his residence at the distance of little more than twenty miles. On the west the infant settlement of Roger Williams could offer no protection against the encroachments of the powerful Narragansetts, and on the north between Cohannet and Dorchester, were the Punkapogues and Neponsits:—yet, of what is not the female mind capable when stimulated by religion, love, or revenge! It was the ardent love of religion, an enthusiastic desire of planting another church in the American wilderness which impelled this pious puritan lady to encounter all the dangers, and all the hardships of forming a settlement in the midst of the Indians.

Under such appalling circumstances, surrounded on all sides by savages, and liable to be cut off by their hostility from all connexion with the stronger English settlements was this insulated settlement commenced, '*dux fœmina facti.*'

Elizabeth Pool died in 1654, and the veneration of a

kinsman placed over her grave a stone with an inscription \* which happily commemorates her virtues.

The first and ancient purchasers stand in the following order.

Henry Uxley,	8	William Phillips,	8
Richard Williams,	12	William Hailstone,	8
Joseph Wilson,	8	William Parker,	12
Benjamin Wilson,	8	John Parker,	8
William Coy,	8	John Richmond,	6
George Hall,	12	William Holloway,	12
David Corwithy,	12	The widow Randall,	6
Mr William Pool,	12	Francis Doty,	12
George Macy,	8	William Dunn,	8
William Harvey,	8	William Scadding,	12
Hezekiah Hoar,	8	John Bryant,	6
Walter Dean,	12	Anthony Slocum,	8
John Dean,	12	John Gengille,	8
John Strong,	12	Francis Street,	8
Henry Andrews,	12	Hugh Rossiter,	8
Thomas Cooke,	6	John Gilbert,	12
John Smith,	12	Thomas Gilbert,	12
Mr Thomas Farwell,	12	Robert Hobell,	6
Edward Case,	8	Richard Burt,	8
John Kingsley,	12	John Crossman,	6
Richard Paull,	6	John Luther,	6
Richard Smith,	12	John Drake,	12
Mr John Gilbert,	12	Mr John Brown,	12

\* " Here rest the remains  
of Miss ELIZABETH POOL,  
a native of Old England,  
of good Family, Friends, and Prospects,  
All which she left, in the Prime of her Life,  
to enjoy the Religion of her Conscience  
in this distant Wilderness ;  
A great Proprietor in the Township  
of Taunton ;  
A chief promoter of its Settlement,  
and its Incorporation, 1639-40,  
about which time she Settled near this spot ;  
And, having employed the opportunity  
of her Virgin state,

Notwithstanding the deep enthusiasm which was cherished by Elizabeth Pool, religion and justice were in her code of ethics inseparable, and she had not yet admitted the positive lawfulness of 'despoiling the heathen.' She was the first of the English who practically admitted the force of that moral obligation which requires the consent of the owner before property can be taken from his possession, and appropriated to the use of another, and she purchased her lands by giving a fair equivalent before occupation. The settlers of Plymouth did indeed eventually extinguish the Indian title by purchase from the owner and by taking his grant, but this was long after the actual occupation, and they could have found no justification for their original occupation except on the ground that they held by the permission and by the gift of Massasoiet,

in Piety, Liberality,  
and Sanctity of Manners,  
Died, May 21, A. D 1654, aged l.xv.  
To whose Memory  
this Monument is gratefully erected  
by her next of kin,  
John Borland, Esquire,  
A. D. 1771

This Inscription was written by the Hon. Robert Treat Paine, one of the signers of the declaration of independence.

Her brother Captain William Pool was her principal devisee. His son Colonel John Pool removed to Boston, and was subsequently distinguished as a partisan officer in the great Indian war. He succeeded to the possessions of his aunt, and from him they descended eventually to the family of Borland. The wife of Colonel Pool was the daughter of William Brenton, Esq. who resided in Taunton for many years; from him is descended the gallant Sir Jahleel Brenton, now an admiral in the British navy, and the Hon. Brenton Halliburton, now a judge of the supreme court of Nova Scotia.

George Macy Esq. died August 17, 1693, leaving no sons but several daughters.

John Strong removed to Northampton shortly after the Indian war.

Edward Case removed and sold his lands to Samuel Wilbore, one of the followers of Mrs Hutchinson, from whom are descended all of that name in Taunton, Raynham, Rhode Island, and Somerset.

or that the lands were vacant; unless they had resorted to that refinement in the law which does not admit any title in the aboriginals.

The first purchase was made in 1637, and confirmed afterwards, this was called the Tetiquet purchase. Tetiquet was the Indian name of the great river of Taunton.

When Philip confirmed the lands which had been granted by his father Ossamequin in 1663, he refers to Capt. William Pool, and Mr John Gilbert, and their associates in 1638; on which occasion 'the meadows upon the great river downwards so far as Storehouse point, so called with all the meadows of Assonet and Broad cove, with a small tract of land bought of Ishben, lying betwixt the marked tree at the pond, and the mouth of Nistiquahanock, or Three Mile river are enumerated and included.'\*

Although the first purchase of Taunton was made of the Tetiquet Indians, and confirmed by another deed from the descendants of the Tetiquet sachems,† yet it would seem that Ossamequin and Philip both claimed the right of soil in some of the subsequent purchases either as actual owners or as paramount lords.

According to Indian usage, the general title to lands was in the sachems, yet on some occasions they recognised a right in individuals. Ishben probably had placed his

\* This is supposed by Mr Samuel Davis, the indefatigable antiquarian of Plymouth, to have been only a grant of the temporary privileges of meadows. Storehouse Point, where a trading house had been early erected by the people of Plymouth, is in Somerset, part of ancient Swansey, and Broad Cove was afterwards included in the south purchase, afterwards part of ancient Dighton. The river called Nistiquahanock, he says, was also called Nenestecomeck, and suggests whether Cohannet might not have been an abbreviation of the first word.

† This word is spelled Titticut, Tetiquet, Tittiquet, and there are some other variations.

solitary wigwam on the domain of the ancient Taunton. In a subsequent grant of the ancient Freetown in 1659, a reservation was made to a solitary Indian resident, Tabacatson, of the lands which he then had in 'present use.'

On the 4th of December, 1638, Mr William Pool, Mr John Gilbert, sen., Mr Henry Andrews, John Strong, John Dean, Walter Dean, and Edward Case, were made freemen of the Plymouth colony. On the 3d, Mr Richard Smith took the oath of allegiance and fidelity. He was made a freeman in 1640, and previous to 1640, William Parker, John Smith, Mr Thomas Farwell, Mr David Corwithy, Mr Holloway, Mr Nicholas Street, Thomas Gilbert, Thomas Cooke, John Richmond, Hezekiah Hoar, Richard Paull, Hugh Rossiter, Francis Street, John Gingell, and William Scadding were freemen.

On the 3d of March, 1639, the plantation of Cohannet was incorporated by the name of Taunton.

In the catalogue of the 'ancient purchasers' of Taunton, appears the name of Francis Doaty (Doty and Doughty.) Whether he was there previous to the arrival of Elizabeth Pool is not absolutely certain, although it is highly probable. He was a minister. It is also probable that Henry Uxley, Richard Williams, Joseph Wilson, Benjamin Wilson, William Coy, George Hall, George Macy, and some others were in Taunton previous to that period. Elizabeth Pool, and her brother William Pool, and most of the other ancient purchasers, came immediately from Dorchester; Mr John Brown came from Plymouth.

In a pamphlet entitled 'Plain Dealing or Newes from New England,' written by Thomas Lechford, of Clements Inn, Jan. 17, 1641, and published in London, 1642, the writer, speaking of Taunton, says, 'Cohannet, alias Taun-

ton, is in Plymouth patent. There is a church gathered of late, and some ten or twenty of the church, the rest excluded, master Hooke, pastor, master Street, teacher. Master Hooke received ordination from the hands of one master Bishop, a school-master, and one Parker a husbandman, and then master Hooke joyned in ordaining master Street. One master Doughty, a minister, opposed the gathering of the church there, alleging that according to the covenant of Abraham, all men's children that were of baptised parents, and so Abraham's children, ought to be baptised; and spoke so in publique, or to that effect, which was held a disturbance, and the ministers spake to the magistrate to order him; the magistrate commanded the constable, who dragged master Doughty out of the assembly. He was forced to go away from thence with his wife and children.\*

Letchford resided in America four years, from July, 1637, to July, 1641, and in that time he personally visited 'New Taunton' as he styles it, and his information as to facts, (although he was of the English church, and therefore somewhat prejudiced against the Puritans,) may be relied on.

From his account, it is made certain that Mr Hooke and Mr Street were both resident at Taunton at the same time,—one as pastor, the other as teacher, the ministerial office being divided. It is also probable that both Hooke and Street, and William Pool, came with Elizabeth Pool from England. William Pool was her brother, and Mr Street had married her sister.

The ordination took place either during Letchford's residence in the country or shortly before, as he speaks of

\* Doughty is supposed to have been at Long Island about 1653.

the transactions which happened there, as of recent occurrence. In 1641, Hooke had left Taunton, and was settled at New Haven, and Street was probably the sole teacher in 1641, for Cohannet, alias Taunton, was then granted to Elizabeth Pool, Nicholas Street, and their associates, (Hooke not being named.) This ordination probably took place in 1637, or early in 1638.

It is not unlikely that Doty might have assisted in religious exercises amongst the few original settlers of Taunton. But William Hooke must be considered the first pastor of this ancient church. Of the regularity of his ordination there can be no doubt, as Wilson of Boston, and Richard Mather of Dorchester, both illustrious men and lights of the church, assisted. Hooke was born about the year 1600.—He married the sister of Edward Whalley, one of the Parliamentary major-generals, and who, by sitting as one of the judges of King Charles I, obtained the unhappy distinction of a regicide.

Mr Hooke left Taunton (probably in 1640,) and removed to New Haven; in 1641, (according to Cotton Mather,) he was ordained to the same office which Street had held at Taunton, the famous John Davenport being the pastor. He succeeded Samuel Eaton, (the brother of Theophilus Eaton, the founder and first governor of New Haven,) who had differed with Davenport touching some points of church discipline; the governor advised this removal of his brother, and he returned to England.\*

In 1656, Hooke left New Haven and returned to England. He was for a time minister at Exmouth, Devonshire, and then master of the Savoy. He then was received

\* Trumbull in his History of Connecticut, says that Hooke was ordained at New Haven in 1644, which, if true, would give him a longer residence at Taunton.

into the family of the lord-protector, Oliver Cromwell, as domestic chaplain. He was highly esteemed by the protector, who provided for him liberally, and designed to have gathered a separate church from his family and household, of which Hooke was to have been the pastor.\*

\* In one of the recent volumes of the collections of the Historical Society of Massachusetts, there is a letter from Mr Hooke to John Winthrop, afterwards governor of Connecticut, written after his arrival in England. It is inserted entire.

‘ Honored Sir,—I humbly salute you, together with Mrs Winthrop, and your son and daughters, with the remembrance of my entire respects to you and yours. I received the letter which you sent aboard to me newly after my departure from Boston, it being no less a trouble to me than to yourself, that I was so hurried away that I could not see you once again, and solemnly take my leave of you, to whom I reckon myself very much engaged for your love and care of me and mine. The Lord was pleased to afford us a very comfortable and speedy passage from land to land in the space of five weeks, our sea exercises being no more than ordinary. After our landing we were all held with colds and coughs, and I am scarce free to this day.—We found the Parliament sitting when we came, whose greatest work hath been, to raise the present government to that which is kingly, this of kingly being now voted by the far *major* part, though not the *melior*, as I understand, yet some godly persons joining therein. It is apprehended that settlement is not obtainable in the present way. The churches throughout the land that are congregational, and likewise particular godly persons, are mostly averse to this change, and sundry churches, from several counties, have petitioned to the protector against it. In his first meeting with the parliament, he desired time of consideration; in his second he expressed himself negatively; in his third he did not speak, as it is said, so perspicuously and expressly; in his fourth the parliament delivered their reasons for this change; and now the fifth hasting, it is expected that he should deliver his reasons for refusal, or accept what is tendered. I suppose his spirit inclineth to refusal, as the case is circumstanced; but he is put upon straights through the importunities of such as urge the necessity of this change, knowing also that the parliament may, and perhaps will, disown him in the Spanish wars, and withdraw their help, and also in many other things relinquish or oppose him, and render the present arbitrary sword power odious and tyrannical, and when he shall die, choose a king, whose little finger may be very heavy upon the people of God; whereas now (if he accept of the present offer) he shall have the power of nominating his successor, &c. But on the other side a design is feared, the promoters being not men (for the most part)



After the restoration of Charles II he was silenced, (May 24, 1662,) for non-conformity, and died in London, March

of a desirable gang, many of them not very good well willers, perhaps, to the better party; and the hand of the lawyers is chief in these things, to settle their forms (it is thought) no less than the state of the land. Likewise, former professions and protestations against kingly power are alleged and much insisted upon, as made sometimes by the army, godly men, and not of mean rank, utterly denying any such engagements or protestations. Some fear also lest things should revert to their first principles, in the issue, and our gains by all those bloody wars, lie at last in a narrow compass, etc.

‘The protector is urged utrinque and (I am ready to think) willing enough to betake himself to a private life, if it might be. He is a goodly man, much in prayer and good discourses, delighting in good men, and good ministers, self-denying, and ready to promote any good work for Christ.

‘As touching myself, I am not as yet settled, the protector having engaged me to him not long after my landing, who hitherto hath well provided for me. His desire is, that a church may be gathered in his family, to which purpose I have had speech with him several times; but though the thing be most desirable, yet I foresee great difficulties in sundry respects. I think to proceed as far as I may, by any rule of God, and am altogether unwilling that this motion should fall in his heart. But my own weakness is discouragement enough, were there nothing else.

‘Your letters were delivered, Mr Peter [Hugh Peters] undertaking for two of them. For Sir Kenelme Digby is in France, and when he will return I hear not. Mr Peter is not yet thoroughly recovered out of his late eclipse; but I hear better of his preaching than was formerly spoken of it. He hath been loving to me, and hath (I hope) received benefit by the things which have lately befallen him. The steward of the house and I speak often of you. His name is Mr Maydestone, who (as he saith) sucked the same milk with you. He is a godly wise man, and one to whom I am much bound for his love. The land is as full of wickedness as ever it was, excepting that there is a remnant professing the pure ways of God with more clearness, liberty, and boldness, than heretofore; and here are many good churches in city and country, far and near, and many able ministers.

‘There have been two conspiracies discovered since my arrival—one of the levellers, many of whom were engaged by some great enemy to take away the life of the protector, and scarce three or four of them known one to another, that if any of them should be discovered, they might not discover very many others, but the plot still go on in the hands of other men. One Sundercombe was a chief man in this design, a very stout man, who, with one Cecill, was apprehended, and he condemned to die, who, the night before the time appointed for his execution, poisoned himself. He was a very atheist, not holding the

21, 1677, and was buried on the north side of the new artillery garden.

immortality of the soul. One of the life-guards had his hand also in the conspiracy, and had received a reward to act in it, who, fearing a discovery, to save his life detected Sundercombe, made known the business, and prevented the burning of Whitehall, when the match in the basket full of the most combustible and furious materials was lighted and placed in the midst of the chapel in a seat, etc.—The other conspiracy was discovered the last week. It was carried on by tumultuous, outrageous, discontented men, pretending to fifth monarchy, but discovering in their declaration (which is in print) a bloody spirit, though under a specious shew. Some of them were lately apprehended as they were praying, ready to set forward in a hostile manner, together in a body, having accordingly furnished themselves. In this design one Vernour, not long since dwelling in your Boston, a wine cooper, is a principal actor, who being brought before the Protector, spoke and behaved himself with as great impudence, insolence, pride, and railing, as (I think) you ever heard of. It is thought also that Major General Harrison, Colonel Rich, Carey, Danvers, Colonel Okey, Sir Henry Vane, are engaged in this plot. I suppose some of them are secured, or sent for so to be. We hang here upon ticklish points, and scarce know what to think, only the people of God are still looking up to him. Mr Hopkins and Mr Tenwick have gone to God, within two or three days one of the other, in a time wherein we have very great need of the presence and prayers of such men.

‘ Sir, I would not tire you : I have very great need of the help of your prayers ; I am still also valetudinarius, and should rejoice to do God any acceptable service before my great change cometh. I have spoken again and again to Mr Peter to remember your sister Lake ; what he will do I know not ; I pray remember my respects to her also, and to Mr Bliuman. The father of our Lord Jesus Christ be with you and all yours, prospering your endeavors to his glory and the good of many. To his grace I heartily commend you, and rest.

‘ Yours very much bound to you,

‘ WILLIAM HOOKE.

‘ April 13, 1657.

For the much honored Mr John Winthrop  
at his house in Pequot, in New England.’

An adept in art so consummate as Cromwell, might have easily deceived the simplicity of the Taunton minister. Mr Hooke might in sincerity have believed that this ‘ godly man ’ was anxious for private life ! Although he could not fathom the depths of Oliver’s policy, yet he gives the true reasons, (and they are by no means without force) why he should have assumed the crown. —Never did the fires of ambition burn with more fury in any breast than in that of the Lord Protector. That he had contemplated the possibility of rearing the throne which he had prostrated, and of filling that lofty seat which had

Trumbull speaking both of him and Eaton, says 'they were men of great learning and piety, and possessed of excellent pulpit talents.'

Cotton Mather says he was 'a learned, holy, and humble man.'

He was the author of a treatise entitled 'The Privileges of the Saints on Earth above those in Heaven,' and of another entitled 'The Slaughter of the Witnesses.'

Nicholas Street, the teacher, after the removal of Mr Hooke to New Haven, became the sole pastor of the church, and remained in Taunton, probably to 1658, or 1659.

In 1659, he succeeded Hooke at New Haven, (a coincidence somewhat singular,) and remained there as the coadjutor of Davenport until the removal of the latter to Boston in 1667, where he was called as the successor of Wilson. Street then remained the sole minister of New Haven until his death, April 22, 1674.

He maintained a high standing amongst the ministers of New England, both in the colonies of Plymouth and Connecticut, and is mentioned in terms of respect by several of the early writers on New England affairs.\*

been vacated by his prowess in battle, and by the audacity of his policy in council, cannot be questioned. In his familiar discourse with his chaplain while disclaiming all personal views, he disclosed the arguments by anticipation, to which, circumstances might eventually have compelled him to resort in self defence.—In fact, there never was in a human bosom such a conflict between the aspirations of a usurping ambition, and the convictions of sound wisdom. At length that unerring sagacity whether of instinct, or of inspiration, by which he was always directed, saved him from the great mistake of exchanging the actual possession of a power far transcending the constitutional powers of the crown, for the barren emblems of royalty. His name alone was his crown and sceptre.

\* None of his posterity remain in Taunton. Samuel Street appears in the Harvard catalogue as a graduate, in 1664, and if he was the son of the minister, he must have been born in Taunton. He was ordained pastor of Walling-

## SANDWICH.

In 1637, a settlement was commenced at Sandwich by emigrants from Lynn in Massachusetts, the Indian Saugus. It was not incorporated until 1639. It was granted originally to Mr Edmund Freeman, Henry Feake, Thomas Dexter, and others.

In the order of court by which Sandwich was incorporated, it is described as 'beginning westerly by the dividing line between the town of Plymouth and the said town of Sandwich, and on the east by the line which divides the town last mentioned from the town of Barnstable, which runs northeast to the sea; and southwest into the woods; and is bounded northerly by the sea; southerly, partly by the dividing line between them and Suckanusset, and partly by the Indians' land, according to the known and accustomed boundaries.'

The first minister of Sandwich was William Leveridge. He arrived at Salem from England, October 10, 1633. It was intended that he should officiate at Wiggin's plantation, (Dover, N. H.) then a plantation of lord Say and Sele, but his support being insufficient, he came to Boston, and on the 9th of August, 1635, was admitted a member of that church. He assisted Mr Partridge at Duxbury a short time, and then removed to Sandwich. The precise period of his removal is not known, but he was there in 1640. He had been in the ministry in England. He introduced some novelties in the celebration of the Eucharist, as to which, he had adopted the notions of Dr Chauncy, and was much engaged in instructing the

ford in Connecticut, in 1674, and remained there until January, 1717. Nicholas Street was ordained minister of East Haven in 1754, and died a few years since at an age exceeding a hundred years. The posterity of Mr Street are to be sought in Connecticut, and probably some in Canada.

Indians, who were numerous in the vicinity of Sandwich.\* Hitherto the law-making power had been exercised by the whole body of the freemen when assembled in a general court. The extension of the settlements created a necessity for delegating this power, inasmuch as the distance of some from the place of assembly was so great, that a general and constant attendance was not only inconvenient, but often impossible. Induced by these considerations, the whole court at a session in 1638, passed an act in these words. 'Whereas, complaint is made that the freemen are put to many inconveniences, and great expenses, by their continual attendance at the courts; it is therefore enacted by the court, and the authority thereof, for the ease of the several towns of this government, that each town shall make choice of two of their freemen, and the town of Plymouth of four, to be committees or deputies to join with the bench, to enact and make all such laws and ordinances, as shall be judged to be good and wholesome for the whole, provided that the laws they do enact shall be propounded, one court to be considered of till the next, and then to be confirmed if they shall be approved of, except the case require present confirmation; and if any act shall be confirmed by the court and committees, which upon further deliberation shall prove prejudicial to the whole, that the freemen at the next election court, after meeting together, may repeal the same and enact any other useful for the whole, and that every township shall bear their committee's

\* The precise time when Mr Leveredge left Sandwich is not ascertained. He resided there some time. In 1657, he was employed by the commissioners of the United Colonies as a missionary. In 1674, he resided at Nantucket, within the jurisdiction of the Province of New York, where he was stationed probably as an Indian missionary.

charges, which is two shillings and sixpence a day, and that such as are not freemen but have taken the oath of fidelity, and are masters of families, and inhabitants of the said town, as they are to bear part in the charges of the committees, are to have a vote in the choice of them, provided they choose them only of the freemen of the said town whereof they are ; but if such committees shall be insufficient or troublesome, that then the bench and the other committees may dismiss them, and the town to choose other freemen in their places.'

By this act, the government which heretofore very nearly approached a pure, was changed to a representative democracy, and the whole community acquiesced in the change without complaint, so clearly were they convinced of its necessity. The popular power was still guarded, and the people, at their will, could resume the power of repealing obnoxious laws and of enacting substitutes, although they did not retain the general power of legislation. Popular opinion seemed to be recognised as the real foundation of all legislative proceedings. A great power however, was given to the assistants and committee or deputies, which was the right of expelling from their body any that should be 'insufficient and troublesome,' two words to which such a latitudinarian construction might have been given, that the law might have been perverted into an engine of arbitrary power, and an instrument to get rid of members who had the industry and sagacity to discover abuses and the boldness to proclaim them. A people very jealous of their liberties would not have consented to such a provision.

At the time of the passage of this law there were only three towns in this little commonwealth, viz. Plymouth, Scituate, and Duxbury. Rexham or Marshfield, was yet a part of Duxbury, and Cohannet or Taunton although

settled and a church either gathered or about to be gathered was unincorporated. After the passage of the law, and before the next meeting of the court, three important settlements were established on Cape Cod, viz. one at Mattacheest, or Cummaquid, called Barnstable, one at Pocasset called Sandwich which has already been mentioned, and one at Mattacheest called Yarmouth.

#### BARNSTABLE.

A large proportion of the settlers of Scituate became dissatisfied with their situation and desirous of a change; amongst the most zealous of those who were for removing was Mr Lothrop the pastor. At first they designed to remove to Sepeican, (now Rochester) and in 1638, the lands there were granted by the general court to Thomas Besbeeck, (Bisbee) James Cudworth, William Gilson, Anthony Annable, Henry Cobb, Henry Rowley, Edward Foster, and Robert Linnett, a committee of Scituate, 'for the seating of a township for a congregation.' This grant was not accepted, and the Sepeican lands were not settled until after Philip's war.

In 1639, Mr Lothrop, and a majority of his church removed from Scituate and settled Barnstable. Those who went to Barnstable were

Anthony Annable, came to Plymouth in the Fortune, 1621, died in 1673, a freeman 1633.

Henry Cobb, died in 1679, ruling elder, a freeman 1633.

Isaac Robinson, the son of the pastor of the Leyden church, a freeman 1633.

James Cudworth, afterwards general in Philip's war, an assistant, returned to Scituate, a freeman in 1634.

Samuel Fuller, son of the physician of the colony, came with his father 1620, a freeman 1634.

John Cooper, he gave by will one half of his large estate to the church, a freeman 1634.

Henry Rowley, a freeman in 1634.

George Lewis, a freeman in 1636.

Benjamin Lombard, a freeman in 1636.

Rev. John Lothrop, a freeman in 1637.

Henry Bourne, a freeman in 1637.

Samuel Hinckley, a freeman in 1637, father of Thomas Hinckley the last governor.

Edward Fitzrandle, a freeman in 1638.

William Casely, a freeman in 1639.

Robert Linnett, a freeman in 1639.

Mr Thomas Dimmack, a freeman in 1639.

Henry Ewell,

William Crocker,

Robert Shelley, } these admitted to the oath of fidelity.

Isaac Wells,

Edward Caseley, }

In 1640, William Parker, and } went there from Scituate.  
in 1649, John Allen, }

Mr Lothrop the first pastor both of Scituate and Barnstable was according to Neal, 'a man of learning and of a meek and quiet spirit.' Morton says, 'he was a man of an humble and broken heart and spirit. Lively in dispensation of the word of God, studious of peace, furnished with godly contentment, willing to spend and to be spent for the cause and church of Christ.' He remained the pastor of this church until he died, November 8th, 1653.\*

\* Mr Lothrop is mentioned by Anthony Wood as having been celebrated. He held the living of Egerton in Kent where he resided; but embracing the sentiments of the puritans, he renounced his orders, and, going to London, succeeded Henry Jacob. Jacob fled from the persecution of Archbishop Bancroft and went to Leyden, and Neal says that after a conference with Mr Robinson, he embraced his views, and in 1610 published a treatise at Leyden entitled 'the divine beginning and institution of Christ's true, visible, and material church.' Sometime after he returned to England, and having imparted to the most learned puritans of those times his design of setting up a separate congregation, it was not condemned as unlawful, considering there was no prospect of a national reformation. Mr Jacob having summoned several of his friends together, and obtained their consent to unite in church fellowship for enjoying the ordinances of Christ in the purest manner, they laid the foundation of the first independent or Congregational Church in England after the following manner: having observed a day of solemn fasting and prayer for a blessing upon their undertaking, towards the close of their solemnity, each of them



## YARMOUTH.

The people of Lynn in Massachusetts having established a settlement at Sandwich, in 1638 another attempt

made open confession of their faith in our Lord Jesus Christ, and then standing up together they joined hands, and solemnly covenanted with each other in the presence of Almighty God, to walk together in all God's ways and ordinances, according as he had already revealed, *or should further make known to them.* 'Mr Jacob was then chosen pastor by the suffrages of the brotherhood, and others were appointed to the office of deacons with fasting and prayer, and imposition of hands,'—this was in 1616. In 1624, Jacob went to Virginia, and soon after died. Mr Lothrop was chosen to succeed him, and so became the second Independent or Congregational minister in England. He continued the pastor of this little church until April 29, 1632, 'at which time his congregation was discovered by Tomlinson, the bishop's pursuivant, at the house of Mr Humphrey Barnet, a brewer's clerk in Blackfriars, where fortytwo of them were apprehended, and only eighteen escaped; of those that were taken, some were confined in the Clink, others in the new prison and the gate house, where they continued about two years, and were then released upon bail, except Mr Lothrop, for whom no favor could be obtained; he therefore petitioned the king, (Charles I, archbishop Laud having refused every favor,) for liberty to depart the kingdom, which being granted, he went in 1634 to New England with about thirty of his followers.' During his imprisonment his wife died; he obtained liberty from the Bishop to visit her once. Morton says, 'the children after the death of their mother, repaired to the bishop at Lambeth, and made known to him their great distress, and he shewed them compassion, and consented their father should be released from prison.' It is worthy of note that the first Baptist society in England sprung up in Mr Lothrop's. 'One of his people carrying his child to be rebaptised, some of the congregation insisting that it should be baptised, because the other administration was not valid; but when the question was put, it was carried in the negative, and resolved by the majority not to make any declaration at present, whether or not, parish churches were true churches. Upon this some of the more rigid, and others who were dissatisfied about the lawfulness of infant baptism, desired their dismission, which was granted them.' Mr Jacie, a man of respectability and learning, was chosen the minister of the seceders, and the two churches continued to commune together.

Four sons came with Mr Lothrop from England, two more were born in America. Thomas settled at Barnstable; from him descended the respectable family of this name, in the county of Plymouth. Samuel settled at Norwich in Connecticut; from him descended the numerous families of Lothrop's in Connecticut, New York, Vermont, and in the county of Hampden in Massa-

was made from the same quarter to establish another settlement at Mattakeese, (now Yarmouth.) Foremost in this enterprise was the Rev. Stephen Batchelor, the late pastor of Lynn, who at the advanced age of seventysix, at an inclement season of the year traversed the whole country between Lynn and Mattakeese; (being more than a hundred miles) on foot.

The company with whom Batchelor was associated being extremely poor, and encountering many difficulties, abandoned the undertaking, which was afterwards resumed by others.

Mr Batchelor arrived at Boston, June 5th, 1632, then being seventyone. He was soon established as the pastor of Saugus (since Lynn.) His life in America was one constant scene of turbulence, dispute, and accusation. As early as October, 1632, he was required by the court, 'to forbear exercising his gifts as a pastor or teacher publicly in our patent, unless it be to those he brought with him, for his contempt of authority, and until some scandals be removed,' but the court March 4th, 1633, removed this inhibition.

Governor Winthrop says 'he was convented before the magistrates. The cause was for that, coming out of England with a small body of six or seven persons, and having since received in many more at Saugus, and contention growing between him and the greater part of his church, (who had with the rest received him for their pastor,) he desired dismissal for himself and his first mem-

chusetts, of which last was the late venerable divine, Dr Lothrop of West Springfield, father of the Hon. Samuel Lothrop, now president of the senate. From Joseph, Barnabas, and John, are descended the Lothrop's of Barnstable county, and from Benjamin one of the sons born in England, the family in Essex county is descended, amongst whom was the gallant soldier, who fell in Philip's war.

bers, which being granted, upon supposition that he would leave the town, (as he had given out) he with the said six or seven persons presently renewed their old covenant, intending to raise another church in Saugus, whereat the most and chief of the town being offended, for that it would cross their intentions of calling Mr Peter or some other minister, they complained to the magistrates, who foreseeing the distraction which was like to come by this course, had forbidden him to proceed in any such church way, until the cause were considered by the other ministers, &c. But he refused to desist. Whereupon they sent for him, and after his delay, day after day, the marshal was sent to fetch him. Upon his appearance and submission, and promise to remove out of the town within three months, he was discharged.'

After he left Mattakeese he was at Newbury.

In 1641 he was pastor of the church at Hampton and then at the age of eighty attempted the chastity of a woman, for which he was repentant, and then says Gov. Winthrop, would repent of his repentance. He was excommunicated; after two years the excommunication was removed, but he was forbidden to exercise the office of pastor. In Hampton, until 1644, there was nothing but contentions between Batchelor and Dalton the elder, both having strong parties. This continued until Batchelor was called to Exeter in 1644. His settlement there was prevented by the express interference of the court.

This fiery and quarrelsome old man finished his turbulent life after it had been protracted beyond ninety years.

In the summer of 1639, the permanent settlement of Yarmouth was commenced by another company from Lynn, and it was soon after incorporated as a town. Its northern part had been called by the Indians Mattakees, or Mattakeeset, its northeastern part Hockanom, and it comprised originally the present towns of Yarmouth and Dennis.

According to Mr Savage, (unquestionable authority on such subjects) the Rev. Marmaduke Matthews was the first pastor of Yarmouth. He arrived at Boston in the summer of 1638, and is styled by Governor Winthrop a 'godly minister.' He remained at Yarmouth but a short time, and was gone (probably) in 1642. He preached for a time at Nantasket (Hull) about the year 1650, and was finally settled at Malden. While at Hull, Johnson the author of 'the Wonder Working Providence, &c,' says 'he lost the approbation of some able understanding men, among both magistrates and ministers, by weak and unsafe expressions in his teaching.' This led to a serious investigation on the part of the magistrates, and Messrs Bradstreet, Hathorne, Browne, Johnson, Glover, Lusher, Ather-ton, and Symonds, were appointed to investigate the charges against Matthews. The result was unfavorable to the pastor, but he was nevertheless called to Malden.\*

1639. This year is distinguished for the meeting of the first representative legislative assembly in general court.

\* He preferred the following petition to the general court.

'To the honored court.—Marmaduke Matthews humbly sheweth, that through mercy I am in some measure sensible of my great insufficiency to declare the counsel of God unto his people, (as I ought to do) and how (through the darkness and ignorance that is in me) I am very apt to let fall some expressions that are weak and inconvenient; and I do acknowledge, that in several of those expressions referred to the examination of the honored committee, I might (had the Lord seen it so good) have expressed and delivered myself in terms more free from exception; and it is my desire (the Lord strengthening) as much as in me lieth, to avoid all appearances of evil therein for time to come, as in all other respects whatsoever; which, that I may do, I humbly desire your hearty prayers to God for me, and in special, that I may take heed to the ministry committed to me, that I may fulfil it to the praise of God and profit of his people.

'Your humble servant in any service of Christ,

28. 8. 1651.

'MARMADUKE MATTHEWS.

'To my much honored friend, Mr Edward Rawson, at his house in B ston, these present.'

Governor Bradford was again called to the chief magistracy, Governor Prince was elected first assistant. The other assistants were Captain Standish, John Alden, John Brown, William Collier, Timothy Hatherly, John Jenny.

The committees or deputies chosen in the several towns, were as follows.

From Plymouth, William Paddy, Manasseh Kempton, Jr, John Cooke, Jr, John Dunham.

From Duxbury, Jonathan Brewster, Edmund Chandler.

From Scituate, Anthony Annable, Edward Foster.

Taunton or Cohannet, Mr John Gilbert, Henry Andrews.

Sandwich, Richard Bourne, John Vincent.

Yarmouth, Thomas Payne, Philip Tabor.

Barnstable was not represented in this court until December, and then Mr Joseph Hull, and Mr Thomas Dimmack, appeared as deputies.

William Gilson who had been an assistant, died this year at Scituate.\*

Massasoiet or Woosamequin, (which last name he had latterly assumed according to the custom of the Indians) and his son Moananam, (Wamsutta, afterwards called Alexander) coming into open court at Plymouth on the 25th of September, desired that the ancient treaty which had been made in 1621 might remain inviolable, to which they promised that they would faithfully adhere. 'And the said Woosamequin or Massasoiet, and Moanam, otherwise called Wamsutta,' did also promise to the court 'that he nor they shall or will needlessly and unjustly raise any quarrels, or do any wrongs to other natives, to provoke them to war against him; and that he or they shall not give, sell, or convey, any of his or their lands, territories,

\* Mr Gilson left no children; his wife survived him.

or possessions whatsoever, to any person or persons whomsoever, without the privity and consent of the government of Plymouth aforesaid, other than such as the said government shall send or appoint, on which conditions the said Woosamequin, or Moanam his son, for themselves and their successors did then faithfully promise to observe and keep; and the whole court in the name of the whole government for each town respectively, did then likewise ratify and confirm the aforesaid ancient league and confederacy: and did also further promise to the said Woosamequin, and Moanam his son, and his successors, that they shall and will from time to time defend the said Woosamequin, and Moanam his son, and their successors, when need and occasion shall require against all such as shall unjustly rise up against them to wrong or oppress them unjustly.'

In this treaty, the government of Plymouth seem to have taken a proper precaution to prevent the Indians from selling their lands to individuals; a practice which would have been attended with pernicious consequences, and with endless lawsuits, and although it has been sneeringly said that their precautions only prevented individuals from cheating the Indians so that they might do it themselves under color of law; yet the intrigues and deceptions of individuals would soon have stripped the Indians of all their lands, if the government had not declared all such sales invalid, and if they had not induced the chiefs, father and son, to stipulate that none such should be made.

Massasoiet appears to have been extremely anxious to preserve a firm peace with the English, and his care extended to posterity, first by causing his eldest son to enter into the same engagements which he himself had contracted with the English, and afterwards, when his other unfor-

fortunate and celebrated son grew up to manhood, he took care that he also should engage himself to pursue the same policy. This kind-hearted but sagacious chief took every mode which human wisdom could devise to preserve his people from the ruinous consequences of English hostility, not only during his life, but to bind his successors to the same engagements after his death, but the tide of fate rolled on in its accustomed channel, and human nature remained the same: the savage yielded to the social man, and the children of the forest fled as usual from the children of civil society.

1640. Mr Bradford was again elected governor, and Mr Prince first assistant. Captain Standish, Mr Brown, Mr Collier, and Mr Hatherly, were reelected assistants, to which office Edmund Freeman of Sandwich was also chosen for the first time.

The deputies from Plymouth were reelected.

Duxbury elected William Bassett.

Scituate reelected Edward Foster, and elected Humphrey Turner in the place of Mr Annable, who had removed to Barnstable.

Taunton elected Edward Case, and Walter Dean.

Sandwich reelected Mr Bourne, and elected George Allen.

Yarmouth reelected Philip Tabor.

During this year that part of Duxbury at Green Harbor and the territory adjacent on the ocean called Rexham, where a church had already been gathered, was incorporated into a town and called Marshfield. There was however no regular pastor ordained over this church until 1642.

In 1637, lands were granted at Green's Harbor to Edward Winslow and others:—'to prevent any further scattering from this place, of the town of Plymouth, and

weakening of the same, it was thought best to give out some good farms to special persons, who would promise to live at Plymouth, and likely to be helpful to the church or commonwealth, and so to tye the lands to Plymouth, as farms for the same, and there they might keep their cattle and tillage by some servants, and retain their dwellings here; and so some special lands were granted at a place called Green's Harbor, where no allotments had been made in the former division.' This arrangement was soon found to be impracticable, and Governor Winslow and several others soon established themselves there as permanent settlers. Governor Winslow erected a handsome house and called his place Careswell.

1640. Governor Bradford on the 2d of March having surrendered to the freemen, the patent of the colony, which had been taken in his name, (reserving three tracts, described in the instrument of assignment, for the purchasers or old comers,\*) charters to some if not all the

\* Judge Davis in his Edition of Morton's Memorial, says the purchasers or old comers are thus described in the assignment of the patent:—'The said William Bradford and those first Instruments, termed and called in sundry orders upon public record the purchasers or old comers, witness two in especial, the one bearing date the third of March, 1639, the other in December the first, 1640, whereby they are distinguished from other the freemen and inhabitants of said corporation.' He then subjoins the names as follows.

William Bradford, the Governor,	Joseph Rogers,
Thomas Prence,	John Faunce,
William Brewster,	Stephen Deane,
Edward Winslow,	Thomas Cushman,
John Alden,	Robert Hicks,
John Jenney,	Thomas Morton,
Isaac Allerton,	Anthony Annable,
Capt. Miles Standish,	Samuel Fuller,
William Collyare, (Collier,)	Francis Eaton,
John Howland,	Francis Cooke,
Manasseh Kempton,	Edward Doten, (Dotey.)



towns were issued, and the rights of the whole derived through the patent were imparted to the several corporations so far as their limits extended. These limits were now established and defined. Plymouth now a town, included the territory of the present town, and also that which is now embraced by the towns of Plympton — (Wenatuket)—Kingston, (Weteketuket)—Wareham, (Agawam and Weweantic)—Carver, (Wankinquinag,) and part of Halifax, (Monponset.)

Scituate was afterwards enlarged, part of the town as it then existed has been annexed to Marshfield.

Duxbury then included part of Pembroke.

Cuthbert Cuthbertson,	Abraham Pearse,
William Bassett,	Stephen Tracy,
Francis Sprague,	Jonathan Brewster,
The heirs of John Crackston,	Edward Bangs.
Edward Bumpus,	Nicholas Snow,
William Palmer,	Stephen Hopkins,
Peter Browne,	Thomas Clarke,
Henry Samson,	Ralph Wallen,
Experience Mitchell,	William Wright,
Philip Delanoy.	Elizabeth Warren, (widow.)
John Winslow,	Moyses Simonson, (Moses Simmons,)
John Shaw,	George Sowle,
Josiah Pratt,	Edward Holdinan,
John Adams,	Mr James Shirley,
John Billington,	Mr Beauchamp,
Phineas Pratt,	Mr Andrews,
Samuel Fuller,	Mr Hatherly,
Clement Brigges,	Mr William Thomas,—in all 58.

The five last names were those of merchants in England, who were united in the trade of the colony. Mr Hatherly and Mr Thomas came over.

\* All the names excepting the five last, and that of William Collier will be found in the list relative to the division of cattle. 'Messrs Collier, Shirley, Beauchamp, Andrews, Hatherly, and Thomas, were friends in England, who united with Governor Bradford and his associates in hiring the trade of the colony for six years. Those engaged in the contract were called purchasers.'

Marshfield was not at this time so extensive as it was afterwards made.

Taunton included the present town, Raynham, and Berkley.

The limits both of Sandwich and Barnstable have been unaltered.

Yarmouth comprised the present town, and Dennis.

All the territory on Cape Cod below the town of Dennis was yet in possession of the natives.

In the present county of Plymouth, the several towns now called Middleborough, Rochester, East, North, and West Bridgewater, Bridgewater, Abington, part of Halifax, part of Pembroke, were covered by no grants. And all the ancient county of Bristol, including the several towns formerly belonging to that county and now in Rhode Island, (excepting the grant to Taunton, as above mentioned) was held by the Indians, and they remained on some of the granted lands, particularly at Agawam, (Wareham,) and Sandwich.

Between 1636 and 1640, but few additional laws were made. In 1638, the court say, 'whereas divers persons unfit for marriage, both in regard of their young years, and also in regard of their weak estate, some practising the inveigling of men's daughters and maids under guardianship contrary to their parents' and guardians' liking, and of maid servants without leave and liberty of their masters. They therefore enacted that if any such 'should make any motion of marriage to any such females without leave and consent of parents, masters, and guardians, they should be punished by a fine not exceeding £5, or corporal punishment at the discretion of the bench, and according to the nature of the offence.'

Servants coming from England and elsewhere, "and engaged to serve a master for some time," were not to be permitted "to be for themselves until they had served out the time, although they should buy it out, except they have been housekeepers or masters of families, or meet or fit so to be."

In 1639, a most extraordinary law was passed for 'preventing idleness and other evils.' The grand jurors in each town were authorised 'to take a special view and notice of all persons, married or single, that have small means to maintain themselves and are supposed to live idly and loosely, and to require an account of them how they live, and finding some delinquent, to order a constable to carry them before a magistrate or the selectmen, 'to deal with them as they saw fit.' The inquisitorial and dictatorial authority given to grand jurors by this law, (if now in force,) would convulse society with perpetual disputes, and would lead to a violent resistance of the law. In 1640, however, by an additional law, it was provided that every complaint should be made on oath.

In 1639, towns were allowed to make such orders 'as should be needful for the maintenance of good neighborhood, and to set penalties on delinquents,' not contrary to public acts, and were empowered to raise taxes.

In 1640, it was provided that the military companies should each be trained six times in the year, and the chief offices were authorised to fine absentees.

In 1639, profane swearing was punished by putting the offender in the stocks three hours, or by imprisonment, 'according to the nature and quality of the person.'

In the same year, the stealing or attempting to steal ships' boats, ammunition, or other things, was made felony and so to be punished.

The laws which the colonists established respecting the Indians (although liable to objections) upon the whole seem

to have been wise, just, and humane, and although it could scarcely have been expected that these heathens should have felt any reverence for the sabbath day, yet their pious neighbors who did it, cannot be blamed for their efforts to prevent its violation :— the good intentions of the pilgrims cannot be doubted, yet the policy of too zealous efforts to enforce the observance of the sabbath on such as were not sensible of its sanctity, may be questioned, —of this hereafter.

In 1639, all trading with the Indians was forbidden other than with such as were servants to the English, (by which gold or silver was to be given or paid,) under a penalty of £24; and in the same year the sale of strong liquors was forbidden to all except such as were sick or faint, and then not without the consent of a magistrate, or in case there was none in the town, the committee or grand jury of the township, under a penalty of £5.

It is certainly a proof of a kindly and just disposition on the part of the colonists towards the Indians, that they should have endeavored thus early to protect them from the arts of such as should endeavor in their traffic to impose upon their simplicity and ignorance, and they endeavored to keep them by every legal precaution from the indulgence of their passion for spirituous liquors, which elsewhere has proved their bane and ruin.

In 1639, a prison was erected at Plymouth.

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#### LITERATURE AND LITERARY MEN.

The early literature of New England has been unjustly depreciated. The notion has been too common that the puritans although pious, sober, and moral, were illiterate and ignorant. It is true their circumstances were unfavorable to the cultivation of learning :—they were

compelled to work on the lands for their daily subsistence, and not only to cultivate, but to reclaim them:—to be watchful, as well as industrious, for they were surrounded on all sides by savages. Before 1638, there was not a printing press in the American colonies:—One was then introduced and one Daye was employed as a printer, who confined his labors however to the printing of the free-man's oath, an almanack, and an edition of the New England Psalms. In 1639, this press passed into the hands of Samuel Green, who was the first permanent printer in America.

At this period, (1639) the College at Cambridge (which has since assumed the respectable, and now venerated name of Harvard, was founded.) This beginning, was made within nine years from the settlement of Massachusetts. The first degrees were conferred in 1642.

The two first presidents of this College were Henry Dunster, and Charles Chauncy, who both resided at Scituate in the colony of Plymouth. Mr Dunster (having embraced the principles of the Anabaptists,) although a man of learning, was dismissed, and Mr Chauncy, to whom the same objection existed, yet being a man of transcendent literary attainments, was appointed his successor. It is believed however, that the peculiar notions of Dr Chauncy on this subject were confined to the mode of admission to the church only, and did not extend to the withholding of the rite of baptism to infants.

Mr Smith the first pastor of Plymouth, is not represented as having made much proficiency in literature, but his deficiencies being discovered, he was rejected both at Salem and Plymouth; but it must be recollected that during his stay at Plymouth the people were constant attendants on the preaching of Roger Williams, John Norton, and Dr Chauncy.

Roger Williams had been educated at the university of Oxford, and was for a time a pupil of the illustrious Coke, and a minister of the established church in England.

John Lothrop, (Lathrop and Laythorp) the first minister both of Scituate and Barnstable, was distinguished for his learning. He too was educated at Oxford, and is mentioned by Anthony Wood. Neal also represents him as a man of great learning. He held the living of Egerton, in Kent, which he abandoned and became the second pastor of the first independent or congregational church in England.

President Chauncy, the second pastor of Scituate, was eminently distinguished in England. He was educated in the school of Westminster, and in the university of Cambridge, and was the intimate friend of archbishop Usher the first scholar in Europe.—From his great knowledge of Hebrew he had been chosen its professor at the English university of Cambridge, and such was his accurate and critical knowledge of the Greek, that after he had relinquished the Hebrew professorship, he was chosen Greek professor at the same University. He was settled in the church at Ware, in England, and fell (like Lothrop) under the persecution of Archbishop Laud. In Latin he expressed himself familiarly, with great fluency, ease, and elegance.

John Norton who also preached at Plymouth, was educated at Cambridge, (England,) and was one of the first scholars of that University. He was afterwards the curate of Starford, (Hertfordshire,) his native place. He was urged to accept a fellowship at the University, which he declined. He left Plymouth and was settled at Ipswich, and afterwards succeeded Cotton at Boston. He wrote (according to Dr Eliot, 'in pure elegant Latin,') an answer

to the questions propounded by Apollonius (at the request of the divines of Zealand,) to the divines of New England touching church government ;— Fuller, in his church history, says of this, ‘ of all the authors I have perused, none to me was more *informative* than Mr John Norton, one of no less learning than modesty.’ Mr Norton was concerned in the revision of the Cambridge Platform. He wrote the ‘ Meritorious Price of Man’s Redemption,’ and also a work of great celebrity, entitled, ‘ The Orthodox Evangelist.’ His life of Cotton was republished in England. He also wrote a controversial tract against the Quakers, and a letter in Latin to Mr Drury who had undertaken the pacification of the reformed churches.

Ralph Partridge, the first minister of Duxbury also received a University education in England, and was a minister of the established church there.

Hooke, the minister of Taunton, as a writer, was far above mediocrity. He is spoken of by all his contemporaries as a learned man. His two works were entitled ‘ The Privileges of the Saints on Earth,’ and ‘ The Slaughter of the Witnesses.’ His letter to Governor Winthrop is written in a style by no means inelegant.

Street, the second minister of Taunton, is always mentioned with respect as a man of learning.

Marmaduke Matthews, the first minister of Yarmouth, had some learning but was weak and eccentric.

Governor Bradford, and Governor Edward Winslow, although not liberally educated, were authors.

Governor Bradford was educated to husbandry, and afterwards (while at Leyden) learned the trade of a silk dyer: yet he well understood the Greek, Latin, and Hebrew languages, particularly the last. His prose writings are above mediocrity, and the antiquarian will never cease to regret the loss of his precious manuscript history

of the Plymouth colony from its commencement to the year 1646. He attempted poetry, but the muses were woo'd in vain:—his verses are prosaic, rough, and inelegant.

Governor Winslow was one of the best writers in New England, and his book entitled 'Good News from New England,' is still read with satisfaction.

Samuel Fuller was an eminent and skilful physician.

The 'New England's Memorial,' by Secretary Morton, although principally a compilation from Bradford's history, is still a standard work, and has passed through four or five editions.

In the enumeration of the writers and men of learning in the Plymouth colony, the Rev. Samuel Newman the first minister of Rehoboth deserves a place, although he did not come into the colony until after the termination of this period of its history. He arrived in New England in 1638, and after remaining some time at Dorchester, removed to Weymouth, of which place he was an early minister, and from there he removed with many of his society to Seekonk, which place he called Rehoboth. He was educated at the university of Oxford and had been a minister of the established church in England. He was a man of great learning and an indefatigable student. His great work the concordance of the Bible, (the basis of the celebrated Cambridge concordance, printed in England,) was completed at Rehoboth, and so intent was this learned and pious man upon this work, that being destitute of other lights, he wrote in the evenings by the light of pine knots.

William Morell, the Episcopalian clergyman of Gorges' settlement at Wessagusset, (afterwards Weymouth,) as early as 1623, wrote a poem on New England, in classical and elegant Latin.



Mr Cushman's essay or sermon on Divine Love, is a work of uncommon merit. Although Mr Robinson never came to America, yet he deserves mention amongst the writers of the Plymouth colony. He was a man of uncommon argumentative powers, and maintained a controversy on doctrines with great ability against one of the most distinguished and learned professors of the university of Leyden. His farewell sermon is an evidence not only of his ability, but of a liberality far transcending the bigotry of the age and would do no discredit to these times.

Brewster, a man of no pretensions, but a good scholar, was well versed in the ancient languages, and was educated at one of the English Universities.

Governor Prence, although illiterate himself, cherished a deep respect for learning and learned men.

In Massachusetts, Wilson, the grand nephew of Grindal, archbishop of Canterbury, and first pastor of the Boston church;—Cotton, the first teacher of the same church;—Higginson, the first teacher at Salem;—Hugh Peters, the second pastor of Salem;—John Eliot, the first teacher of the church at Roxbury;—Hooker, the first pastor of the churches at Cambridge and Hartford in Connecticut; and the founder of Hartford;—Sherman, an early minister at Watertown;—Bulkley, the first minister of Concord;—Allen, an early minister of Charlestown;—Nathaniel Rogers, the first pastor of the church at Ipswich;—Symmes, another pastor of Charlestown;—Nathaniel Ward, author of the *Simple Cobbler of Agawam* and a pastor of the church at Ipswich, had all been educated at the English university at Cambridge. Some of them had been fellows and professors, and nearly all, ministers of the established church.

Richard Mather an early minister of Dorchester, Thomas Cobbet another pastor of the church in Ipswich,

and John Davenport the first minister of New Haven, and afterwards the successor of Norton at Boston, had all been educated at the University of Oxford.

Skelton, the first pastor of the Salem church, had been a clergyman of the established church in Lincolnshire. Mr Weld of Roxbury, and George Phillips the first pastor of the church at Watertown, had also been clergymen of the established church in England.

Thomas Parker the first pastor of the Newbury church, had been educated at Dublin under the care of Archbishop Usher. He spoke Greek, Latin, and Hebrew, as familiarly as English. James Noyes, the first teacher of that church;— John Allen the first minister of Dedham, and William Thompson the minister of Braintree, were all excellent scholars. Ezekiel Rogers the first pastor of the church at Rowley, was a man of considerable learning.

Ezekiel Cheever a schoolmaster in Boston, was a distinguished Latin scholar.

Theophilus Eaton the first governor of New Haven, although a merchant, was a good scholar.

Giles Firmin the ejected minister of Stratford, (in England;) was educated at Cambridge, and was eminent for his learning. In New England, he was known as a consummate physician, but held no ministerial office.

John Fisk also, a physician and a preacher, was educated at Emanuel College, (Cambridge,) and ejected from his living in England.

Edward Norris, who preceded Hugh Peters at Salem, was a political writer of great celebrity.

William Torrey of Weymouth, was a distinguished scholar and an author.

William Pynchon the founder both of Roxbury and Springfield, was a man of extraordinary learning.

To these may be added John Winthrop the governor of Massachusetts, an able lawyer and jurist, and as a writer far above mediocrity. Sir Henry Vane, although a fanatic, was a man of learning, and fond of learning.

John Winthrop, jun. an early governor of Connecticut, was one of the founders of the Royal Society, and one of the first philosophers of the age :— he was the friend and correspondent of Boyle and Bishop Wilkins.

To this catalogue may be added the names of several others.

The period during which these illustrious men flourished, extends from 1620 to 1640. Plymouth had been settled twenty years, Massachusetts eleven, and New Haven and Connecticut two or three. The whole population of these colonies in 1640, probably did not exceed 6 or 8000 souls. Yet, where in an equal promiscuous population, at that period, could have been found so many men, distinguished for literature and of learned educations? It is true that their writings and teachings were generally on subjects of polemic divinity, but amongst them were those who had attended to the sciences, sound mathematicians, astronomers and learned physicians. Their poetry partook of the faults of the age, the faults of Cowley and all that class of poets denominated by Dr Johnson, metaphysical; it was harsh, quaint, full of conceits, allegorical and pedantic; but it must be recollected that this was at a period long before the era of Dryden and Pope, who, first taught their countrymen the art of harmonizing English verse. Dramatic poetry which alone redeems the taste of the English nation at that period, was held in utter abomination by the puritans; and that delightful department which fictitious works in prose have now naturalized in English literature, had not been explored or even dreamed of. The style of historical writing was equal to the home standard.

As classical scholars, our pilgrim fathers have found no rivals amongst us, even in modern times:— they were familiar with the Latin and Greek, and all the clergy wrote those languages with ease and elegance and spoke them fluently, and in the Hebrew they were profound critics.

In controversial divinity, logic, and metaphysics, they were unrivalled, and it is to be lamented that such prodigious intellectual powers were wasted in the discussion of some mystic point in theology, now uninteresting, and always unimportant.

Upon the whole, when we compare our classical acquirements with those of our forefathers, we have no reason to be proud. Few can be found at this day in this great nation, who are the equals of Chauncy, Wilson, Cotton, Hooker, Bulkley, Parker, Lothrop, Norton, or Rogers.

Devoted as these great men were to the cause of learning, there was one benefactor to that cause deserving of more gratitude than either, and he was John Harvard an early minister of Charlestown, who by bequeathing in his will nearly £800 to found a college, established that venerable university which now perpetuates his name.

#### CONCLUSION.

At this period it seems proper to terminate the first part of the history of Plymouth. It had now been a colony twenty years. The settlers had overcome the first difficulties;— their disputes with the natives had been settled, and the relations of peace permanently established by the renewal of the treaty with Massasoiet and his son;— they had acquired considerable territory without exciting the jealousy of their Indian neighbors, as there was yet enough for both races. Eight churches had been gathered, and

eight towns had been incorporated. The settlement of the interior had been commenced. More fortunate than Massachusetts, they had been undisturbed with sectarian disputes, and wiser, they exercised a liberal toleration, which increased their numbers, while the sterner temper of their neighbors could only be soothed by the banishment of their antagonists. Their fundamental or constitutional laws had been established, and their government defined. Their morals were pure. Their ministers and teachers learned and pious. The climate had been proved to be good by a succession of healthful years. The qualities of the soil were understood, and the peculiarities of the seasons having been ascertained, they knew when to plant, and when to gather. Attachments were formed by long residence, and many were growing to manhood who knew no other country. They were industrious, active, enterprising, and successful. They cultivated their commercial capacities with assiduity, and were acquiring competence if not wealth. To add to their security, the colonies of Massachusetts, Providence, Rhode Island, Connecticut, and New Haven, surrounding them in all directions, were permanently established, and were increasing in numbers and strength.

THE END OF THE FIRST PART.

## NOTICE.

THE author living at some distance from the printer, was frequently obliged to correct the proof sheets of this work very hastily, and some errors have crept into the text, the most important of which are contained in the following list of

### ERRATA.

Page 11, 4th line from the bottom, after 'however,' in the parenthesis insert *he*.

" 19, 3d line from the bottom, *prayer* instead of 'prayers,' followed by a colon.

" 25, line 12th from bottom, *adventurous* instead of 'adventurers.'

" (A name). *Briteridge* instead of 'Butteridge,' and in other places.

" 48, 7th line from top, for 'a' read *at*.

" 58, 17th, 18th, and 19th lines from top, instead of 'after they had made an ineffectual discharge of their arrows, those of the English who had,' read *which was followed by an ineffectual discharge of arrows : such of the English as had*.

Same page, line 24th, after 'but,' insert *the English* ; line 25th *dèle they*.

Page 61, line 12th from the bottom, *dele and*.

" 63, Note at the bottom, instead of 'its,' read *their*.

" 101, line 4th from the top, instead of 'They,' read *These English*.

" 223, line 9th from bottom, after 'Williams,' insert *with*.

" 267, top line, *dele* 'between him and,' and insert *with*.

" 271, last line of the text but one, instead of 'jurisdictions,' read *jurisdiction*.

" 277, lines 9th and 10th, *dele* 'now was.'

AN

HISTORICAL MEMOIR

OF THE COLONY OF

NEW PLYMOUTH.

PART II.

FROM 1641 TO 1675.

BY FRANCIS BAYLIES.





## P R E F A C E .

THAT period in the history of New Plymouth commencing with the year 1641, and terminating with the commencement of the great Indian war in June 1675, embracing more than thirty-four years, although not entirely barren of incident, presents but few events of any extraordinary interest.

It was a period of profound peace. The form and the principles of the government were settled. The laws of immediate and pressing necessity had been established. The turbulent and factious had been driven from the colony, or had voluntarily left it. Fanaticism and intolerance, which hung like a dark cloud over Massachusetts, scarcely shaded Plymouth. The Quakers, it is true, disturbed the tranquillity of the latter colony in some degree, for although, in modern times, they are peaceful, patient, and quiet, they then felt the zeal of new converts for new creeds, and they were determined that their light 'should be comprehended by the darkness,' and their instructions were more often given in the language of reproach and denunciation, than in the milder language of persuasion: this led to some severe laws, and some of the best men in the colony lost the popular confidence, because their wisdom was in advance of the wisdom of the age, and they had become sufficiently enlightened

to perceive that persecution was not the most effectual mode of combating and correcting erroneous opinions. The Baptists have made some complaints of the intolerance which prevailed at this period, yet the candid of that sect must admit that the proceedings against Obadiah Holmes were induced rather by his manners, deportment, and riotous conduct, than from any design on the part of the court to *compel* a renunciation of obnoxious opinions. Mr Myles, the respectable Anabaptist minister of Swansey, was scarcely molested, and the Anabaptist principles of Dr Chauncy, the second president of Harvard College, were no obstacle to his settlement as the pastor of the church of Scituate, and would have been none to his settlement at Plymouth, for which the people were anxious.

During this period, the settlements already established continued to thrive, and new settlements were commenced. The court was sparing in legislation, but new laws were made when the necessity which required them, was apparent. A new political relation was effected with the sister colonies of Massachusetts, Connecticut, and New Haven in 1643, by the establishment of a confederation, whose principal objects were, the satisfactory adjustment of such disputes as should arise between the colonies, and a provision for the common defence proportionate to the ability of each colony. The embryo congress of America, consisting of eight members, assembled annually and alternately in each colony.

For greater convenience, the history of this period has been consolidated in four general chapters.

The first comprises the miscellaneous transactions of the colony.

The second, a brief abstract of the general laws.

The third, a narrative of the more important proceedings of the commissioners of the confederated colonies, particularly such as especially relate to the colony of Plymouth.

The fourth, a general, and in some instances a particular history of the towns.

For the history of this period but few authorities have been consulted, as but few exist: the work of Secretary Morton terminates in 1668.

The collections of the Historical Society of Massachusetts have been consulted, with a view more particularly to the history of some of the ancient towns, and also the ancient records of the towns, and of the colony, and Hazard's collection of state papers.

With respect to the memoirs of the towns, different objections may be taken. Some may be supposed to be too meagre; others, too redundant and minute, containing much matter of little interest. As to the first, the author can only say that he used such materials as he had, and regretted that no more could be obtained. As to the last,—it appeared to him that a minute and faithful relation of the transactions of those small and almost independent communities was indispensable, to enable the reader truly to understand the character of the people whose history he was compiling, as each, in some degree, impressed its own peculiar traits upon the general mass until that mass became homogeneous, and this individual delineation was therefore important to the principal end of the work. There was certainly a wide difference between the humble Brownists of Leyden, expelled like felons from the mansion of a proud and angry parent, bearing the infliction with meekness and continuing to feel as children feel, and the stern Puritans of England defying the crown and scorning the mitre; or between the shipwrights of

Kent and the Baptists of Wales ; or between the merchants of London and Boston, and the native English of the country, born in its forests, whose characters, modified by the circumstances of situation and nativity, presented new and peculiar traits. A remark of Governor Hutchinson is not unapplicable ; after a brief account of the Pilgrims, he says, ‘ These were the founders of New Plymouth. The settlement of this colony occasioned the settlement of Massachusetts, which was the source of the other colonies of New England. Virginia was in a dying state, and seemed to revive and flourish from the example of New England. I am not preserving from oblivion the names of heroes, whose chief merit is the overthrow of cities, provinces, and empires, but the names of the founders of a flourishing town and colony, if not of the whole British empire in America.’

Lightly should we estimate the curiosity, or the enterprise, or the understanding of that traveller, who, within reach of the fountains, which originate the Nile, the Niger, the Ganges, or the Mississippi, should fail to visit them, or to learn and describe their peculiarities ;—however different their qualities, when their waters are blended, they impart to their mighty offspring an eternal individuality of character.

An objection may, with more propriety, be made against the insertion of the laws, as it is contrary to usage. If the historian of Massachusetts, living at a time when the history of Plymouth was fresh in the memories of the aged, and being himself the chief justice of the province in which that colony was included, whose duty it was to trace the streams of provincial law to their colonial fountains, and withal a jurist of great industry and research, could assert that ‘ Plymouth never established any distinct code or body of laws,’ as Governor Hutchinson distinctly does,

it is certainly the duty of the historian of Plymouth to correct the error. It is not very surprising that Hutchinson fell into this mistake, as there was not a single copy of the printed laws extant, even in his time. These laws will occupy but a small space in the volume, and the author trusts he may be excused for attempting, in this way, to preserve some invaluable relics of a former age, existing now only in manuscript, subject to all the accidents, which time brings forth, and liable every day to destruction.

Another objection may, perhaps, be made, as to the amplification of the history of the churches and the biography of the ministers. It must be recollected that Plymouth, as well as Massachusetts, was settled by churches, as such, and in such communities the minister or pastor is, of course, the chief personage.



HISTORICAL MEMOIR  
OF  
PLYMOUTH COLONY.

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PART II.

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CHAP. I.

MISCELLANEOUS TRANSACTIONS OF THE COLONY  
FROM 1641 TO JUNE, 1675.

IN each of the years 1641, 1642, and 1643, William Bradford was elected governor. In the same years, Edward Winslow, Thomas Prince, William Collier, Timothy Hatherly, John Brown, and Edmund Freeman, were elected Assistants. In 1641, Capt. Miles Standish was an assistant, and in 1642 and 1643, his place was supplied by William Thomas.

During these years, John Atwood and William Paddy were deputies from Plymouth. In 1641, John Jenney and John Howland, whose places in 1642 and 1643, were supplied by John Doane and John Cooke.

In 1641 and 1642, Jonathan Brewster and John Alden were deputies from Duxbury.

In 1643, Thomas Besbech and William Basset.

In these years, Edward Eddendon was a deputy from Scituate.

In 1641, Humphrey Turner; in 1642, George Kenrick; and in 1643, Thomas Chambers.

John Strong represented Taunton in each year.

In 1641, Capt. William Poole; in 1642, John Parker; and in 1643, Henry Andrews.

Sandwich in 1641, was represented by Richard Bourne and George Allen.

In June, 1642, Mr Bourne was again a deputy, and William Newland.

In December, 1642, Thomas Burgess and John Allen.

In 1643, Mr Newland again, and Henry Feake.

In 1641 and 1642, Thomas Dimmack represented Barnstable.

In 1641, William Thomas, who was elected an assistant in 1642, and his place in that year was supplied by Anthony Annable, who was re-elected in 1643, with John Cooper.

Yarmouth sent during these three years, John Crow.

In 1641 and 1642, Richard Hoar; and in 1643, Anthony Thacher.

In 1642, Marshfield was represented for the first time by Thomas Bourne and Kenelm Winslow; and in 1643 by Josias Winslow.

In 1641, some controversy arose between Plymouth and Massachusetts respecting the territory of Seekonk, (afterwards Rehoboth,) where some of the people of Massachusetts had commenced a settlement, and a copy of the Plymouth patent was required by Massachusetts, which being produced, pacified Massachusetts, although it was not entirely satisfactory.

In consequence of an apprehension of Indian hostility, a certain proportion of the people were required to attend public worship on each Lord's day complete in arms.



1642. The courts of election had at first been holden in the month of January, annually; afterwards in March; but the roads being frequently obstructed, it was enacted that the court of election be holden on the first Tuesday of June annually, and the other General Courts on the first Tuesday of October and March, and the Court of Assistants on the first Tuesday of August, December, February, and May.

In 1643, thirty men were raised with a view to an expedition against the natives, from whom hostilities were apprehended.\*

In 1644, Edward Winslow was elected governor, and Governor Bradford supplied his place at the board of assistants; the other assistants were all re-elected, as were the deputies from Plymouth, Sandwich, and Taunton. Duxbury elected William Bassett again, and Edmund Chandler. Scituate, George Kenrick, and John Williams. Barnstable, Henry Hawley and Henry Bourne. Yarmouth, William Palmer and Thomas Falland. Marshfield, Kenelm Winslow and Robert Waterman.

John Atwood, a man of exemplary piety, who had been one of the assistants, and also a deputy from Plymouth, died in the course of this year. He came into the colony subsequent to 1633.

Death of  
John  
Atwood.

About this time a serious design was entertained amongst many of the settlers of the town of Plymouth, of abandoning that settlement. The soil was so barren that it scarcely repaid the expense of cultivation, and the commercial capacities of the place had not as yet been fully developed, but by a singular mistake they purchased a tract of land of the Nauset Indians, and established a

\* This force was raised in the following proportions, which shews the relative strength of the towns at that time.—Plymouth, 7; Duxbury, 5; Scituate, 5; Taunton, 3; Sandwich, 3; Barnstable, 3; Yarmouth, 2; Marshfield, 2.

town on the easterly part of Cape Cod, to which they gave the name of Eastham, where they would have been subjected to similar but greater inconveniences than those which they underwent at Plymouth. This injudicious location saved Plymouth from desertion. The settlers of Plymouth would have been seated in the midst of Indians, on a soil more barren than that which they left, with a worse harbor, fewer conveniences for commerce, and more exposed to the attacks of European enemies; farther from their resources, and at some distance from the other settlements, with a wilderness intervening. The project was eventually abandoned by the body, but adopted by individuals to whom the church relinquished their rights.

Death and  
character  
of Brew-  
ster.

On the 16th of April, 1644, at the advanced age of eightyfour, died William Brewster, the ruling elder. The place of his birth is not ascertained. He was born in the year 1560, and was educated at the University of Cambridge. Remarkable for his devotion and piety while at the university, he was one of the first to feel the new impulse of that mighty spirit, which, having already effected one religious revolution in England, was sweeping on, with accelerated force, to produce another.

He left the university to engage in the service of Davison, a celebrated statesman of Elizabeth's reign, and her ambassador both at Scotland and Holland. With Davison he lived on terms of the most intimate and familiar friendship, and through his influence he was appointed in behalf of the queen to receive the possession of Flushing when it was surrendered to her; so acceptable was his conduct on this occasion, that the States of Holland presented him with a gold chain.

When Davison was disgraced and reduced to poverty, the conduct of Brewster forms a remarkable exception, and exhibits a striking contrast to the ordinary course of

‘practised politicians.’ He did not desert his benefactor, but his fidelity to the powerless statesman remained unshaken, as firm and as efficient in the wane of his fortune as it had been in the noontide of his prosperity.

Brewster afterwards retired to the north of England and devoted himself to the study of the scriptures and the practises of religion. Becoming dissatisfied with the existing ecclesiastical establishment, he was one of the first who withdrew from the national and formed a separate church, of which Mr Clifton and Mr Robinson were the pastors. Possessed of a large estate, his house was always open to his religious friends, and there they held their worship. His purse and his services were equally at their command. He shared their imprisonment at Boston when they were arrested for attempting to escape to Holland, and was fined more heavily than the others by reason of his superior estate.

After his removal to Holland he soon began to experience the same distress from which he had been so instrumental in relieving others; his fortune was exhausted, and his education having been altogether literary and political, he was not qualified for mechanical or laborious employments; his family was large, and dependants numerous; he felt the ills of poverty and dreaded the approach of want. Under these circumstances he became a teacher of the English language, and by means of the Latin with which he was perfectly familiar, he was able to converse with his pupils. He also set up a printing office, and published many theological tracts.

He was chosen the ruling elder of the Leyden Church, and when that church was separated, he went with the minority to America.

His diffidence of his qualifications induced him steadily to refuse to take upon himself the pastoral office which

the people were anxious he should assume, but in all the duties which his new situation in America imposed upon him, he was prompt and energetic, always ready to assist in the political councils, and in the conferences of the church, and to share the common dangers.

With the most submissive patience he bore the novel and trying hardships to which his old age was subjected, lived abstemiously, and after having been in his youth the companion of ministers of state, the representative of his sovereign, familiar with the magnificence of courts, and the possessor of a fortune sufficient not only for the comforts but the elegancies of life, this humble puritan labored steadily with his own hands in the fields for daily subsistence. Yet he possessed that happy elasticity of mind which could accommodate itself with cheerfulness to all circumstances:—destitute of meat, of fish, and of bread, over his simple meal of clams, would he return thanks to the Lord that ‘he could suck of the abundance of the seas, and of the treasures hid in the sands.’

His preaching was sensible, practical, and devout. His manners were ‘social and pleasant.’ His cheerfulness was habitual and enduring, and when the occasion required, he could call up from their depths, those lofty and heroic qualities which sustain the martyr in the hour of peril and trial.\*

\* Elder Brewster left a ‘considerable’ library, many volumes of which were in the learned languages. He had eight children, two of whom were born in America. His two eldest daughters, Patience and Fear, did not arrive until 1623. The first married Isaac Allerton, one of the most distinguished amongst the Pilgrims. The last married Governor Prince.

His other daughters bore the names of Lucretia and Mary.

His sons were Love, Wrestling, Jonathan, and William.

Jonathan Brewster was frequently a deputy from Duxborough, and a man much respected. Wrestling and William died before their father.

There are now many descendants from this venerable pilgrim.

In 1645, Governor Bradford and Governor Winslow again changed places, the first being elected Governor,

The following character of Brewster, written (as Judge Davis supposes,) by secretary Morton, appears in the records of the first church in Plymouth.

‘After he had attained some learning, viz. the knowledge of the Latin tongue, with some insight in the Greek, and spent some small time at Cambridge, and then being first seasoned with the seeds of grace and virtue, he went to the court, and served that religious and godly gentleman, Mr Davison, divers years when he was Secretary of State; who found him so discreet and faithful, as he trusted him above all others that were about him, and only employed him in matters of greatest trust and secrecy. He esteemed him rather as a son than a servant; and for his wisdom and godliness he would converse with him in private more like a familiar than a master. He attended his master when he was sent in embassy by the queen into the Low Countries, (in the Earl of Leicester’s time,) as for other weighty affairs of State, so as to receive possession of the cautionary towns; and in token thereof, the keys of Flushing being delivered to him in her majesty’s name; he kept them some time, and committed them to his servant, who kept them under his pillow on which he slept, the first night, and at his return the states honored him with a gold chain; which his master committed to him, and commanded him to wear it when they arrived in England, as they rode through the country, until they came to the court. He afterwards remained with him until his troubles, when he was put from his place, about the death of the queen of Scots, and some good time after; doing him many offices of service in the time of his troubles. Afterwards, he went and lived in the country, in good esteem among his friends and the good gentlemen of those parts, especially the godly and religious. He did much good in the country where he lived, in promoting and furthering religion, not only by his practice and example, and provoking and encouraging others, but by procuring good preachers for the places thereabouts, and drawing on others to assist and help to forward in such a work, he himself most commonly deepest in the charge, and sometimes above his abilities. In this state he continued many years, doing the best good he could, and walking according to the light he saw, until the Lord revealed further unto him. And, in the end by the tyranny of the Bishops against godly preachers and people, in silencing the one, and persecuting the other, he, with many more of those times, began to look further into particulars, and to see into the unlawfulness of their callings, and the burthen of many antichristian corruptions, which both he and they endeavored to cast off, as they also did.

‘After they were joined into communion, he was a special stay and help to them. They ordinarily met at his house on the Lord’s day, which was within a manor of the Bishop’s. With great love he entertained them when they came, making provision for them to his great charge; and continued so to do

and the last first assistant. From this time Bradford was annually elected governor until his death in 1657. The

while they should stay in England. And when they were to remove out of the country, he was one of the first in all adventures, and most forward in any. He was the chief of those that were taken at Boston, in Lincolnshire, and suffered the greatest loss; and one of the seven that were kept longest in prison, and after, bound over to the assizes.

After he came into Holland, he suffered much hardship, after he had spent the most of his means, having a great charge and many children. And, in regard to his former breeding and course, not so fit for many employments as others were, especially such as were toilsome and laborious. Yea, he ever bore his condition with much cheerfulness and content. Towards the latter part of those twelve years spent in Holland, his outward condition was mended, and he lived well and plentiful; for he fell into a way, by reason he had the Latin tongue, to teach many students, who had a desire to learn the English tongue, to teach them English; and by his method they quickly attained it, with great facility: for he drew rules to learn it by, after the Latin manner; and many gentlemen, both Danes and Germans, resorted to him, as they had time, from their other studies, some of them being great men's sons. He also had means to set up printing, (by the help of some friends,) and so had employment enough; and by reason of many books, which would not be allowed to be printed in England, they might have had more than they could do.

But now removing into this country, all these things were laid aside again, and a new course of living must be framed unto; in which he was no way unwilling to take his part, and to bear his burden with the rest; living many times without bread or corn, many months together; having many times nothing but fish, and often wanting that also; and drank nothing but water for many years together, until five or six years of his death; and yet he lived, by the blessing of God, in health, until very old age. And besides that, he would labor with his hands in the fields as long as he was able. Yet when the church had no other minister, he taught twice every Sabbath, and that both powerfully and profitably, to the great contentment of the hearers, and their comfortable edification. Yea, many were brought to God by his ministry. He did more in this behalf in a year, than many who have their hundreds a year do in all their lives. For his personal abilities he was qualified above many. He was wise and discreet, and well spoken, having a grave, deliberate utterance; of a very cheerful spirit; very sociable and pleasant amongst his friends; of an humble and modest mind; of a peaceable disposition; undervaluing himself and his own abilities; and sometimes overvaluing others; inoffensive and innocent in his life and conversation, which gained him the love of those without as well as those within. Yet he would tell them plainly of their faults and evils, both publicly and privately, but in such a manner as usually was well taken from

assistants were all reelected with the exception of Mr Thomas, who was succeeded by Capt. Standish.

Mr Paddy and Mr Cooke were reelected deputies from Plymouth, with Manasseh Kempton and John Dunham sen. ; John Alden and George Soule from Duxbury ; Humphrey Turner and John Hewes from Scituate ; William Cleveland and James Skiff from Sandwich ; Henry Cobb and Thomas Hinckley from Barnstable ; Anthony Thacher and Edmund Hawes from Yarmouth ; Mr Waterman and Josias Winslow from Marshfield. Taunton does not appear to have been represented.

It is said by Governor Winthrop that the government during this year, sent Mr John Brown one of the Magistrates, to Aquiday, (Aquidneck, Rhode Island,) to forbid

him. He was tender hearted, and compassionate of such as were in misery, but especially of such as had been of good estate and rank, and were fallen into want and poverty, either for goodness and religion's sake, or by the injury and oppression of others. He would say of all men, these deserved to be most pitied. And none did more offend and displease him, than such as would haughtily and proudly carry and lift up themselves, being risen from nothing, and having little else in them but a few fine clothes, or a little riches more than others.

‘ In teaching he was very stirring, moving the affections: also very plain and distinct in what he taught; by which means he became the more profitable to the hearers. He had a singular good gift in prayer, both public and private, in bringing up the heart and conscience before God, in the confession of sin, and begging the mercies of God in Christ, for the pardon thereof. He always thought it were better for ministers to pray oftener, and divide their prayers, than to be long and tedious in the same, except upon solemn and special occasions, as on days of humiliation, and the like. His reason was, that the heart and spirits of all, especially the weak, could not stand and continue bent, as it were, so long towards God as they ought to do, in that duty, without flagging and falling off.

‘ For the government of the church, which was most proper to his office, he was careful to preserve good order in the same; and to preserve purity both in the doctrine and communion in the same; and to suppress any error or contention that might begin to arise among them. And God accordingly gave good success to his endeavors herein all his days, and saw the fruit of his labors in that behalf.’

Mr Williams from exercising any authority there, and laying claim to the island.

After their cordial consent that Mrs Hutchinson should make her settlement there, and their express disclaimer of any jurisdiction, it seems not a little marvellous that such a claim should have been set up. At this time the colony on Rhode Island was distracted with divisions and dissensions, and it is not unlikely that one of the parties might have secretly instigated the government of Plymouth to advance this unfounded pretension.

In 1646, the assistants were all reelected, as well as the deputies from Duxbury and Yarmouth. In Plymouth, John Howland supplied the place of Mr Paddy, the other deputies being reelected; Taunton sent William Parker and Richard Williams; Sandwich, Richard Bourne and Thomas Burgess; Barnstable, Anthony Annable and Isaac Robinson; Marshfield, William Thomas and Thomas Bourne; and Rehoboth was represented for the first time by Walter Palmer. No names appear from Scituate.

Captain Thomas Cromwell came into the harbor of Plymouth with several rich prizes, which he had taken from the Spaniards. His men were very riotous and intemperate. One of them having insulted him, Cromwell wrested his rapier from him, and struck him on the head with the hilt so forcibly, that it occasioned his death. Cromwell was tried by a court martial or council of war, and acquitted.

Complaints having been made in England against the colony, by Gorton, and more serious ones against Massachusetts, Edward Winslow went over again as agent, and defended the colonies with much ability. Plymouth fell under no censure, but a letter of reproof was sent to Massachusetts.



Governor Winslow, late a victim to the power of Archbishop Laud, had now the satisfaction to find his party in power, and triumphant over the king and the church. Being holden in great estimation by the ruling statesmen, he accepted employment there, and died before he returned.

In 1647, no change was made in the Board of Assistants except by the election of William Thomas in the place of Edmund Freeman. The deputies from Yarmouth were reelected; Howland and Dunham were reelected from Plymouth, with Mr Paddy and John Hust; John Alden was reelected from Duxbury, with Constant Southworth; Humphrey Turner and John Williams were elected in Scituate; Mr Annable was reelected, and Mr Cobb elected in Barnstable; Henry Andrews and Edward Case were elected in Taunton; Josias Winslow and Robert Waterman in Marshfield; William Newland and Thomas Tupper in Sandwich; Walter Palmer was reelected and Stephen Paine elected in Rehoboth; and Nauset, (Eastham,) for the first time sent Josias Cooke and Richard Higginson.

In 1648, the assistants were reelected. Howland, Dunham, and Paddy, were reelected in Plymouth, and Manasseh Kempton was elected in the place of John Hust. Alden was reelected from Duxbury with William Bassett; Tupper was reelected from Sandwich with Thomas Burgess; Edward Case was reelected in Taunton with Richard Williams; Thomas Dimmack and Thomas Hinckley were reelected from Barnstable; Robert Waterman and Thomas Chillingworth were chosen in Marshfield; in Rehoboth, Robert Titus and John Doggett; in Eastham, Nicholas Snow and Samuel Hickey. From Scituate none were chosen, but John Williams and Thomas Chambers acted, and Lieutenant Palmer and Edward Hawes acted for Yarmouth.

In 1649, it was enacted, 'that at courts of election, after the choice and swearing of magistrates, and other officers of government, the general occasions of the court wherein deputies are requisite, be attended, except extraordinary occasion come in the way.'

The assistants were reelected, and the deputies from Plymouth, Duxbury, and Barnstable; James Cudworth and Thomas Clap were elected in Scituate; John Vincent and William Newland in Sandwich; Case was reelected in Taunton with Henry Andrews; Lieutenant Palmer and Edward Hawes were chosen in Yarmouth; Waterman was reelected in Marshfield with Kenelm Winslow; Robert Titus in Rehoboth with Stephen Paine; Samuel Hickes in Eastham with John Doane.

The death of Governor Winthrop threw a gloom over all the New England settlements. So high was the estimation in which this excellent gentleman was holden in Plymouth, that his advice in all dubious and difficult questions was sought, received with deference, and generally adopted. The government of Plymouth felt the bereavement.

Through the instrumentality of Governor Winslow, the English Parliament passed an act for promoting and propagating the gospel amongst the Indians in New England, and a society was incorporated for the purpose of receiving donations, which the commissioners of the United Colonies were authorized to appropriate as they saw fit.

In this year, the first real schism in religion took place in Rehoboth, in the congregation of Mr Newman. The schismatics finally became Baptists; some particulars of this schism are given in the ecclesiastical history of Rehoboth.

In 1650, the assistants were again elected, and the deputies from Marshfield and Rehoboth. Plymouth re-

elected only three, being the former deputies, with the exception of Mr Paddy; Duxbury reelected Constant Southworth and elected George Soule; Scituate reelected Mr Cudworth, and elected Humphrey Turner; John Vincent was reelected, and Thomas Tupper elected in Sandwich; in Yarmouth, Lieutenant Palmer was reelected and Mr Hoar elected; Richard Williams and Oliver Purchase were chosen in Taunton; Thomas Dimmack was reelected in Barnstable, and Anthony Annable was elected; in Eastham John Doane was reelected, and Nicholas Snow was elected.

Thomas Prince, William Colyer, Thomas —, James Cudworth, Josias Winslow, John Dunham, sen., George Soule, and Constant Southworth, having been previously appointed a committee 'to consider the proposition propounded by the deputies to the court held at Plymouth in October, 1650, concerning the right of the majority to order adjournments and dissolutions of the general court, and the making and repealing of laws,' reported, that no alteration should be made in that matter, and that the magistrates and deputies be considered one body.

Mr William Thomas one of the assistants, died in 1651. Secretary Morton says of him, 'that he was a well approved and well grounded Christian, well read in the holy scriptures, and other approved authors, and a good lover and approver of godly ministers and good Christians, and one that had a sincere desire to promote the common good both of church and state; he died of consumption, and was honorably buried at Marshfield.'

Death and  
character  
of Wil-  
liam  
Thomas.

Mr Thomas was an English merchant, and one of the adventurers. He arrived in the colony about the year 1630. He was a deputy from Barnstable in 1641, and afterwards from Marshfield, and an assistant.\*

\* His son Nathaniel, served in Philip's war. One of his descendants, Gen. John Thomas, commanded the American forces at Roxbury, at the commence-

In 1651, the assistants were reelected with the exception of Edward Winslow, who was in England, and Mr Thomas who had died. Their places were supplied with John Alden and Captain Thomas Willet.

The deputies were reelected in Taunton, Duxbury, Scituate, Sandwich; Stephen Paine in Rehoboth, with Richard Bowen; in Plymouth, Mr Howland and Mr Kempton were reelected, and Thomas Southworth and Thomas Clark elected; Anthony Thacher and Edmund Hawes were chosen in Yarmouth; Mr Annable was reelected, and Isaac Robinson elected in Barnstable; John Doane and Josiah Cook were chosen in Eastham; In Marshfield, Kenelm Winslow and Josias Winslow, were chosen.

In 1652, all the assistants were reelected excepting Mr Collier, who was succeeded by Captain Thomas Southworth; John Howland, John Winslow, John Dunham, and Thomas Southworth were elected deputies in Plymouth; in Duxbury, Constant Southworth and John Bradford; in Scituate, James Cudworth and Humphrey Turner; in Taunton, Thomas Gilbert and James Wyat; in Sandwich, Richard Bourne and Thomas Tupper; in Barnstable, Henry Cobb and Nathaniel Bacon; in Yarmouth, Anthony Thacher and Thomas Hawes; in Marshfield, Kenelm Winslow and Thomas Chillingworth; in Rehoboth, Thomas Cooper and Stephen Paine; in Eastham, Nicholas Snow and Daniel Cole.

In December, the court passed the following order, 'Whereas we have intelligence out of our native country, of arrangements that may be towards us in regard of the great variances between the two nations of Holland

ment of the revolutionary war, and after the death of Gen. Montgomery, succeeded him in the command of the army in Canada; the late Hon. Joshua Thomas of Plymouth another descendant, was one of his aids.

and England, the court have ordered warrants to be directed to every town within the government'—'to send deputies to meet with the magistrates, April 1st, 1653,'—'and with them to treat and conclude on such military affairs as, through God's blessing, may probably tend to our present and future safety. Plymouth chose John Cook and Thomas Southworth; Duxbury, Constant Southworth and Lieutenant — Nash; Scituate, James Cudworth and Sergeant — Johnson; Taunton, Ensign Oliver Purchase; Sandwich, James Skiff; Yarmouth, Sergeant — Rider, John Goram; Barnstable, Lieutenant — Fuller, Sergeant Thomas Hinckley; Marshfield, Josias Winslow John Bradford; Eastham, John Doane, Richard Sparrow; Rehoboth, John Allen, Peter Hunt.

In June, 1653, all the assistants were reelected; John Howland, Lieutenant Southworth, John Dunham, senior, and John Cooke, were elected deputies from Plymouth; George Soule and Constant Southworth from Duxbury; Humphrey Turner and Thomas Byrd from Scituate; James Skiff and Thomas Tupper from Sandwich; James Wyat and Richard Williams from Taunton; Thomas Hawes and Edmund Hawes from Yarmouth; Anthony Annable and Nathaniel Bacon from Barnstable; Kenelm Winslow and Anthony Eames from Marshfield; Stephen Paine and Thomas Cooper from Rehoboth; John Doane and Richard Higgins from Eastham.

A special court was called in March, 1654, to which there was another election of deputies. The deputies from Duxbury, Sandwich, Taunton, Rehoboth, and Eastham, were reelected; in Plymouth, Mr Howland, Southworth, Cook, and John Winslow, in the place of Mr Dunham; James Cudworth and Robert Studson (Stetson) were elected in Scituate; Anthony Thacher and Edmund Hawes in Yarmouth; Thomas Hinckley and Nathaniel

Bacon in Barnstable ; Josias Winslow and Anthony Eames, in Marshfield.

Mr Lothrop the distinguished pastor of Scituate and Barnstable died. He has already been mentioned.

In 1654, Mr Collier succeeded Captain Southworth. The other assistants were reelected, and the deputies from Duxbury, Scituate, Barnstable, and Marshfield. In Plymouth, all the deputies were reelected excepting Mr Southworth, who was succeeded by John Dunham, sen. ; in Sandwich, James Skiff was reelected, with Thomas Burgess ; in Taunton, Richard Williams was reelected with James Walker ; in Yarmouth, Edmund Hawes with Samuel Arnold ; in Rehoboth, Stephen Paine with Peter Hunt : in Eastham, Josiah Cooke and Daniel Cole were elected.

The treasurer was authorized to call for all the debts ' due the country,' and payment to be made at such places as he should direct.

Mr Thomas Prince was sent by the court to the Kennebeck patent, to settle a government, for which purpose he had full authority both from Plymouth, and from the English parliament. He called a meeting of the inhabitants. ' Sixteen attended and took the oath of fidelity to the state of England, and to the governor of Plymouth.'

Thomas Southworth was appointed the agent or governor, and ' several laws and orders were promulgated.'

At the court in August, new deputies were summoned.

The deputies from Plymouth, Scituate, Barnstable, Marshfield, and Rehoboth, were reelected. In Duxbury Christopher Wadsworth and William Paybody were elected ; Mr Burgess was reelected in Sandwich, with Thomas Tupper ; Mr Williams was reelected in Taunton, with Oliver Purchase ; Mr Edmund Hawes was reelected in Yarmouth with Anthony Thacher ; Mr Cole was reelected in Eastham with John Freeman.

In June, 1655, all the assistants were re-elected. John Howland, John Dunham, senior, John Cooke, and Thomas Clarke, were elected deputies from Plymouth; Constant Southworth and William Paybody from Duxbury; James Cudworth and Robert Studson from Scituate; John Vincent and James Skiff from Sandwich; James Wyat and Richard Williams from Taunton; Edmund Hawes and William Nickerson from Yarmouth; Thomas Hinckley and Nathaniel Bacon from Barnstable; Anthony Eames and Josias Winslow from Marshfield; Stephen Paine and Peter Hunt from Rehoboth; Richard Sparrow and Richard Higgens from Eastham.

On the 8th of May died Edward Winslow. He was born at Droitwich, Worcestershire, (England) in 1594, and was the son of Edward Winslow. While travelling on the continent he (accidentally as it would appear) was led to Leyden. This was at a period when the minds of many were inclined to serious thinking, and another religious revolution was on the eve of commencement. He embraced the principles of the Puritans, and joined Robinson's church. Amongst them he remained and married. At that time he must have been very young. He resolved to share their fortunes and went out in the first ship which came to America. Either on account of the respectability of his family, or the qualities of his mind, he was viewed with more than ordinary respect by the pilgrims. His name appears third on the list of those who signed the compact, being preceded only by Carver and Bradford, and the precedence of age was laid aside to give him the third place. His wife died soon after his arrival, and he then married Mrs Susanna White the widow of William White, one of the most respectable of the pilgrims. This marriage was the first in the colony, and of course in New England; it took place on the 12th

Death and  
character  
of Ed-  
ward  
Winslow.

of May, 1621. It is a singular coincidence that Mrs White should have been the mother of the first born in New England, (Peregrine White;) to have been the first mother and the first bride in a country which has produced a race so distinguished as the New Englanders, would have been cited by the ancients as an instance of rare and happy fortune, if we add to that the peculiar happiness of having been the wife of a distinguished governor of her own colony, and the mother of another equally distinguished, who to his other, added the high and solitary honor of having been the commander in chief of the forces of the confederate colonies in a war involving their existence, her fortune must be regarded as transcendantly prosperous.

The unwearied activity of Winslow in meeting and vanquishing the earlier difficulties of the colony; his visits to Massasoiet, and his almost miraculous cure of that good Indian when afflicted with a sickness supposed to be mortal; his capacity for trade, and his perseverance and enterprise in the prosecution of commercial undertakings, have been already related.

In 1623, he went to England as the agent of the colony, and while there published a narrative of the transactions in New England, containing much information respecting the Indians, &c. This work being written in a style far superior to the ordinary productions of that day, still retains its interest. It is entitled 'Good News from New England, or a relation of things remarkable in that plantation, by E. Winslow.'

He returned to Plymouth in the spring, (1624,) and brought over the first neat cattle which were imported into the English colonies.

In the same year he again visited England, and was instrumental in vindicating the colony against the asper-



sions of Lyford, &c. In that year he was elected an assistant, and in 1633, governor of the colony.

In 1635, he went out again as the agent of Plymouth and Massachusetts, to make the proper representations of the encroachments of the French and the Dutch, and to defend the colonies against the accusations of Morton. He proposed and submitted a general plan for the government and defence of the North American colonies, in which he manifested his high sense of their capacity for self defence and self government; but his plan interfering with a design of Archbishop Laud, Mason, and Gorges, to establish a general government over New England, he was arrested on some frivolous pretence, charged with the crime of separating from the National Church, and thrown into the Fleet prison, where he lay seventeen weeks.

On his return to Plymouth in 1636, he was again elected governor, to which office he was again elected in 1644. When not the chief, he was always the second magistrate. In 1643, he was one of the first commissioners on the part of the confederated colonies on the part of Plymouth. In 1646, he went again to England as the agent of Massachusetts to answer to the complaints of Gorton. In this affair he conducted with great address, for the conduct of Massachusetts had been such as deserved severe censure.

Winslow was a zealous advocate for the civilization of the Indians, and of their conversion to Christianity, and by his zeal and influence the Society for Propagating the Gospel in New England, was formed in England in 1649.

When the puritans attained political power, the talents of Winslow were appreciated, and his prospects of distinction at home became so flattering, that he remained, and never after returned to America.

When Cromwell sent out the expedition under Penn and Venables for the reduction of St Domingo, which terminated in the capture of Jamaica, Winslow was appointed chief commissioner, to superintend and direct their operations, and died of a fever incidental to the climate of the West Indies, while on ship-board, May 8, 1655, aged sixtyone.

Edward Winslow was a gentleman of consummate address, strictly virtuous principles, and fervent piety. Although his intercourse with the world, and with the best society of England, had worn off that austerity and simplicity of manners so characteristic of the puritans, his devotion was not the less sincere, because his manners were cheerful. Cromwell well understood the fidelity of his principles when he placed him at the head of the commission for superintending the expedition against St Domingo, for both commanders and many of the officers employed on that expedition, were strongly suspected of cherishing a loyal attachment to the exiled monarch, and of looking with deep dislike on his usurping enemy; he therefore placed one in this responsible station whom he could trust. The colony owed to Winslow a debt of gratitude, for in devotion and zeal for her interests he was not excelled by any one. He was the father and founder of Marshfield, and the large estate which he called Careswell, still remains in the possession of his descendants. His son, Josias Winslow, was afterwards governor of the colony, but of him hereafter.

In 1656, all the assistants were reelected with the exception of Mr Brown, who was succeeded by Capt. James Cudworth of Scituate. The deputies from Plymouth, Duxbury, Scituate, and Taunton, were reelected and also Mr Skiff from Sandwich, Edmund Hawes from Yarmouth, Anthony Eames from Marshfield, Stephen Paine from Reho-

both, and Richard Sparrow from Eastham, Anthony Able and John Smith were chosen in Barnstable, Thomas Tupper in Sandwich, Samuel Arnold in Yarmouth, Anthony Snow in Marshfield, William Carpenter in Rehoboth, and John Freeman in Eastham.

Scarcely had the grief which had been created by the loss of Winslow subsided, before the people were again called to mourn the departure of another ancient and faithful servant. In the course of the year, Miles Standish died at a very advanced age at his residence in Duxbury.

Death and  
character  
of Stand-  
ish.

Standish was born in Lancashire, (England) of a family of note (amongst which were numbered knights and bishops,) and it is said to a large inheritance which was 'surreptitiously detained from him.' He served in the low countries as an officer in the armies of Queen Elizabeth when commanded by her favorite the Earl of Leicester. What induced him to connect himself with the pilgrims does not appear. He took up his residence amongst them at Leyden but never joined their church. He arrived in the May Flower, and lost his wife soon after his arrival; he however married again. In 1621 he was elected the first military commander of the colony. His achievements have been related in the course of this work. He went out as the agent of the colony in 1625 to England, and resided in London at the very period when the pride of this queen of cities was laid in the dust, and nought was heard in her streets but wailing and lamentation. It was the period of the last and most deadly plague.

Being an accurate surveyor, he was generally on the committees for laying out new towns. He was always the military commander, always one of the council of war, generally an assistant; sometimes first assistant or deputy governor and treasurer. Standish was a man of small stature, of a quick and fiery temper, and never did a hu-

man form enclose a more intrepid spirit. Dangers from which almost all men would have shrunk, were with him only an incentive to enterprise. He asked only eight men to subdue all the Indians of Massachusetts. Alone he took from the trembling hands of the profligate and turbulent Morton, his loaded musket and compelled him to yield when he was surrounded by his whole company, and had boasted that he never would be taken alive. He did not stand aside to command others to do the work of death, but engaged in deadly personal conflicts, the fate of which rested on the prowess of the contending individuals.

Some of the early writers have censured Standish for his violence, but he never exceeded his orders, obeying the civil authority to the very letter of the command, and at every hazard. In the Pequot war he commanded the Plymouth quota and had commenced his march, when the news was received of the total overthrow of the Pequots, and as late as 1653 when he was very old, 'when hostilities with the Dutch at Manhatton were apprehended,' the command of the colony forces was entrusted to him. How this fierce and terrible soldier, never cherishing any strong impressions of religion, should have formed an attachment so lasting, and bound himself to the pious and holy members of Robinson's church, (who almost resembled the primitive Christians) by every tie except that which bound them to each other; and should have fought their battles, cheerfully shared their toils, their hardships, and their poverty; their councils in peace, and their dangers in war; is one of those anomalies in human nature which may perhaps find its parallel in the love which was cherished by the Roman soldiers for the early Christians.

Standish was the father and founder of Duxbury, which he named from the seat of his family in Lancashire, and

which as late as 1707, was the residence of sir Thomas Standish.\*

‘The shaft flew thrice.’ The people of the colony had scarcely covered the remains of their veteran warrior with the earth, when they were summoned to perform the same duty for one who might with propriety be called the father of the colony; for the care of Gov. Bradford over this infant settlement had been truly paternal; he had guided its councils almost from its commencement, as Gov. Carver lived but a few months after his arrival.

Death and  
character  
of Gov.  
Bradford.

William Bradford was born in England in 1558. Both his parents dying while he was in early youth, he was left to the protection of his grand parents, and after them, of his uncles. His patrimony was large, but his station in life was amongst the yeomanry, and he was bred to agriculture. The early loss of his parents, probably gave a serious cast to his mind and he devoted all his leisure time to the reading of the scriptures, and notwithstanding the opposition and angry remonstrances of all his relatives, this unfledged youth embraced the doctrines which were taught by the venerable Clifton, and afterwards by Robinson, and became one of their most devoted followers. At the early age of eighteen he suffered imprisonment at Boston in Lincolnshire, for attempting to escape to Holland, but in pity to his youth he was released. He was afterwards arrested but finally succeeded in escaping. In Holland he learned the art of dying silk, and engaged a little in commerce.

He was a zealous advocate for the removal of the company to America, and came over in the May Flower amongst

\* He left three sons, Miles, Alexander, and Josiah. Alexander married the daughter of John Alden; from him are descended two gentlemen of distinguished literary talents. Dr Wheelock late president of Dartmouth college, and Dr Kirkland late president of Harvard college. Gen. Ripley late of the United States army, is also of this descent. His other descendants are numerous.

the first. His wife was drowned while that vessel lay in Cape Cod harbor. He afterwards married Mrs Alice Southworth a lady of extraordinary capacity and worth.

On the death of Gov. Carver, although he was confined at the time with sickness and was only thirtytwo years old, he was unanimously elected his successor; he conducted the affairs of the colony for the greater part of the time as chief, and two or three years as second magistrate, with consummate prudence and ability for a period of thirty-seven years.

In his transactions with the Indians he was strictly just and after those unavoidable sparklings which the neighborhood of two distinct races of men like the collision of flint and steel, are sure to strike out at first, the animosities which vicinage engendered were allayed, and he preserved the relations of peace unbroken. His mingled system of mildness and energy conciliated their affections and extorted their respect. When necessary he alarmed their fears. When the emblematic defiance of the sachem of the Narragansetts was conveyed in the shape of a bundle of arrows bound together by the skin of a serpent, he answered it promptly by sending back the skin filled with powder and bullets; and the Indians were taught to believe that the plague was buried under the store house at Plymouth. He soon understood all the peculiarities of their simple characters. His sagacity in detecting and his energy in overcoming the designs of the factionists who disturbed his government have been already described.

Although his early pursuits were unfavorable to the cultivation of learning, yet he applied himself with great diligence to the study of the ancient languages both Greek and Latin which he mastered. Of the Hebrew his knowledge was intimate. The French and Dutch languages he spoke with ease. He read much on subjects

of history and philosophy. In theology he was deeply versed, and few there were who could contend with him successfully in a polemical dispute. He wrote considerably; the loss of his invaluable manuscript history of the colony to 1646, can never be supplied. He attempted poetry but the muses were unpropitious.

As chief magistrate he was compelled to deal with many turbulent spirits, yet he seldom failed to enforce respect both to the laws and the magistrates, rather by appealing to the sense of shame and fear of self-degradation, than by the exercise of the penal authority of the government.

His faith endured to the last, and he died full of hope. Conversing with his friends on the day of his death, he spoke with the cheerfulness of a saint. 'God (said he) has given me a pledge of my happiness in another world, and the first fruits of eternal glory.' He died March 9, 1657, at the age of 69.\*

Previous to the death of Gov. Bradford, the people began to manifest an alarming indifference as to the support of their ministers; many doubted the benefit of stated preaching, and chose to exercise their own spiritual gifts. So miserable was the support, that many left the colony.

Indifference of the people to the clergy.

Mr Reyner left Plymouth in 1654. Mr Partridge remained at Duxbury, but died in 1658. Dr Chauncy left Scituate 1656. Mr Street left Taunton for New Haven. Mr Leveredge, Sandwich for Long Island. Mr Bulkley

\* He left three sons and a daughter. His son William obtained high distinctions in the colony, being elected an assistant soon after the death of his father, and chief military commander. When the colonial government terminated, he was deputy governor, and afterwards was chosen a councillor of Massachusetts. His other sons were John and Joseph.

His more remote posterity have been distinguished and honored, and are to this day. One of them was in the senate of the United States from Rhode Island.

Marshfield, for Concord. Mr Lothrop of Barnstable died in 1653.

The places of these distinguished men were not supplied, and in the younger settlements of Eastham, Bridgewater, &c, no ministers had been settled. Yarmouth also was destitute.

First appearance of the Quakers and the proceedings against them.

The religious zeal of Massachusetts had not been cooled, and they viewed the destitute situation of their neighboring colony with sorrow and alarm; their fears were heightened from the intrusion of the Quakers into the colonies, a sect which they abhorred.

The following communication was addressed by their General Court to the commissioners of the colonies who met at Plymouth in September 1656.

‘HONORED GENTLEMEN.’—The remembrance of the solemn covenants and promise the United Colonies (in the beginning of their combination) made one with another, not only to strengthen the hearts and hands of each other in the propagating and maintaining religion in its purity, but also to be assisting to each other where any deficiency in such respects may appear, hath put us upon the pursuance of our endeavors to discharge our duties, in desiring you to consider of some such meet way and ex as where any defect appears in any colony; in the right improvement of such means and ordinances as the Lord hath appointed all his to use and improve for the edification of the body whereof Christ is the head till his second coming. Having heard sometime since that our neighbor colony of Plymouth, our beloved brethren, in a great part seem to be wanting to themselves in a due acknowledgment of, and encouragement to the ministers of the gospel, so as many pious ministers of the gospel have (how justly we know not) deserted their stations, callings, and relations, our desire is that some such course might be taken, as



that a pious orthodox ministry may be reinstated amongst them, that so the flood of error and principles of anarchy which will not long be kept out where Sathan and his instruments are so prevalent as to prevail to the crying down of ministry and ministers may be prevented. Here hath arrived amongst us several persons professing themselves Quakers, fit instruments to propagate the kingdom of Sathan. For the securing of ourselves and our neighbors from such pests, we have imprisoned them, till they be despatched away to the place from whence they came, one of which, Richard Smith, we have let out of prison to return to his family at Southampton, whence we hope and doubt not, our neighbors of Connecticut will be careful so to order it, as he may not do the least prejudice. As also that some general rules may be commended to the several jurisdictions for the settling of government amongst the Indians, &c.'

'And that some general rules may be also commended to each General Court to prevent the coming in amongst us from foreign places such notorious heretics as Quakers, ranters, &c, and that strong waters to the Indians in all the jurisdictions may be forbidden, that the name of God be not dishonored, &c.'

To this the Commissioners reply. 'The Commissioners having considered the premises, cannot but acknowledge the godly care and zeal of the gentlemen of Massachusetts to uphold and maintain those professed ends of coming into these parts of the combination of the united colonies, which if not attended in the particulars aforesaid, will be rendered wholly frustrate, the profession miserably scandalized, ourselves become a reproach in the eyes of those that (cannot without admiration) behold our sudden defection from our first principles. We cannot therefore but with all earnestness, commend it to the wisdom and jus-

tice of the several jurisdictions to take effectual care, and make answerable provision that religion and the ordinances of Christ professed, may be upheld and maintained; which cannot be but by a due encouragement of an able and orthodox ministry, and a discountenancing of that which is heterodox, and an effectual course to keep out heretics, the great engine of Sathan, in these times to overthrow the truth, and because the business is of such high concernment to all, we shall more particularly impart our thoughts to serious consideration.

‘1. We cannot without breach of charity but take it for a thing granted generally by the inhabitants of the United Colonies, that an able orthodox ministry is a precious fruit of Christ’s death, resurrection, and ascension, and necessary for the spiritual good of his people, and to be duly sought after in every society or township within the several jurisdictions.

‘2. And secondly, that a competent maintenance proportionable to the ability of the place and necessity of the minister, is a debt of justice and charity.

‘3. Hence, thirdly, the minister may justly expect it from the society and township wherein he labors.

‘4. The reference or relation of a minister being to the whole society jointly, whether in church or not, his expectation of maintenance and the debt of justice is from the whole society jointly.

‘5. Although the society may, according to their discretion, use divers ways to raise his maintenance, yet if the ways be ineffectual, though the defect may be by some particular person, yet the society cannot be discharged, but is the debtor.

‘6. The engagement being upon the society, and that according to religion and right reason, it necessarily followeth that the society be enabled with sufficient power to discharge itself.

‘7. Therefore the General Courts shall declare such a power to be in such societies, that there may be no pretence in them for want thereof; and if any society or township shall be wanting either out of neglect or opinion to procure and maintain as abovesaid an orthodox ministry according to the gospel, we conceive by the rules of scripture and practice of not only christian governments, but even of heathen, who not only held their *sacra* in veneration, but took care of those that had the keeping of them, and the charge of making known their mysteries. The several General Courts stand charged with the care that the people professing Christianity, own and live according to the rules and ordinances of their profession, and that the dispensers thereof be encouraged as aforesaid. The maintenance of the ministers being a debt of justice from the society, and the society being empowered to discharge it. If any particular person shall be defective to the society, they ought to be ordered by the ordinary course of justice.

‘These generals we thought good to propose from whence we leave it to the wisdom of the General Courts to draw up such conclusions and orders, as may attain the end desired; and if any of the members of the said courts shall not concur (at present,) with our apprehensions, we do earnestly desire that by all means they would labor to inform and satisfy themselves of the truth of the particulars abovesaid, whereof we for our parts have no doubt. We do further propose to the several General Courts that all Quakers, ranters, and other notorious heretics be prohibited coming into the United Colonies, and if any shall hereafter come or arise amongst us, that they be forthwith secured or removed out of all the jurisdictions.

‘That some safe provision be made against selling or giving strong liquors to the Indians, without particula.

express license from some magistrate or other officer thereunto deputed, and that upon some weighty occasion or exigent.

Thomas Prence was chosen governor in 1657, as the successor of Bradford. There seemed to be an obvious propriety in this election. Mr Prence had held that office as early as 1634, and occasionally afterwards. None stood before him in public estimation but Bradford and Edward Winslow, and with them he shared the confidence of the people, and the highest offices of the government. As both these respectable men were now removed, there could have been but little hesitation in giving him the station of which he was not deemed unworthy when they were eligible. To this office he was annually elected until his death in 1673.

William Collier succeeded him as first assistant. The other assistants now elected were Timothy Hatherly, John Alden, Thomas Willet, James Cudworth, Josias Winslow, Thomas Southworth.

The deputies from Plymouth were William Bradford, Robert Finney, and Ephraim Morton; Duxbury, William Paybody, John Rogers; Scituate, Edward Jenkins, John Bryant; Taunton, Richard Williams, James Wyat; Sandwich, Thomas Tupper, James Skiff; Barnstable, Anthony Annable, John Smith; Yarmouth, Edmund Hawes, Thomas Fallard; Marshfield, Anthony Eames; Eastham, Nicholas Snow, Richard Higgins; Rehoboth, Stephen Paine, William Sabin; Bridgewater, for the first time, John Willis.

It was in the year 1657, that the first legal proceedings against Quakers were instituted. This sect had just appeared in England. The extravagancies of James Naylor and the enthusiasm of George Fox, had attracted the public attention there. When the Quakers appeared in

New England, it was during their first effervescence; the materials were still fermenting, and had not as yet worked off the scum and the dregs which all new religious sects are sure to bring up. This happened a few years afterwards, and under the wise guidance of the illustrious and enlightened William Penn, those of Pennsylvania appear to have formed one of the wisest, the most virtuous, most tolerant, and perfect political societies that ever existed.

In Plymouth, the riotous and turbulent conduct of Gorton was yet remembered, and the Quakers, whose tenets and practices bore some resemblance to his, were in their minds associated and almost identified with that insolent fanatic, and the government and people were thus predisposed to view them with dislike, and it was ordered by the Court 'that in case any shall bring in any Quaker, ranter, or other notorious heretic, either by land or water, into any part of this government, shall forthwith, upon order of any one magistrate, return them to the place from whence they came, or clear the government of them, on the penalty of paying a fine of 20s. for every week that they shall stay in the government after warning.'

The Court subsequently passed a more severe law, with a preamble setting forth the causes of the law. 'Whereas, there hath several persons come into this government called Quakers, whose doctrines and practices manifestly tend to the subversion of the fundamentals of christian religion, church order, and the civil peace of this government, as appears by the testimonies given in sundry depositions and otherwise. It is therefore enacted by the Court and the authority thereof, that no Quaker or person commonly so called, be entertained by any person or persons within this government under the penalty of five pounds for every such default, or be whipped. And in case any one shall entertain any such person ignorantly,

if he shall testify on his oath that he knew not them to be such, he shall be freed of the aforesaid penalty, provided he upon his first discerning them to be such, do discover them to the constable or his deputy.'

On the 6th of October, 1657, Humphrey Norton was summoned to appear at the Court, and was examined 'and found guilty (according to the Court record,) of divers horrid errors.' He was sentenced 'speedily to depart the government,' and the under marshal was required to take him into custody, and to conduct him to Assonet, near Rhode Island.

The spirit of Norton was not subdued, and he returned again into the Plymouth jurisdiction accompanied by one John Rouse. These Quakers appeared at the Court in June 1658, and were apprehended and committed to prison. When they were examined before the Court, Norton said sundry times to the Governor, 'thou lyeest;' 'Thomas, thou art a malicious man.' The conduct of Rouse was equally turbulent. They were remanded, but in a short time were again brought before the Court, as a paper had been presented to the Court by one Christopher Winter, which contained an account of many objectionable expressions on the subject of religion, which had been uttered by Norton. Norton was furnished with a copy, and was confronted with Winter, and they varied but little in their respective statements. Norton again abused the governor with much foul language, saying 'thy clamorous tongue I regard no more than the dust under my feet, and thou art like a scolding woman, and thou pratest, and deridest me,' &c.

Norton and Rouse were severally required, 'that as they professed themselves to be subjects to the State of England that they would take an oath of fidelity to be true to that State, which they refused to do, saying they

would take no oath at all.' On this refusal they were sentenced to a whipping. This punishment was inflicted, for which the under marshal required a fee ! They refused to pay, and were again committed to prison, where they remained until the 10th of June, when they compromised with the marshal, and left the jurisdiction.

Norton had offered a written paper to the governor, which he refused to receive. Smarting with the sense of the severity and cruelty with which he had been treated, he addressed a letter to Governor Prince and another to Mr Alden, one of the assistants, in which he vented his resentment in strains approaching to eloquence, and claimed to be a prophet, a delusion which he probably cherished in sincerity.

‘Thomas Prence, thou who hast bent thy heart to work wickedness, and with thy tongue hast set forth deceit ; thou imaginest mischief upon thy bed, and hatchest thy hatred in thy secret chamber ; the strength of darkness is over thee, and a malicious mouth hast thou opened against God and his anointed, and with thy tongue and lips hast thou uttered perverse things ; thou hast slandered the innocent by railing, lying, and false accusations, and with thy barbarous heart hast thou caused their blood to be shed. Thou hast through these things broken and transgressed the laws and ways of God, and equity is not before thy eyes ; the curse causeless cannot come upon thee, nor the vengeance of God unjustly cannot fetch thee up ; thou makest thyself merry with thy secret malice, and when thou actest or executest it, it is in derision and scorn. The deadly drink of the cup of indignation thou cannot escape, and the grief and cause of travail will not be greater than thine. Since first I saw thee, and before, thy false and lying tongue hath been forged against me. I shall not write nor speak this without ground, as

thou hast done by me, but plainly shall present thy doings before thy face ; as firstly, thy former warrant was forged upon a filthy lie, and therein thou titlest me an extravagant person ; thy second had helping hand in causing me to be recorded for several errors, and like a shameless man would neither acknowledge nor deny ; thy third that John Rouse and I were inordinate fellows, and never in the least made it appear wherein ; thy fourth that I intended within two days after the time thou spake it, to make a preachment, as thou in thy derision called it there-aways ; thy fifth, thy promise that I should have the law, and afterwards went about to deny it, so that as from thee I never had it yet ; thy sixth, popish and jesuitical names, withal thy lying slanders and false aspersions cast upon us from thy clamorous tongue ; thy seventh, acting contrary to law, equity and justice, and judgment, according to the evil of thine own heart,—all these art thou guilty of, besides the denying of my paper which was presented to thee, containing part of my grounds of my coming ; thy eighth, thy striving to dash my words back upon me, and to hinder me to speak in the peoples' hearing, striving what thou could to stain the truth of God with thy envious tongue, all which things is charged upon thy head, and as a peal of hailstones will pelt upon thy heart ; thou hast perverted justice and true judgment, and hast defrauded the poor and needy ; thou hast caused to defraud the righteous owner of his goods, and is heaping it up as upon a hill, wherewith thou wilt purchase to thyself and others a field of blood, wherein to bury your dead. John Alden is to thee like unto a packhorse, whereupon thou layest thy beastly bag ; cursed are all they that have a hand therein ; the cry of vengeance will pursue thee day and night, for other mens' goods, hard speeches, unrighteous actions, which thou hast done and spoken against



others and us, without and contrary to the righteous law ; so shall rest upon thee as frontlets upon thy head, and as we have suffered without law, so shalt thou perish without law if thou repent not. The days of thy wailing will be like unto that of a woman that murders the fruit of her womb ; the anguish and pain that will enter thy reins will be like gnawing worms lodging betwixt thy heart and liver. When these things come upon thee, and thy back bowed down with pain, in that day and hour thou shalt know to thy grief that prophets of the Lord God we are, and the God of vengeance is our God.'

‘ HUMPHREY NORTON.’

‘ P. S. I have sent thee here enclosed a reply to C. Winter’s deposition ; also I have sent already a true relation of part of thy proceedings towards London, with a copy of the fines laid on and levied of the people of God, with a copy of thy late laws.’

To Alden, Norton wrote as follows.

‘ John Alden, I have weighed thy ways, and thou art like one fallen from thy first love ; a tenderness once I did see in thee, and moderation to act like a sober man, which through evil counsel and self-love thou art drawn aside from. If there be in thee any expectation of mercy, do thou follow the example of Timothy Hatherly and withdraw thy body for ever appearing at that beastly bench, where the law of God is cast behind your backs, and from whence God hath withdrawn himself until he have overturned it, and settled such as shall act according to his law and contrary to the will of man ; also, account thou must for that wicked act in sending forth thy warrant to force away other men’s goods for keeping the law of Christ ; again, let the cursed purse be cast out of thy house wherein is held the goods of other men, lest through

it a moth enter into thy house, and a mildew upon thy estate, for in keeping of it, and acting for it thou art no other than packhorse to Thomas Prence, which if the council of God thou stand, his present flattery to thee will be turned into enmity and wrath against thee, and then would thou see that thou art set in the midst of a company that's like a hedge of vipers; the best of them is not worthy to hew wood in the house of our God.— Receive my instruction into thy heart as oil, and depart from amongst them, and thou wilt see that it is better to live of thine own, like a poor wise man, and at peace with God and his people, than like a self-conceited fool puffed up with the pride of his heart, because he hath gotten the name of a magistrate as some of them is. In love this is written, to dishearten thee in time before the evil day overtake thee; let it be so received from thy friend.

‘HUMPHREY NORTON.’

‘Consider how corruptly thou dealt concerning the paper presented to Thomas Prence, and thee, and others.’

‘Rhode Island, the 16th, 4th month, 58.’

During the year 1658, several disfranchising laws were passed against the Quakers. ‘No Quaker, Ranter, or any such corrupt person,’ was permitted to be a freeman of the corporation.

‘All such as were opposers of the good and wholesome laws of the colony, or manifest opposers of the true worship of God, or such as refuse to do the country service, being called thereunto’ on conviction, were denied the privileges of freemen.

Any freemen of the corporation being Quakers, ‘or such as are manifest encouragers of them, and so judged by the court; and such as spoke contemptuously of the court and the laws; and such as were adjudged by the

court grossly scandalous, as lyers, drunkards, swearers, &c, were to lose the freedom of the corporation.'

All such as refused to take the oath of fidelity, as Quakers, and their abettors, were denied a vote in the choice of public officers, and were restricted from holding offices of trust.

The court also passed another law with this pregnant preamble: 'Whereas sundry persons both Quakers and others, wander up and down in this jurisdiction, and follow no lawful calling to earn their own bread, and also use all endeavors to subvert civil state, and pull down all churches and ordinances of God to thrust us out of the ways of God, notwithstanding all former laws provided for the contrary.'

The court therefore directed that a workhouse or house of correction should be erected for the restraint of all such vagabonds 'as wander up and down without any lawful calling, and also all idle persons, or rebellious children, or servants that are stubborn and will not work to earn their own bread, and yet have not wherewith to maintain themselves,' who should be compelled to earn their subsistence by their work, under the direction of an overseer appointed by the government.

On the 11th of May, 1659, Lawrence Southwick, Cassandra his wife, Samuel Shattock, Nicholas Phelps, Joshua Baffam, and Josiah Southwick, were sentenced according to a previous order of court, to banishment, to depart out of the jurisdiction by the 8th day of June, on pain of death; delaying, they were to be imprisoned, tried, and if found guilty 'of the breach of this law,' were to be put to death.

Much censure has been thrown on the government of Plymouth for the severity of these laws, and the cruelty of the punishments which were inflicted on the Quakers. Although persecution and intolerance are odious in them-

selves, yet the task of palliation at least, in this case is not difficult, although that of justification might not be so easy.

The Quakers who first appeared in the colony of Plymouth, were not inhabitants, but came from abroad, originally from England, and immediately from Barbadoes. Although they professed the principles of peace and benevolence, yet they waged a furious war against a religion which was much endeared to the people whom they were endeavoring to proselyte; for which that people had suffered much, and were impressed with a strong conviction of its truth. Their laws, their government, their forms of worship, all which they had been taught to venerate, and accustomed to love, were denounced in no very civil terms by strangers. Their magistrates and ministers were reviled in terms of insolent abuse; it is not surprising therefore, that they should have attempted to check (what appeared to them to be) blasphemy and impiety. Although these new expounders of the scriptures styled themselves the prophets of God, yet it was not an unnatural or strange belief in that day, that they should have been regarded as men 'possessed with demons.' To check their disorders, banishment was deemed the mildest punishment. Norton was sent beyond the settlements, but on the next year he returned in defiance of the government. It is not unlikely that the deportment of Governor Prince to Norton was domineering and arrogant, for he detested schismatics, and hated those who despised and derided 'human learning.' Yet one far more indulgent than the governor, in the same station must have been possessed of uncommon self-command, if he could have tolerated personal insults, and tamely have suffered himself to have been called 'a liar,' and 'a malicious man,' while in the very exercise of his high authority on the judgment seat,

and presiding in the court. Even in these times under the system of toleration, and with a mitigated penal code, 'contempt of court,' is deemed a high offence, and is punished accordingly. Still it is best that the hand of power should fall gently on all those who pretend (even if it be nothing but pretence) to act under the impulse of religious feeling; and the Pope of Rome when he dismissed the Quaker without injury, who even within the walls of the Vatican denounced him as the man of sin, and as the Antichrist, acted wisely by choosing to consider this effusion of zeal, as an outpouring of insanity, and intolerant as he was to religious heresy, he could be charged with no want of indulgence to human infirmity.

The errors of honest and sincere zealots are to be excused, not punished, unless the order and peace of society are disturbed to such a degree that the restraint of the offender becomes an act of necessity.

The temper of the age must also be considered; stern, severe, inexorable, and on all subjects connected with what was considered religious heresy, inflexible and vindictive; the feelings of the puritans may be imagined, when a fanaticism more phrenzied than their own, suddenly blazed out amongst them, pertinaciously and insolently defying the magistrates and the clergy, the power and the penalties of the law. The fierce spirit of Massachusetts was goaded to madness; melancholy and disastrous were the effects. The deeper fanaticism of that colony could not be assuaged short of human victims, and the people of Plymouth yielding to the impulse, caught the spirit of their neighbors for a moment.—Fortunately in their phrenzy they did not thirst for blood; they soon relented, and the laws respecting the Quakers which were passed at the session of the court commencing in June, 1659, were of a milder character. It is true, they author-

ized the executive officers to seize all the books and writings in which the doctrines and creeds of the Quakers were contained, for persecution had already done a part of its work, by turning the attention of the people to doctrines attractive from novelty at least; and the court say 'Many persons are greatly corrupted with the Quakers' doctrines, by reading their books, writings, or epistles,' which it seems were industriously distributed throughout the jurisdiction.

As some of the inhabitants of the colony itself, had embraced these odious doctrines, the court were unwilling to visit them with the whole vengeance of the law, and it was enacted that a proposition should be made to such, that if they would promise and engage 'to remove their dwellings out of this government within six months after this present court, and perform it,' that no fine should be enacted of them; and those who from poverty were unable to remove were to be assisted at the public charge.

The object of the laws now seemed not so much to punish schismatics, as to prevent schism. For the purpose of bringing the Quakers to a sense of their mistakes, the laws were so far relaxed as to permit certain persons to attend their meetings, 'to endeavor to reduce them from the error of their ways;' this permission was given to John Smith of Barnstable, Isaac Robinson, John Chipman, and John Cooke of Plymouth, 'or any two of them to attend the said meetings for the ends aforesaid at any time betwixt this court (June) and the next October court.'

The government were not aware of the danger. The fanaticism of a new sect is always an overmatch for that which has been cooled and tempered by time. Those who feel the pride of having discovered new truths in religion, cherish a conviction of their infallibility too strong to be shaken by the sober arguments of men more

dispassionate and less violent; and where the contest is between artificial reasoning and excited feeling, the enthusiasm which attends the last is too powerful for the mere deductions of logic, or the subtilities of metaphysics. Strong religious feeling is in the moral, what the magnet is in the physical world, it finds corresponding sympathies and attractions in every heart, and to every heart it can impart a kindred influence. Of what consequence then, is all the technical learning of scholastic theology, when this powerful agent is exerting its all-pervading influence, and verifying the words of the scriptures, 'the race is not always to the swift, nor the battle to the strong.'

Isaac Robinson, a son of the Leyden pastor, an excellent and sensible man, who had received the permission of the court to attend these meetings, instead of convincing the Quakers of their errors, became self-convicted, embraced many of their doctrines, and consequently rendered himself so obnoxious, that he was dismissed from civil employment, and exposed to much censure and some indignity.

The government of Rhode Island discovered on this unpleasant occasion, far more wisdom, good sense, moderation, enlightened philanthropy; a deeper insight into the workings of the heart, and a more profound knowledge of the nature of man than either of the colonial governments of New England.

The commissioners of the united colonies at their annual meeting in Boston in September 1657, having been informed that 'divers Quakers are arrived this summer at Rhode Island, and entertained there, which may prove dangerous to the colonies, thought meet to manifest their minds to the governor there as follows.'

GENT. 'We suppose that you have understood that the last year a company of Quakers arrived at Boston, upon

no other account than to disperse their pernicious opinions, had they not been prevented by the prudent care of that government, who by that experience they had of them, being sensible of the danger that might befall the christian religion here professed, by suffering such to be received or continued in the country, presented the same unto the commissioners at their meeting at Plymouth, who upon that occasion commended it to the general courts of the united colonies, that all Quakers, ranters, and such notorious heretics might be prohibited coming among us, and that if such arise from amongst ourselves, speedy care might be taken to remove them (and as we are informed) the several jurisdictions have made provision accordingly; but it is by experience found that means will fall short without further care, by reason of your admission and receiving of such from whence they may have opportunity to creep in amongst us, or means to infuse and spread their accursed tenets to the great trouble of the colonies, if not to the subversion of the            professed in them. Notwithstanding any care that hath been hitherto taken to prevent the same, whereof we cannot but be very sensible, and think no care too great to preserve us from such a pest, the contagion whereof (if received) within your colony, were dangerous &c. to be diffused to the other by means of the intercourse, especially to the places of trade amongst us which we desire may be with safety continued between us. We therefore make it our request, that you, as the rest of the colonies take such order herein that your neighbors may be freed from that danger, that you remove those Quakers that have been received, and for the future prohibit their coming amongst you, whereunto the rule of charity to yourselves and us, (we conceive) doth oblige you, wherein if you should, we hope you will not be wanting; yet we could not but signify this our de-



sire, and further declare that we apprehend that it will be our duty seriously to consider what further provision God may call us to make to prevent the aforesaid mischief, and for our further guidance and direction herein, we desire you to impart your mind and resolution to the general court of the Massachusetts, which assembleth the fourteenth of October next. We have not further to trouble you at present, but to assure you we desire to continue your loving friends and neighbors, the commissioners of the united colonies.

‘SIMON BRADSTREET, President.

DANIEL DENISON,

THOMAS PRENCE,

JOHN MASON,

JOHN TALCOTT,

THEOPHILUS EATON,

WILLIAM LEETE.’

‘Boston September 12, 1657.

Mr Cudworth one of the commissioners from Plymouth dissented, and refused to affix his signature.

For people making much profession of christian humility, this communication was sufficiently domineering and arrogant. Rhode Island was an independent colony, and not a member of the confederacy, under no obligations of obedience or loyalty, yet their course was prescribed, under a threat. The government of that colony however, deported themselves with moderation and good temper, and presented their views in the following temperate answer, addressed to the general court of Massachusetts.

MUCH HONORED GENTLEMEN.—‘Please you to understand that there hath come to our view, a letter subscribed by the honored gentlemen commissioners of the united colonies, the contents whereof are a request concerning certain people called Quakers, come among us lately, &c.

‘Our desires are, in all things possible to pursue after and keep fair and loving correspondence and intercourse with all the colonies, and with all our countrymen in New

England ; and to that purpose we have endeavored (and shall still endeavor) to answer the desires and requests from all parts of the country coming unto us, in all just and equal returns, to which end the colony have made seasonable provision to preserve a just and equal intercourse between the colonies and us, by giving justice to any that demand it among us, and by returning such as make escapes from you or from other colonies, being such as fly from the hands of justice, for matters of crime, done or committed amongst you, &c.

‘ And as concerning these Quakers (so called) which are now among us, we have no law among us whereby to punish any for only declaring by words, &c. their minds and understandings concerning the things and ways of God, as to salvation and an eternal condition. And we moreover find, that in those places where these people aforesaid in this colony, are most of all suffered to declare themselves freely and are only opposed by arguments in discourse, there they least of all desire to come, and we are informed that they begin to loathe this place, for that they are not opposed by the civil authority, but with all patience and meekness are suffered to say over their pretended revelations and admonitions, nor are they like or able to gain many here to their way ; surely we find that they delight to be persecuted by civil power, and when they are so, they are like to gain more adherents by the conceit of their patient sufferings, than by consent to their pernicious sayings. And yet we conceive that their doctrines tend to very absolute cutting down and overturning relations and civil government among men, if generally received. But as to the damage that may in likelihood accrue to the neighbor colonies by their being here entertained, we conceive it will not prove so dangerous (as else it might) in regard of the course taken by you to send them away out of the country as they come among

you. But however, at present, we judge it requisite (and do intend) to commend the consideration of their extravagant outgoings unto the general assembly of our colony in March next, where we hope there will be such order taken as may in all honest and conscientious manner, prevent the bad effects of their doctrines and endeavors, and so in all courteous and loving respects, and with a desire of all honest and fair commerce with you and the rest of our honored and beloved countrymen, we rest,

‘Yours in all loving respects to serve you.

‘From Providence, at  
the court of trials  
held for the colony,  
October 13, 1657.

‘BENEDICT ARNOLD, President,  
WILLIAM BAULSTON,  
RANDALL HOWLDEN,  
ARTHUR FENNER,  
WILLIAM FIELD.’

‘To the much honored, the General Court sitting at Boston, for the colony of Massachusetts.’

The commissioners exasperated by the obstinacy and pertinacity of the Quakers at their annual meeting at Boston in September, 1658, issued to the several general courts of the respective colonies the following horrible recommendation.

‘Whereas there is an accursed and pernicious sect of heretics lately risen up in the world who are commonly called Quakers, who take upon them to be immediately sent of God and infallibly assisted; who do speak and write blasphemous things, despising government and the order of God in church and commonwealth, speaking evil of dignities, reproaching and reviling magistrates and ministers of the gospel; seeking to turn the people from the faith, and to gain proselytes in their pernicious ways; and whereas the several jurisdictions have made divers laws to prohibit and restrain the aforesaid cursed heretics from coming amongst them, yet, notwithstanding they are not deterred thereby, but arrogantly and presumptuously do

press into several of the jurisdictions, and there vent their pernicious and devilish opinions, which being permitted tends manifestly to the disturbance of our peace;—the withdrawing of the hearts of the people from their subjection to government, and so in issue to cause division and ruin if not timely prevented. It is therefore propounded and seriously commended to the several general courts upon the considerations aforesaid, to make a law, that all such Quakers formerly convicted and punished as such, shall (if they return again) be imprisoned forthwith, banished or expelled out of the said jurisdiction under pain of death; and if afterwards they presume to come again into that jurisdiction, then to be *put to death* as presumptuously incorrigible, unless they shall plainly and publicly renounce their cursed opinions; and for such Quakers as shall come into any jurisdiction from any foreign parts, or such as shall arise within the same, after due conviction that either he or she is of that cursed sect of heretics, they be banished under pain of severe corporal punishment, and if they return again, then to be punished accordingly and banished under pain of death; and if afterwards they shall yet presume to come again, then to be put to death as aforesaid, except they do then and there plainly and publicly renounce their said cursed opinions and devilish tenets.

‘These foregoing conclusions were agreed and subscribed by the commissioners, 23d September, 1658.

‘JOHN ENDICOT, President.  
SIMON BRADSTREET,  
THOMAS PRENCE,  
JOHN WINTHROP, looking at  
the last as a query and not an  
act, I subscribe,  
JOHN TALCOTT,  
FRANCIS NEWMAN,  
WILLIAM LEETE.’

Mr Winslow one of the commissioners from Plymouth refused to subscribe. Mr Cudworth had been displaced for refusing to sanction this system of persecution in the preceding year, but Mr Winslow was still continued in his offices and eventually became the governor of Plymouth. In that colony there seemed after a few years to be a revulsion in the popular feeling, and Mr Cudworth, Mr Brown and Isaac Robinson, were restored to favor. The tragedy at Boston, produced a deep sympathy for the sufferers, and when the people saw the Quakers die for their faith, they could not resist the belief that they were sincere; but as yet, the public mind was diseased, although there were indications of returning health.

The court of Plymouth again took the alarm, and in 1660 passed two new laws against the Quakers. By a former law all persons had been required to give notice to the several constables of foreign Quakers. All persons were now authorized to apprehend such Quakers, and to deliver them to the constables, that they might be carried before the governor or some magistrate. And to prevent their speedy passage from place to place, 'to poison the inhabitants with their cursed tenets.' All persons were prohibited from supplying them with horses, on pain of forfeiture, and their own horses were also made liable to forfeiture.

It was also enacted at this court, (June 10th, 1660,) 'that any one that shall bring in any Quaker or ranter by land or water into this government, viz. by being a guide to them or any otherwise, shall be fined to the use of the government the sum of £10 for every such default.'

It was also enacted that if the Quakers 'or such like vagabonds shall come into any town of this government, the marshal or constable shall apprehend him or them, and upon examination so appearing, he shall whip them

or cause them to be whipped with rods, so it exceed not fifteen stripes.' After the punishment had been inflicted they were to depart from the jurisdiction immediately, being furnished with a passport, for without such protection they would have been liable to the same maltreatment from every individual who chose to inflict it.

But a provision of this law indicates very clearly that the Quakers began to be viewed by the people with sentiments more favorable and indulgent, and that a feeling of disgust against the conduct of the magistrates was very prevalent. Even the executive officers began to flinch from their duty, and refused to become even the innocent instruments of legal cruelty. This provision was in these words, 'in case any constable of this jurisdiction shall be unwilling, or cannot procure any to inflict the punishment aforesaid, that then they shall bring such persons to Plymouth to the under marshal, and he shall inflict it.'

It was also enacted that all persons permitting the Quakers to hold meetings in their houses on conviction before the general court, 'should be publicly whipt, or pay £5.'

The following order of the court discovers that the Quakers had become numerous, and were not only persevering, but rather courted persecution, and were ambitious of the fame of martyrs, and willing to endure much suffering to obtain it.

'Whereas there is a constant monthly meeting together of the Quakers from divers places in great numbers, which is very offensive, and may prove greatly prejudicial to this government, and inasmuch as the most constant place for such meetings is at Duxburrow, this court have desired and appointed Mr Constant Southworth and William Paybody to repair to such their meetings together with the marshal or constable of the town, and to use

their best endeavors by argument and discourse to convince or hinder them ; and in case the place of their meeting should be changed, the court desires the above-named or any other meet persons to attend there also.'

During the fierce disputes which were engendered in this controversy, Mr Hatherly and Mr Cudworth were both left out of the magistracy. The bigotry of the times would not tolerate the most moderate toleration, and the places of these wise and philanthropic assistants were supplied at the election in June, 1658, by William Bradford, the son of the late governor, and Thomas Hinckley of Barnstable, afterwards governor. Their selection at this time indicates with sufficient precision the temper and character of their religious opinions.

William Collier, John Alden, Thomas Willett, Josias Winslow, and Thomas Southworth, the other assistants, were reelected.

In that year the deputies from Sandwich and Bridgewater were reelected, and also Mr Finney from Plymouth, Mr Paybody from Duxbury, Mr Edmund Hawes from Yarmouth, Mr Eames from Marshfield, Mr Paine from Rehoboth, and Mr Higgins from Eastham.

John Howland and Nathaniel Warren were chosen in Plymouth, Constant Southworth in Duxbury, Robert Studson and Isaac Chettenden in Scituate, William Parker and James Walker in Taunton, Thomas Hawes in Yarmouth, Nathaniel Bacon in Barnstable, Anthony Snow in Marshfield, Thomas Cooper in Rehoboth, and Josias Cooke in Eastham.

In 1659, all the assistants were reelected, and were continued without change to 1665.

Robert Finney and Nathaniel Warren were reelected, and John Dunham, sen., and Ephraim Morton were reelected in Plymouth. The deputies from Duxbury were

reelected ; Robert Studson was reelected from Scituate, and Capt. James Cudworth. [The bigotry of the court would not tolerate even a popular election, and Mr Cudworth was set aside without ceremony, and refused a seat, as well as James Skiff elected from Sandwich. John Vincent was the other member from Sandwich.] James Walker was reelected, and Richard Williams elected in Taunton ; in Yarmouth, Thomas Hawes reelected, Anthony Thatcher elected ; in Barnstable, Nathaniel Bacon was reelected, and Henry Cobb elected ; in Marshfield, Anthony Snow was reelected and Josias Winslow elected ; in Rehoboth, Stephen Paine was reelected and William Sabin elected ; in Eastham, Josias Cooke was reelected, and John Doane elected ; John Willis was reelected in Bridgewater.

Henry Dunster, the first president of Harvard College, died this year at Scituate. His successor in the presidency was Charles Chauncy, the second pastor of Scituate. President Dunster was a man of learning and of good intentions, but violent and intolerant, although a victim himself to intolerance, (having been dismissed from his office for entertaining anabaptist principles,) his bigotry was not cured, and his dislike and hatred of the Quakers was unrelenting and vindictive.

In 1660, the deputies from Duxbury, Marshfield, Bridgewater and Barnstable, were reelected. Mr Dunham, Mr Finney, and Ephraim Morton, were reelected, and Manganese Kempton elected in Plymouth ; in Scituate, Robert Studson was reelected and James Torry elected ; in Taunton, James Walker was reelected, and James Wyat elected ; in Sandwich, Thomas Tupper and Thomas Burgess were elected ; in Eastham, Richard Higgins and Nathaniel Mayo were elected ; in Rehoboth, William Sabin was reelected and Peter Hunt elected.



A special court having been called in October, all the deputies were reelected excepting Mr Mayo, of Eastham, whose place was supplied by Josias Cooke.

In 1661, the deputies from Duxbury, Scituate, Taunton, Yarmouth, Barnstable, and Rehoboth, were reelected; Mr Dunham and Ephraim Morton were reelected, and John Howland and Nathaniel Warren elected in Plymouth; in Sandwich, Mr Burgess was reelected and John Vincent elected; in Marshfield, Mr Snow was reelected and Anthony Eames elected; in Eastham, Mr Cooke was reelected and John Freeman elected; in Bridgewater, William Brett was elected.

At the court which assembled in June, a loyal declaration was made in favor of King Charles II, who had been restored to the throne of his ancestors. 'Whereas we are certainly informed that it hath pleased God to establish our sovereign lord king Charles the Second in the enjoyment of his undoubted right to the crowns of England, Scotland, France, and Ireland, and is so declared and owned by his good subjects of these kingdoms,

'We, therefore, his majesty's loyal subjects, the inhabitants of the jurisdiction of New Plymouth, do hereby declare our free and ready concurrence with such other of his majesty's subjects, and to his said majesty, his heirs, and successors, we do most humbly and faithfully submit and oblige ourselves forever. God save the king.'

This humble and loyal declaration was followed by a mandamus directed to the several governors of New England, which conveys a severe reproof, virtual but not literal, on the part of the king, in which Plymouth was included as well as the others.

Whatever might have been the demerits of king Charles, the Quakers have no cause to reprobate his memory. For them he always cherished the most kindly feel-

ings, and his power was often exerted for their relief. He could overlook and neglect many of his own most faithful adherents, but his patronage of William Penn was not only generous but magnificent.

The mandamus was directed, 'to our trusty and well beloved John Endicot, Esq. and to all and every other the governor or governors of our plantations of New-England, and of all the colonies thereunto belonging, that now are, or hereafter shall be, and to all and every the ministers and officers of our said plantations and colonies whatsoever, within the continent of New England,' and was in these words :—

'CHARLES R.

'Trusty and well beloved,— We greet you well. Having been informed that several of our subjects amongst you called Quakers, have been, and are imprisoned by you, whereof some of them have been executed, and others, (as hath been represented unto us,) are in danger to undergo the like ; we have thought fit to signify our pleasure in that behalf, for the future ; and do hereby require that if there be any of those people called Quakers amongst you now already condemned to suffer death, or other corporal punishment, or that are imprisoned, and obnoxious to the like condemnation, you are to forbear to proceed any farther therein ; but that you forthwith send the said persons (whether condemned or imprisoned,) over to this our kingdom of England, together with the respective crimes or offences laid to their charge, to the end that such course may be taken with them here, as shall be agreeable to our laws, and their demerits ; and for so doing, these our letters shall be your sufficient warrant and discharge. Given at our Court at Whitehall, the 9th day of September, 1661, in the thirteenth year of our reign.

By his majesty's command,

'WILLIAM MORRIS.'

The royal interference probably mitigated the proceedings against the Quakers. In Plymouth the most obnoxious laws were repealed, and there appears no trace of any subsequent persecution. Public prejudice for some time prevailed so much, as to continue the exclusion of those from the public councils who had been so bold as to encounter it; but on the accession of Governor Josias Winslow, they were restored to the public honors, and continued long to receive the strongest proofs of public confidence.

So terminated in Plymouth colony the persecution of the Quakers, who, when unmolested by penal laws, became the most peaceful, industrious, and moral, of all the religious sects.\*

The colony during this year sold for £400 sterling their lands on Kennebeck river to Antipas Boyes, Edward Tyng, Thomas Brattle, and John Winslow, and they originated the celebrated Plymouth company. In subsequent times this grant from being ill defined in its terms, was the occasion of much difficulty, which almost terminated in a serious rebellion.

Kennebeck lands sold.

Mr John Brown who had frequently been an assistant in the government, having been elected in 1636, and continued by successive elections to 1656, died this year at his residence in Rehoboth, (afterwards Swansey.) While travelling in Holland he had formed a strong attachment to Robinson and the Leyden church, and after their emi-

1662.  
Death of  
John  
Brown.

\* Mr William Paddy, who had been a distinguished person in the colony, whose name stood at the head of the first list of deputies from the town of Plymouth chosen in 1639, and who was also a deacon of the church, a man of courteous manners and great wealth, died at Boston in 1653, to which place he had removed in 1651.

Ralph Partridge, the learned and excellent minister of Duxbury, also died at a mature age in the same year.

gration to America he resolved to join them. He settled at Taunton, and was an early proprietor of that ancient town. He afterwards removed to that part of Swansea called Wannamoiset, near Rehoboth, and within its jurisdiction, of which he was an early proprietor. He was a man of great piety, highly esteemed in the colony, and being so near the Indians, by whom he was greatly regarded, his death was a serious loss.\* He had also been a commissioner of the United Colonies from 1644 to 1655.

The deputies of this year from Plymouth were John Dunham, Ephraim Morton, Robert Finney and John Morton; Duxbury, Constant Southworth, William Paybody; Scituate, James Torrey, Robert Studson; Sandwich, Thomas Burgess, William Bassett; Taunton, James Wyat, James Walker; Barnstable, Henry Cobb, Nathaniel Bacon; Yarmouth, Thomas Hawes, Richard Sears; Eastham, John Freeman, Josias Cooke; Marshfield, Peregrine White, Mark Eames; Rehoboth, Peter Hunt, Henry Smith; Bridgewater, William Brett.

1663.

Samuel Newman the learned minister of Rehoboth, died at his residence at Seekonk.

The deputies from Duxbury, Eastham, and Bridgewater, were reelected. In Plymouth, Mr Finney and Ephraim Morton were reelected, and John Howland and Nathaniel Warren elected; Mr Torrey was reelected in Scituate, and Isaac Buck elected; in Taunton, Mr Wyat and Mr Walker were both elected, but Mr Walker was set aside, as was Peregrine White in Marshfield; Mr Eames was

\* Dorothy, wife of the first John Brown, died in 1674. His eldest son John Brown, died before him in the same year. His other son James Brown, was afterwards in the magistracy. His grandson, John Brown, became useful and eminent. In 1685, he was one of the first associate justices of the Common Pleas in the county of Bristol. In 1699, during the administration of Lord Bellamont, under a new arrangement of that court he was again appointed to that office with John Saffin, Thomas Leonard, and Nicholas Peck.

reelected; Mr Bacon was reelected in Barnstable, and John Chipman was elected; in Rehoboth, Mr Hunt was reelected, and Stephen Paine elected; in Sandwich, Thomas Tupper and James Skiff, and in Yarmouth, Anthony Thacher and Yelverton Crow were elected.

The deputies from Scituate, Barnstable, Rehoboth, and Eastham, were reelected. The deputies from Plymouth were reelected, excepting Mr Howland, who was replaced by John Dunham. Mr Southworth was reelected alone from Duxbury, and Mr Brett was reelected, and John Willis elected from Bridgewater; Mr Skiff was reelected in Sandwich with Richard Bourne; Mr Eames was reelected, and Anthony Snow elected in Marshfield; in Taunton, William Harvey and Richard Williams were elected, and in Yarmouth, Edward Sturges and James Matthewes. 1664.

Colonel Richard Nicholls, Sir Robert Carr, George Cartwright, Esq., and Samuel Maverick, Esq., royal commissioners, arrived at Boston. They were designated to receive the surrender of New Amsterdam, (now New York) from the Dutch, of which province Nicholls was appointed the first English governor. They were also empowered to settle and define the boundaries between the different provinces, particularly between Plymouth and Rhode Island, as much dispute had arisen.

King Charles II., caused the following letter to be addressed to the government of New Plymouth.

‘To our trusty and well beloved, our governor and council of New Plymouth, greeting.—CHARLES REX.

‘Trusty and well beloved, we greet you well; we need not enlarge upon our care of, and affection to that our plantation of New Plymouth, when we give you such a testimony and manifestation of it, in the sending of those gentlemen, persons well known unto us, and deserving

from us, our trusty and well beloved Colonel Richard Nicholls, Sir Robert Carr, knight, George Cartwright, Esq., and Samuel Maverick, Esq., our commissioners to visit you, and others our plantations in those parts of New England, and to give us a full and particular information and account of your present state and condition, and how the same may be advanced and improved by any further acts of grace and favor from us toward you ; and that both you and all the world may know and take notice, that we take you into our immediate protection, and will no more suffer you to be oppressed or injured by any foreign power, or ill neighbors, than we would suffer our other subjects that live upon the same continent with us, to be so injured and oppressed. And as our care and protection will we doubt not, be sufficient with God's blessing to defend you from foreign force, so our care and circumspection is, no less, that you may live in peace amongst yourselves, and with those our other subjects who have planted themselves in your neighbor colonies, with that justice, affection, and brotherly love, which becomes subjects born under the same prince, and in the same country, and of the same faith and hope in the mercies of our Lord Jesus Christ. And to the end there may be no contentions and differences between you, in respect of the bounds and jurisdiction of your several colonies ; the hearing and determining whereof, we have referred to our commissioners, as the right appears by clear evidence and testimony before them, or that they can settle it by your mutual consent and agreement ; otherwise, in cases of difficulty, they shall present the same to us, who will determine according to our own wisdom and justice. The address you formerly made to us, gave us so good satisfaction of your duty, loyalty, and affection to us, that we have not the least doubt that you will receive those com-

missioners in such manner as becomes you, and as may manifest your respect and affection towards us, from whom they are sent. They will let you know the resolution we have to preserve all your liberties and privileges, both ecclesiastical and civil, without the least violation; which we presume will dispose you to manifest by all ways in your power, loyalty and affection to us, that all the world may know that you do look upon yourselves as being as much our subjects, and living under the same obedience under us, as if you continued in your natural country. And so we bid you farewell.

‘ Given at our court, at Whitehall, April 23d, 1664, in the sixteenth year of our reign.

‘ By his Majesty’s special command,

‘ HENRY BENNET.’

‘ The commissioners were empowered to visit the several colonies of New England, to hear and determine complaints and appeals, in matters civil, military, and criminal; and to provide for the peace and security of the country, according to their good and sound discretion, and to such instructions as they should receive from the king.’

After they had received the submission of New Amsterdam, (now New York) on the 27th of August, and of Fort Orange, (now Albany) on the 24th of September, the forts in both places having been surrendered by Governor Stuyvesant, they proceeded to execute their wide commission in the colonies; and executed it in such a manner that the ire of ‘ the Massachusetts’ was excited, and they not only contended for their chartered rights manfully and patriotically, but with too little deference to the commissioners to whom the royal authority had been delegated; in short, they were pugnacious, and they were maligned and perhaps misrepresented, by two of the commissioners,

Cartwright and Maverick, who cherished a bitter dislike to them. Plymouth received more favor. The commissioners say in the report which they made to the king of their proceedings, that but 'one plaint' was made to them at Plymouth, 'the governor would not let a man enjoy a farm of four miles square, which he had bought of an Indian.' That within this colony no complaint should have been preferred except one against the governor for exercising his power to prevent a great abuse is almost incredible, and discovers 'a confidence in the local government of this little jurisdiction, which has never been yielded to any government before or since, and clearly indicates the high moral culture and pure disinterestedness of all the inhabitants, who had not yet begun to deteriorate from that high and virtuous character for which the founders of the colony were so much distinguished.

So favorable was the impression which was made on the royal mind by this report, that some time after, namely, in 1666, the king addressed the following letter to the colony.

‘CHARLES R.

‘Trusty and well beloved, we greet you well. Having received so full and satisfactory account from our commissioners, both of the good reception you have given them, and also of your dutifulness and obedience to us, we cannot but let you know how much we are pleased therewith; judging that respect of yours towards our officers, to be true and natural fruit, which demonstrates what fidelity and affection towards us is rooted in your hearts. And although your carriage of itself most justly deserve our praise and approbation, yet it seems to be set off with more lustre, by the contrary deportment of the colony of Massachusetts, as if, by their refractoriness they had de-



signed to recommend and heighten the merit of your compliance with our directions, for the peaceable and good government of our subjects in those parts. You may therefore assure yourselves, that we shall never be unmindful of this your loyal and dutiful behavior, but shall upon all occasions take notice of it to your advantage; promising you our constant protection and royal favor, in all things that may concern your safety, peace, and welfare. And so we bid you farewell.

‘ Given at our court at Whitehall, the 10th day of April, 1666, in the eighteenth year of our reign.

‘ By his Majesty’s command,

‘ WILLIAM MORRIS.’

Such was the kindly intercourse between the ‘ merry monarch’ and his loving subjects of New Plymouth. Addresses on one side filled with professions of loyalty and submission, on the other, letters filled with promises of protection and favor. The loyalty of the colonists would never have led them to endure martyrdom to sustain the crown, and the protection which was promised was never received; the colonists wisely relied on themselves; and their humble interest at court was never sufficient to obtain the only favor they sought, a royal charter. Destitute of a charter, they were left a prey in a succeeding reign to the ambition of Massachusetts, under whose dominion their identity was lost, and that independence which by their own arms they had won, and sustained by their prowess, was taken from them without ceremony, reluctant as they were to yield it. However it would be as idle now to complain of this, as it would be in an inhabitant of the ancient colony of New Haven to complain of its junction with Connecticut, and perhaps the only legitimate cause of regret is, that the same charter which placed Plymouth under the jurisdiction of Massachusetts.

had not included Connecticut and Rhode Island. The commissioners in their report represent the colony as containing twelve small towns, one saw mill for boards, one bloomery for iron, neither good river nor good harbor, nor any place of strength.'

1665. A single change was made this year in the magistracy, which was by electing James Brown of Swansey, the son of the late assistant John Brown, in the place of Thomas Willet of Swansey. Thomas Clark and John Pynchon had been deputed by the General Court of Massachusetts to attend the royal commissioners in their expedition to New York; Governor Winthrop and several other magistrates and gentlemen went from Connecticut, and Captain Thomas Willet from Plymouth, and 'greatly recommended himself to the commissioners by his activity and intelligence;' Colonel Nichols (says Judge Davis in a note to the memorial) in a letter to Governor Prince written from New York, the spring after the reduction of the Dutch settlements, requests that Captain Willet may have such dispensation from his official engagements in Plymouth colony, as to be at liberty to assist in the modelling and reducing the affairs, in those settlements, into good English. He remarks that Mr Willet was more acquainted with the manners and customs of the Dutch, than any gentleman in the country, and that his conversation was very acceptable to them.'

Willet was one of the last of the Leyden company, and arrived at Plymouth about the year 1630. He was then a very young man, and probably almost all his life had been spent amongst the Dutch, which circumstance gave him his peculiar knowledge of their habits, usages, and the use of their language, and made him 'so acceptable' to them. After the English government was established, he was elected the first mayor of the city of New York, and

probably continued to reside there. He did not dispose of his plantation in Swansey until many years after, and in the subsequent Indian war he still owned it; it was the scene of the tragical death of his son Hezekiah Willet which will be related hereafter. The absence of Mr Willet induced the colonists to supply the vacancy in the bench of assistants with Mr Brown.

The deputies from Scituate, Taunton, Sandwich, Barnstable, Marshfield, and Rehoboth, were reelected. Plymouth was restricted to two, and reelected Nathaniel Warren and Ephraim Morton; Duxbury reelected Mr Southworth and elected Josias Standish; Yarmouth elected Anthony Thacher and Edmund Hawes; John Freeman was reelected and Richard Higgins elected in Eastham; Bridgewater sent Mr Brett alone, and Dartmouth for the first time was represented by John Russell.

At the general court of magistrates and deputies assembled at Plymouth in October, Governor Prence having resided at Eastham, and it being so distant, 'the country saw reason to desire and request his removal into the town of Plymouth, for the more convenient administration of justice, and that by God's providence he is now removed to his great inconvenience and detriment.' The court therefore ordered that his salary should be £50 per annum. And as he resided in a place which had been purchased by the colony 'for that end,' it was further ordered in case of his decease, his family should be permitted to remain in the place for a year; or if he should not be reelected, he should be at liberty to remain in the government house a year.

With respect to the assistants, it was enacted that the old magistrates should be allowed £10 per annum, and that 'the charge of their table should be defrayed;' and that those who were newly elected should be allowed the

charge of their table only. It would seem that heretofore the assistants had been allowed no salary.

In July, 1667, £50 annual salary was allowed to all the assistants, and the charge of their table.

It was also enacted that such as were chosen to this office and should refuse to serve, should be fined £5 for the use of the colony.

The royal commissioners having made a special request to the court that a grant of land might be made to Peregrine White, 'in respect that he was the first of the English born in these parts,' the court granted him two hundred acres in Bridgewater adjoining Massachusetts.

The court recalled the commissions which they had granted the year before for the purchase of lands for the country, and declared them 'of no effect as to future improvement;' and in the next year they ordered 'that from henceforth no more lands be granted to persons without particular townships for the term of seven years;' and further ordered that the boundaries between the lands of the English should be ascertained and determined by mutual agreement.

1666.

John Freeman was elected an assistant in the place of Mr Collier, and John Alden was the first assistant or deputy governor. The other assistants were reelected. Barnstable reelected the deputies of the preceding year. In Plymouth, Ephraim Morton was reelected, and John Howland elected deputies; in Duxborough Mr Southworth was reelected with Christopher Wadsworth; Robert Studson and Isaac Chettenden, were elected in Scituate; Mr Skiff was reelected, and Richard Bourne elected, in Sandwich; in Taunton William Harvey was reelected, and James Walker elected; in Yarmouth, Edward Sturges and Yelverton Crow were elected; in Marshfield, Mr Eames was reelected and John Bourne elected; in Rehoboth, Stephen Paine

was reelected, and James Brown elected; John Freeman was reelected, and Josias Cooke elected in Eastham; John Willis was elected in Bridgewater, and John Cooke in Dartmouth.

Timothy Hatherly the founder of Scituate, died there this year. Mr Hatherly was an eminent English merchant, and had been one of the most zealous of the adventurers in forwarding the colony. He came over in the Anne, in 1623, but disliking the country and suffering some loss from fire he returned to England. He however became interested in a large tract of land at Scituate, to which place he sent his agent and several servants, and came over again in 1632, and settled at Scituate of which place he may be considered the founder. He was elected an assistant in 1636, and was continued in that office by successive elections until 1658, when the people under the influence of infatuated bigotry left him out of the government, as his principles were tolerant. In 1639 he was the treasurer of the colony and was sometimes a commissioner of the United Colonies. Mr Hatherly was a gentleman of great integrity, intelligence and piety, and extremely useful in all the transactions of the colony. His estate was large, and his means of doing good ample.\*

Death of  
Mr Hatherly.

Nathaniel Bacon was elected an assistant in the place of James Brown. No other change was made in the magistracy. Mr Brown was opposed to the adoption of rigorous measures against the Quakers, cherishing principles similar to his father's, and the popular indignation which had not spared his father or Mr Hatherly, Mr Cudworth and Mr Collier, now reached him.

1667.

The deputies from Plymouth, Duxbury, Scituate, Taunton, Yarmouth, Marshfield, Bridgewater, and Dartmouth, were reelected. In Sandwich, Richard Bourne was re-

\* He married the widow of Nathaniel Tilden, but left no children.

elected, and Thomas Tupper elected; in Barnstable, Joseph Lathrop was elected; in Rehoboth, Peter Hunt and Henry Smith; and in Eastham, Daniel Cole was elected.

1668.

The assistants were all reelected, as well as the deputies from Scituate, Sandwich, Taunton, Rehoboth, Bridgewater, and Dartmouth. In Plymouth, Ephraim Morton was reelected and Samuel Dunham elected; in Duxbury, Mr Southworth was reelected and Josias Standish elected; in Yarmouth, Thomas Hawes and John Thacher were elected; Mr Joseph Lathrop was reelected and John Chipman elected in Barnstable; Mr Eames was reelected in Marshfield, and Anthony Snow elected; Mr Daniel Cole was reelected in Eastham and Jonathan Sparrow was elected; Swansey for the first time was represented by John Allin.

The colonists had been much annoyed and interrupted in their fishing by the fishermen of Massachusetts. The General Court at their session, June, 1668, ordered 'that something be directed from the Court to the Court of Massachusetts, to request them to take some effectual care for the restraint of this abuse, as much as may be.'

All persons were now forbidden, whether inhabitants of the colony or not, even if they had received liberty from the court, to purchase lands of the Indians, 'and in case any should so possess themselves without the approbation and leave of the Court, and no fine could be obtained, the land so purchased should be seized for the country's use,' and that none upon any pretence whatsoever should be suffered to buy or receive in any way from the Indians any of those lands that appertain unto Mount Hope or Sawsumsit neck, or any other such necks or tracts of lands as where is a body of Indians upon, and the Court shall judge they cannot live without.'

The assistants were all reelected. In Plymouth, 1669. Ephraim Morton and Robert Finney were elected deputies; in Duxbury, Constant Southworth; in Scituate, Robert Studson and Isaac Chettenden; in Taunton, William Harvey, James Walker; in Sandwich, Edward Freeman, jr.; in Barnstable, John Chipman, Thomas Huskins; in Yarmouth, Thomas Hawes, John Thacher; in Marshfield, Mark Eames, Anthony Snow; in Eastham, Daniel Cole, Jonathan Sparrow; in Rehoboth, Philip Walker, Nicholas Peek; in Bridgewater, John Willis; in Dartmouth, John Russell; in Swansea, James Brown.

On the 8th of December died Capt. Thomas Southworth, one of the assistants, at the age of fiftythree. He attracted the attention and respect of the people very early, and was selected to succeed Mr Brewster in his office of ruling elder, but Governor Bradford deeming him to be well adapted to civil office, the design was abandoned, and Mr Cushman was elected. Mr Southworth was elected an assistant in 1652, and continued in the government with but few interruptions until his death. He was one of the commissioners of the United Colonies in 1659, and three years after; again in 1664. In 1654, he was appointed governor of the colony's territory on the Kennebeck river in Maine. He was a man eminent for the soundness of his mind and the piety of his heart.\*

Death of  
Thomas  
South-  
worth.

The court voted that the confederation with two colonies, viz. Massachusetts and Connecticut, 'should stand and remain as it formerly did with them,' when New Haven was included.

\* This gentleman was the stepson of Governor Bradford, being the son of the celebrated Alice Southworth, his second wife. His wife was his cousin Elizabeth Reyner, a daughter of the Rev. John Reyner, the minister of Plymouth. His only child, Elizabeth, married Joseph Howland, a son of John Howland, one of the pilgrims of the May Flower.

1670. Constant Southworth was elected an assistant to supply the place of his deceased brother. The other assistants were reelected, as well as the deputies from Scituate, Taunton, Yarmouth, Marshfield, Eastham, Bridgewater, and Swansea; in Plymouth, Ephraim Morton was reelected and John Howland elected; Thomas Huskins was reelected in Barnstable, and William Crocker was elected; Duxbury elected William Paybody; Sandwich Richard Bourne; Rehoboth Stephen Paine and William Sabin; and Middleborough was represented for the first time by John Morton.

1671. The assistants were all reelected. The deputies from Scituate, Barnstable, Marshfield, Rehoboth, and Bridgewater, were reelected; Mr Ephraim Morton was reelected and Mr Robert Finney elected from Plymouth; William Paybody was reelected and Josias Standish elected from Duxbury; Mr Harvey was reelected, and William Wetherell elected from Taunton; Mr Thacher was reelected and John Miller elected from Yarmouth; Edward Freeman, jr. was elected in Sandwich; Josias Cooke and Thomas Paine in Eastham; John Russell in Dartmouth; and James Brown in Swansea.

1672. Death of  
John  
Howland. John Howland, one of the pilgrims of the May Flower, who belonged to Governor Carver's family died this year, February 22, at the age of eighty. Mr Howland was an assistant in the government as early as 1633, and several years after.\*

War was apprehended with the Dutch. 'The court having reason upon intelligence received, to fear trouble from the States General of the United Belgic Provinces, or others, before the revolution of a year,' issued an order

\* He left several daughters and four sons, viz. John, who settled at Barnstable; Joseph at Plymouth; Isaac at Middleborough; and Jabez, after the conquest of Mount Hope, at Bristol.



to each of the military officers to examine the arms and ammunition, and the 'town stock,' and to 'gather' the military fines, 'and in case of sudden assault they were to be guided by the orders of the council of war, which sat at Plymouth, April 2, 1667, until more particular orders were received from the governor, major, or council of war.

The assistants were all reelected, and the deputies from Plymouth, Duxbury, Scituate, Bridgewater, Dartmouth, and Swansea; Mr Harvey was reelected and George Macy elected in Taunton; Mr Huskins was reelected and John Thompson elected in Barnstable; Mr Eames was reelected and Nathaniel Thomas elected in Marshfield; Mr Thomas Paine was reelected in Eastham, and Daniel Cole elected; Thomas Tupper was elected in Sandwich; Thomas Hawes and Edward Sturges in Yarmouth; Peter Hunt and Daniel Smith in Rehoboth, and John Morton in Middleborough.

The court sat in September and issued the following declaration: 'the court having considered this information concerning the Dutch actings at New York and places adjacent, do judge it our duty incumbent on us, to take care in the best way we can for the preservation of his majesty's interest and our own in the colonies, but duly considering all circumstances attending that affair, do not as yet see satisfactory grounds to attempt a war upon them, without express command from his majesty, or the necessary defence or preservation of the colonies from their invasion or injuries done to any of the members thereof, in which case happening, this court ordereth that the governor or deputy governor having intelligence thereof, do summon the General Court to confer about it, and meanwhile do adjourn till such cause of appearance.' 'And for the speedy relief of any of our confederates <sup>1673.</sup>

that may be assaulted by the enemy, it is ordered that the governor and council of war be empowered and be trusted to manage that affair according to the articles of confederation in such case provided.'

'It was also ordered for the relief of such towns as should be in distress from the assault of an enemy, that the chief military officer or officers in the next towns, with the advice of their council or so many of them as might be had, should have power to send forth such a number of soldiers with a commander, as by them shall be judged necessary for the present relief of the distressed and to press horses for their better expedition if they see cause.'

Death of  
Governor  
Prence.

This year was made memorable by the death of Governor Prence. This distinguished gentleman was probably a native of Lechdale, in the county of Gloucester, England, at which place his father and grandfather both resided. He was born about the year 1600, and was one of the Leyden company. He arrived at Plymouth in the *Fortune* in 1621. He was soon chosen one of the assistants, and was extremely active in all the concerns of the colony, both civil and military. In 1634 he was chosen governor, and in 1635, he removed to Duxbury. In 1638, with much reluctance he again accepted the office of governor, on condition that he should be permitted to reside at Duxbury. If he did not originate, he was the most zealous advocate of the project for removing the seat of government to Eastham in 1643. He went there himself, and he may be considered as the founder of that ancient town, the common mother of all the towns on Cape Cod below the ancient Yarmouth.

From 1657, he remained governor until his death, having been elected to that office at sixteen annual and successive elections. The laws required that the governor

should reside at Plymouth, but this provision was dispensed with to favor him. In 1665 he removed to Plymouth and resided there until his death, at a house which had been built expressly for the accommodation of the governor for the time being.

Governor Prence was not altogether happy in his administration of the government. The severe proceedings against the Quakers were favored by him, and the disposition which he displayed in religious affairs was intolerant and overbearing, and it certainly was unjust to procure the removal of Mr Hatherly, Mr Cudworth, and Mr Brown from the government, merely because they were in advance of the age. What was then condemned as criminal weakness, would now be lauded as enlightened wisdom. Nevertheless, the fault of Governor Prence was the common fault of the age, and rather indicates a feeling common to all, than any peculiar severity and intolerance in him as an individual.

He was unfortunate in other affairs. The first serious disputes with the Indians commenced during his administration. He was annoyed too by the investigations of the royal commissioners, although they found but little to condemn in Plymouth.

His administration is rendered illustrious from his zealous and incessant efforts to introduce a regular system of school education, and although they were unsuccessful, except in establishing a school at Plymouth, which was supported by the profits of the fishery at Cape Cod, yet previous to his death that system fraught with such incalculable benefits to posterity was commenced through his agency,\* and was afterwards sustained at the public ex-

\* Judge Davis in his account of Governor Prence, speaks of his having secured public support for schools at Taunton and Rehoboth. No trace of this can be found in the records, and only a law which appropriated the profits of the Cape fishery for that purpose, and that only for the school at Plymouth.

pense. His exertions to establish this system were the more meritorious, inasmuch as he had not like his predecessors, Bradford and Winslow, pretensions to literature himself.

He was also zealously engaged in securing a regular and certain support for the ministers of the gospel. His strong attachment to literature sharpened his dislike to those sectarians who professed to disdain all human learning. His whole attention was given to public affairs, in which he was industrious, patient, and enterprising.

His personal appearance was noble, and his deportment dignified and commanding; so much so, that it is even noticed in the records of the church. 'He had, (says the record,) a countenance full of majesty.'\*

He died on the 8th of April, 1673. At the ensuing court in June, Josias Winslow, the eldest son of the late governor Edward Winslow, was elected as the successor of Governor Prence. John Alden still remained the first assistant. The other assistants chosen at the annual election were William Bradford, Thomas Hinckley, John

\* Governor Prence had but one son. His name was Thomas. He went to England young, married there, and soon after died, leaving an only daughter, whose name was Susanna. The governor was anxious that she should come to America, but this was prevented by the fondness of her mother. His eldest daughter Rebecca, was married to Edmund Freeman, jr. of Sandwich. These were the children of Patience Brewster, a daughter of the venerable William Brewster, to whom Governor Prence was married in 1624. By his second wife, Mary, who was the daughter of William Collier, one of the assistants, formerly a London merchant, and to whom he was married in 1635, he was the father of seven daughters, viz. Mary, married to — Tracy of Duxbury, Elizabeth, to Arthur Howland of Duxbury; Judith to Isaac Barker of Duxbury; Hannah to Nathaniel Mayo of Eastham; Jane to Mark Snow of Eastham; Sarah to Jeremiah Howes of Yarmouth; Mercy to John Freeman of Eastham.

This notice of Governor Prence has been condensed from the more copious sketch of Judge Davis in his edition of the New England Memorial.

Freeman, Nathaniel Bacon, Constant Southworth, James Brown.

The deputies from Duxbury, Scituate, Taunton, Sandwich, and Bridgewater, were reelected; Mr Morton was reelected in Plymouth, and M. S. Crow; Mr Hawes in Yarmouth, and John Thacher; Mr Thompson in Barnstable, and Joseph Lathrop; Mr Eames in Marshfield, and Anthony Snow; Mr Hunt in Rehoboth, and Anthony Perry; Mr Paine in Eastham, and Jonathan Sparrow; John Cooke in Dartmouth; Hugh Cole was elected in Swansea in the place of James Brown chosen an assistant; John Morton was reelected in Middleborough.

On a new summons for a court to be holden in September, 1673, the deputies from Duxbury, Scituate, Taunton, Yarmouth, Bridgewater, and Dartmouth, were rechosen; in Plymouth, Sergeant William Harlow in the place of Mr Crow; in Sandwich, Edmund Freeman, jr. and William Swift; in Marshfield, Lieutenant Peregrine White and Anthony Snow; Rehoboth, Lieutenant Peter Hunt and Ensign Henry Smith; in Eastham, Jonathan Sparrow and Daniel Cole; in Swansea, Nathaniel Peck; in Middleborough, Jonathan Dunham.

By the active friendship and powerful influence of gov-<sup>1674.</sup> ernor Winslow, James Cudworth was restored to the magistracy, from which he had been excluded on account of his tolerating principles. Mr Cudworth supplied the place at the board of assistants of Nathaniel Bacon.

The deputies from Duxbury, Scituate, Sandwich, Bridgewater, and Dartmouth, were rechosen. In Plymouth, Ephraim Morton was reelected, and William Clarke was elected. In Taunton, Mr Macy was reelected and John Tisdill was elected; in Yarmouth, John Thacher was reelected, and Edmund Hawes was elected; in Barnstable, Thomas Huskins and William Crocker were elected; in

Marshfield, Anthony Snow was reelected, and Mark Eames elected ; in Rehoboth, Ensign Henry Smith was reelected, and Daniel Smith elected ; in Eastham, Mr Sparrow was reelected and Jonathan Bangs elected ; Hugh Cole was elected in Swansey, and John Thompson in Middleborough.

June. The court having ordered Mannamoiett, Paomet, and Satucket to be included in the town of Eastham ; it was further ordered 'that all other places in like capacity should belong unto particular townships, as the court should see meete.'

1675. Governor Winslow was reelected governor, and John Aiden first assistant ; the other assistants were William Bradford, Thomas Hinckley, John Freeman, Constant Southworth, James Brown, and James Cudworth. The deputies from Plymouth were Lieutenant Ephraim Morton, Sergeant William Harlow ; Duxbury, William Paybody, Josias Standish ; Scituate, John Damon, Jeremiah Hatch ; Taunton, Lieutenant George Macy, William Harvey ; Sandwich, Thomas Tupper ; Barnstable, Thomas Huskins, Barnabas Lathrop ; Yarmouth, Edmund Hawes, Capt. Thomas Hawes ; Marshfield, Ensign Mark Eames, Anthony Snow ; Eastham, Jonathan Sparrow, Mark Snow ; Rehoboth, Ensign Henry Smith, Daniel Smith ; Bridgewater, John Willis ; Swansey, Hugh Cole ; Dartmouth, John Cooke ; Middleborough, John Thompson.

June. A departure was made at this court from the plain and simple habits of the early pilgrims. Four halberts were ordered to attend the governor and assistants on election days, and two during the continuance of the court.

The court ordered Mr Constant Southworth and William Paybody, 'with such persons as should be designated by the towns, to ascertain their several boundaries, and to place monuments on the boundary lines.'

## CHAPTER II.

ABSTRACT OF THE LAWS OF THE COLONY OF NEW PLYMOUTH  
FROM 1641 TO JUNE, 1675.

IN September, 1658, the General Court for the first time ordered the laws which before had been unpublished to be revised and published. This order was executed by the secretary, who prepared a number of books in manuscript equal to the number of the towns, and in this mode were they published without printing; as new laws were made, they were added to those already in the book.

The laws were revised first in 1636, then in 1658, as abovementioned. In 1671, the governor, the major, Mr Hinckley, and Mr Walley, were chosen a committee to peruse the laws, and gather up from them or any other they can get, and compose therefrom a body of laws which they were required to present at the next court; this was done, and in 1671, there was a third revision. In 1672, they were for the first time printed, with this title: 'The Book of the General Laws of the Inhabitants of the Jurisdiction of New Plymouth;'<sup>\*</sup> and in June, 1673, the court

<sup>\*</sup> The laws were printed by Samuel Green of Cambridge. It is worthy of note that not a single copy of the printed laws is now extant; and Governor Hutchinson the historian of Massachusetts, careful and accurate as he was generally, was induced to believe that the government of Plymouth 'never established any distinct code or body of laws.'

In the office of the town clerk of Taunton, there is a manuscript volume of

ordered that nothing shall stand in force in our written book of laws but what the printed laws refer unto; and in September, 1673, the governor, and Mr Thomas Hinckley, and the treasurer, were ordered to review and collect into one such laws and orders in the written book as were of use.

The edition in manuscript which was ordered by the court in 1658, was prefaced with the following address :

‘The Book of the General Laws and Liberties of the inhabitants of the jurisdiction of New Plymouth, out of the records of the General Court, and lately revised and established, and disposed into an alphabetical order, and published by the authority of the General Court held at New Plymouth, the twentyninth day of September, Anno Domini, 1658.

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Be subject to every ordinance of man for the Lord's sake. 1 Peter, ii. 13.

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‘To our beloved brethren and neighbors the inhabitants of the jurisdiction of New Plymouth: the governor, assistants, and deputies, assembled at the General Court of the jurisdiction held at the town of Plymouth, the twentyninth day of September, Anno Domini 1658, wisheth grace and peace in our Lord Jesus Christ. It was the great privilege of Israel of old, and so was acknowledged by them, Nehemiah, ix, 13, that God gave them right judgment and true laws, for God being the God of order

the laws of the colony in perfect preservation and continued to the termination of the government, the last entry being in 1689.

Tradition says that the latter part of this manuscript volume was written out by Shadrach Wilbore the town clerk of Taunton, who was imprisoned at Plymouth during the usurpation of Sir Edmund Andros, by his order, for refusing to surrender the town records. To relieve the tedium of his solitary hours, he amused himself by copying the laws, and the handwriting of the latter part of the book seems to render the traditionary account probable.



and not of confusion, hath commanded in his word, and put man in a capacity in some measure to observe and be guided by good and wholesome laws, which are so far good and wholesome as by how much they are derived from, and agreeable to the ancient platform of God's law; for although sundry things which was in the judicial law which was of old enjoined to the Jews, did more especially (at least in some circumstances) befit their condition; yet are they for the maine so exemplary, being grounded on principles of moral equity, as that all men, Christians especially, ought always to have an eye thereunto, in the framing of their laws and constitutions; and although several of the heathen nations who were ignorant of the true God and his Son, have been famous in their times for the enacting and execution of such laws as have proved profitable for the government of their commonwealths in the times wherein they lived, yet notwithstanding their excellency appeared so far as they were founded upon grounds of moral equity, which has its original from the law of God; and accordingly we who have been actors in the framing of this small body of laws, together with other useful instruments who have gone to their rest, can safely say both for ourselves and them, that we have had an eye primarily and principally unto the aforesaid platform and secondarily unto the right improvement of liberties granted to us by our superiors the State of England, at the first beginning of this infant plantation was to enact such laws as should most befit a state in the nonage thereof, not rejecting or omitting to observe such of the laws of our native country as would conduce unto the good and growth of so weak a beginning as ours in this wilderness; as any impartial eye not forestalled with prejudice may exactly discern in the perusal of this small book of the laws of our colony: the premises duly

considered might work every conscientious spirit to faithful obedience; and although we hold and do affirm that both courts of justice and magistrates who are the ministers of the law, are essentially civil; notwithstanding we consider that as the magistrate hath his power from God, so undoubtedly he is to improve it for the honor of God, and that in the upholding of his worship and service and against the contrary; with due respect also to be had unto those that are really conscientious, although differing and dissenting in some smaller matters; but if any really, or in pretence of conscience doeth that which eminently leadeth to the destruction of civil, and violation of natural bonds, or the overthrow of the churches of God or of his worship, that prudence is to be improved in a special manner in the drafting and execution of laws. It hath been our endeavor in framing our laws that nothing should be found amongst them but that which will fall under the same particulars; we have likewise reduced them to such order as they may most conduce to our utility; possibly it may be that weakness may appear in the composure of sundry of them for want of such plenty of able instruments as others are furnished withal: However let this suffice the gentle reader, that our endeavor to the utmost of our powers in these our endeavors to promote both church and state, both at present and for the future, and therefore so far as we have aimed at the glory of God and common good, and acted according to God, be not found a resister, but obedient, least thereby thou resist the ordinance of God, and so incur the displeasure of God unto damnation. Romans, xiii, 2.

By order of the General Court,

‘NATHANIEL MORTON, Clerk.’

From this address it plainly appears that our forefathers attempted to establish the laws which were prescribed to the Jews, as the basis of their own.

## LAWS RELATING TO THE POWERS, DUTIES, QUALIFICATIONS, OF FREEMEN, &amp;c.

1646. 'Whereas the several towns in this jurisdiction were before their deputies, which must arise out of the freemen to attend the General Courts of the year : now upon the special complaint of the deputies of the towns present, professing themselves to be oppressed thereby, it was enacted that the whole body of freemen shall appear at the Election Courts, and then to make or repeal such laws, orders, and ordinances, as shall be found meet and wholesome for the ordering of the government, and they shall also present such deputies as have been chosen in their towns according to order formerly established, who are to attend the same and the several adjournments thereof; and whatsoever laws, orders, and ordinances, shall be made or repealed, be at that Court and the adjournments thereof only done, except the governor and assistants see cause to call a special court, and other courts to attend to matters of judicature, and the magistrates only to attend to the same.'

The power of legislation would seem by this law to have been not only restored to the freemen at the request of the deputies, but the attendance of the freemen to pass upon laws was commanded; the judiciary was specially separated from the legislative department.

In 1651, the following law as to the right and practice of voting was passed; 'Whereas in regard of age, disability of body, and other inconveniences that do accrue, sundry of the freemen are hindered that they cannot appear at courts of election, in consideration whereof it is enacted by the court and the authority thereof, that any freemen of this corporation shall have liberty to send their vote by proxy for the choice of governor, assistants

commissioners, and treasurer, and the deputies of the several towns chosen to attend the courts of election, and the several adjournments thereof, shall in the town-meeting in which they are chosen, they or either of them give notice unto the freemen that those that intend not to make their personal appearance at the court of election, are now to give in their votes polled up for the choosing of governor, assistants, commissioners, and treasurer, and the said deputies to observe by a list of their names, who had voted and who had not, which votes be brought in, to be immediately polled up, and brought unto, and delivered in the open court by said deputies.'

In 1658, it was ordered that the votes of freemen present at the courts of election should be first read, 'after which the deputies were orderly to present the proxies of their own towns.'

From this provision it would appear that the tickets on which the names were written were transmitted to the courts, and were there examined, and although in these times much fraud might, and probably would be practised if proxies were permitted, yet in the more simple and unsophisticated times of our forefathers, the practice was attended with no danger.

In fact the colony does not appear to have been much troubled with an evil extremely prevalent in modern times, —contested elections; for in 1660, the Court 'noticing that many of the freemen of the corporation did not appear at the courts of election, nor send their votes by proxy for the choice of magistrates,' enacted 'that all such should be fined, unless some unavoidable impediment hinder their appearance.'

Voting was then considered among civil duties, and was enjoined under penalties.

In 1658, it was enacted 'that all such as are the oppo-

sers of the good and wholesome laws of the colony, or manifest opposers of the true worship of God, or such as refuse to do \* the country, shall not be admitted freemen of this corporation, being duly convicted thereof;’ and also ‘such as shall speak contemptuously of the laws, or such as are judged by the court grossly scandalous, as lyars, drunkards or sodomites, shall lose the freedom of this corporation.’

This law being passed shortly after the appearance of the Quakers, was evidently intended to prevent the growth of schism, and perhaps the practice of free inquiry, and for this purpose the magistracy were armed with additional powers, and had in some degree the supervision of the manners and morals of the people. In furtherance of this policy it was enacted in the same year ‘that all persons freemen of the corporation, shall be propounded one year to the court, and then admitted if the court see no cause to the contrary.’

In June, 1674, it was enacted ‘that the names of the freemen in each town be kept upon the town records. None to be presented to the court to take up their freedom unless they have the approbation of the major part of the freemen at home, and the same to be furnished to the court under the clerk’s hand by the deputies.’

#### THE PRIVILEGES, DUTIES, QUALIFICATIONS, &C, OF RESIDENTS NOT FREEMEN.

In 1658, the court in their zeal to exclude Quakers from all civil privileges, enacted ‘that all refusing to take the oath of fidelity, and such as are manifest encouragers of such, shall have no voice in the choice of public officers in the place where they dwell, nor shall be employed in any place of trust while they continue such.’

\* Illegible.

In 1662, it was enacted 'that all persons who are at their own disposal, and have not taken the oath of fidelity shall repair unto some one of the magistrates, to take said oath; neglecting, to be summoned to any election court, and there refusing or neglecting to take the oath, to be fined £5.

THE POWERS, DUTIES, PRIVILEGES, PAY, &C, OF THE  
CIVIL OFFICERS.

In 1644, it was made lawful for the governor or either of the magistrates to direct a summons to any person within the government, 'and that should be as strong as a warrant to attach.'

1658, the governor and assistants were authorized 'to press artizans, to build prisons, stocks, or whipping posts, allowing suitable pay.'

In 1644, the treasurer was required to settle his accounts annually.

1657, fines in the remote towns might be levied by a constable under the treasurer's warrant. The remote towns were Taunton, Rehoboth, Eastham, and Bridgewater.

In 1658, the treasurer was authorized a month after judgment, to issue his warrant for fines.

When a town was fined, the court were to appoint to make a rate, three men. If they neglected to make the rate, they were to pay the fine themselves.

In 1659, an oath was required of the treasurer, and also of the clerk of the court.

In 1641, the clerk of the court was allowed £20 in addition to fees.

In 1645, executions issuing out of the General Court or Court of Assistants, were directed to be served by the marshal alone.

In 1652, the court of magistrates and deputies were authorized to compensate any person in public place 'for loss of time or damage.'

It was required that the chief marshal and under marshals should be under oath.

In 1655, contempts cast upon the under marshals were to be punished.

In 1658, the chief marshal was authorized to require the aid and assistance of all the people, and his power was declared to extend over the whole government.

In 1659, three persons were ordered to be nominated as commissioners, one of the first failing, the last to serve.

In 1660, the under marshals were denied any fees for keeping a prisoner only, for commitment and release.

In 1658, a law was passed equally indicative of the poverty and simplicity of this little commonwealth. The public officers were to be paid in corn for their services, 'and all corn delivered in to pay the current expenses of the country, to bear one price.'

In 1666, it was enacted that 'the magistrates be not freed from bearing their proportion in country rates or charges.'

In 1658, the next magistrates were authorized to execute the functions of a coroner, 'according to the custom of England.'

In 1668, constables, in case of the inability of coroners, were to call inquests on dead bodies.

In reference to such as come to untimely deaths, it was enacted, July, 1673, that there should be no burial without information to a coroner or a constable, (where there was no coroner,) under a penalty of £5. The nearest relations to the deceased to give notice; if none, any person having knowledge of the fact, was bound to communicate

it, for which he was to be paid from the estate of the deceased, and where there was no estate, by the treasurer.

JUDICIARY DEPARTMENT, JURORS, WITNESSES, EVIDENCE,  
PROCESSES, &C.

In 1666, it was enacted that only three courts in the year should be holden for the trial of causes by jury, viz. on the first Tuesdays of March and July, and the last Tuesday of October, 'but that it should be lawful on special occasions, for any citizen of the colony or others, to purchase a court in the interim to be composed of the governor and three of the magistrates at least,' 'and that henceforth there should be no court of assistants unless the governor on special occasion should see cause to summon such a court.' Strangers or foreigners had been permitted by a law passed in 1658, in suits of considerable value, 'to purchase a court for speedy trial, putting in security to defray the charge.' The court to consist of not less than three magistrates.

In 1669, the governor and two assistants were empowered to authorize the purchase of a court in the interim between the courts, to be holden by the governor and three assistants at least, and to be at the expense of the applicants.

By a law of 1662, no summons was to be issued out before the action be entered, and the charges defrayed. By a law of 1668, circumstantial error in a summons or warrant was declared to be no ground for nonsuit.

One witness was declared to be sufficient to ground a presentment on, but two were required for conviction. No evidence of any crime less than capital was to be received after two years.

In 1673, the deputies were allowed to have a vote with the magistrates 'in the purging of the court.'



By a law passed in 1646, grand jurors were required once in each year, 'to view all the weights, measures, and toll dishes in their several towns, and to see that every householder have sufficient ladders, and to present the defects.'

In 1654, the towns were required to choose none for grand jurors but such as were 'capable and fit, and to pay them.' By a law of 1658, they were to be fined for neglecting to appear at court. By a law of 1656, they were to be notified to appear at the court of election to take the oath, which by a law of 1659 was required to be in the following form: 'You shall true presentment make of all things given you in charge; you shall present nothing of malice or ill will. Your own councils and your fellows, in reference to this oath you shall well and truly keep. So help you God.'

In 1657, inferior officers, such as constables, grand jurors, surveyors of highways, were to be confirmed if approved by the court. In 1659, each constable was ordered to provide himself with a staff, which, if not re-elected, he was to deliver to his successor. Any one refusing the office was to be fined £4.

In 1655, a law was passed, by which executions were to be granted within one month after verdict and not before, unless the debtor was about to leave the jurisdiction. The plaintiff or his deputy was required to go with the marshal, 'to price the goods.' The defendant had the liberty of choosing another man, and the marshal and those two were to appraise the goods. If the defendant neglected, the marshal was to choose in his behalf. After the goods were appraised, they were to be delivered to the plaintiff or his deputy. If the goods exceeded debt and charges, the plaintiff was required to pay back the overplus in six days in country pay: if he lived out of the

government, to return the overplus forthwith, or to give security to the defendant that he would do it in six days.

By a law of 1673, goods levied on by distress or execution, were to be appraised by 'two meet men of good judgment, one to be chosen by the constable, and the other by the debtor. Upon refusal of the debtor, 'to set forth suitable goods as to the nearness of the sum,' the constable was authorized to seize such goods 'as should best suit, to be equally and indifferently appraised according to the special due, and not overprized. Appraisers refusing to serve, to forfeit 5s. to the country's use.'

In 1668, all debts were required to be paid in specie, 'for which a man doth agree, and all damages recovered for debts, defamation, or trespass,' were to be paid in any good current pay at price current.

In 1668, an act was passed 'for the prevention of the diversion of the execution of justice by fraud or cozin.'

By this act it was provided that where estate could not be found 'to satisfy any fine or mulct due the country, or to answer a judgment obtained against any persons at the particular suit of any, the *person* of any so fined or cast in law shall be secured to be responsible thereunto.'

This is believed to have been the first colonial law which authorized imprisonment for debt.

LAWS RELATING TO TOWNS.—THEIR POWERS, PENALTIES, AND LIABILITIES.—RATERS OR ASSESSORS.—DEPUTIES.—QUALIFICATIONS OF VOTERS.—TOWN CLERKS.—THE OFFICE OF SELECTMAN.—PROVISION FOR THE SUPPORT OF THE POOR.—SCHOOLS.—THE SUPPORT OF PUBLIC WORSHIP AND THE MAINTENANCE OF MINISTERS.—LICENSED HOUSES, &c.

In 1643, each town was required to choose three or four men by ballot, to rate all the inhabitants according to

their estates or faculties, that is according to goods, lands improved, faculties and personal abilities, whether the rates be for the town in particular, or for general charges.' Constables were to summon the townsmen to meet together when required, under penalty of 20s. If the townsmen did not meet, the constables were to choose raters. The raters neglecting to make and transcribe, and deliver the rates to the constables in two days or sooner, each to forfeit 10s. for each default, and the constables neglecting to collect the rates within forty days to pay them themselves, but they had power to distrain. The fines to be paid to the government.

Personal ability and faculty, if the term be applied to intellectual capacity was a difficult subject for taxation. The judgment which could have graduated a scale of rates in any just or accurate proportion on the human understanding, must have possessed more than human sagacity. This source of revenue could not have well been brought within the compass of an estimate. If the desire to avoid taxation was as strong under the colonial government as it is now, many would have been willing to have yielded a reputation for talents and genius, if by so doing they could have escaped a tax.

In 1646, it was required that a town clerk should be 'appointed and ordained,' to keep in each town a register of the day and year of the marriage, birth, and burial of every man, woman, or child, within the township. Every father, mother, or next in relation, was required to certify to the register keeper or town clerk, the name and the day of the birth of every child so born within his house within a month next after the birth, under penalty of 3s. for such neglect, or for neglecting to inform of marriages. Every master or mistress of a family to furnish the names of all those who die in their houses, and the day of burial

under like penalty, and the clerk was required to furnish to the court annually in the month of March, a true and correct copy of his register. The town clerk was also required to publish all contracts of marriage.

In 1654, the town clerk was required to be under oath.

Accurate registers of deaths, births, and marriages, have often been found to perform the part of silent but indisputable witnesses in the courts of justice. By the production of such records, estates have been frequently wrested from such as held without right, and have been restored to the right heirs. To antiquaries they are a source of harmless pleasure, by enabling them to trace descents. They sometimes render important aid to the historian, by enabling him to fix his dates with the precision which is sometimes necessary to prove the accuracy of his narrative.

It is a matter of curious, and even of philosophical, but sometimes of painful interest, to trace the vicissitudes of American families. One generation surrounded with splendor, station, and wealth. The next perhaps in mean employments, and in poor houses. The next emerging from poverty, and again encompassing the high places of society, sometimes depressed without fault, sometimes elevated without worth or wisdom.

From these ancient records of times long past, it is now in the power of almost every son of New England to trace his ancestors, to know who they were, and what they did. These interesting memorials of an age already sacred, are rapidly disappearing, but while the traces remain let them be preserved.

In 1646, towns neglecting to choose deputies were fined 40s. and deputies neglecting to attend Court without sufficient reason, were fined 20s.

In 1658, it was enacted that as in many towns the number of freemen was less than the number of inhabitants,

and as all had an equal right to vote, 'it may come to pass that very unfit and unworthy persons may be chosen, that cannot answer the court's trust in such a place; that as all such as magistrates and deputies, are to act in making of laws, and being assembled, the court in the first place take notice of their members, and if they find any unfit for such a trust, that they and the reason thereof be returned to the town from whence they were sent, that they may make such choice of more fit and able persons to send in their stead as the time will permit.'

The right of expulsion was now emphatically asserted, in consequence of the differences of opinion as to the measures expedient to be pursued with respect to the Quakers. Those who were against the severe measures proposed by the majority were expelled, or in the language of the day 'set aside,' such as Mr Cudworth of Scituate, Mr Skiff of Sandwich, &c.

In 1668, none were permitted to vote in town meetings 'but freemen and freeholders, of £20 rateable estate and of good conversation, having taken the oath of fidelity.'

#### THE OFFICE OF SELECTMAN.

In 1665, the court enacted that in every town there should be 'three or five selectmen chosen by the townsmen out of the freemen, such as shall be approved by the court, for the better managing the affairs of the respective townships, and they were empowered 'to hear and determine all debts and differences arising betwixt person and person, not exceeding thirty shillings,' and also to hear and determine all differences arising betwixt any Indians and English of their respective townships, about damage done by the cows, swine, or other beasts of the English;' and in case their award was not satisfactory, a magis-

trate's warrant was to issue, by which distraint might be made. It was further enacted 'that the selectmen in every township approved by the court or any of them, should have power to give forth summons in his majesty's name, to require any persons complained of, to attend the hearing of the case,' and also to summon witnesses, 'and to determine controversies according to legal evidence,' the complainants were required to serve the summons upon those complained of, and in case of non-appearance, the selectmen were nevertheless to proceed and determine the controversy.

In 1666, their powers were enlarged, the jurisdiction was so far extended as to embrace cases where the damages were laid at 40s. the right of appeal being preserved. They were also empowered to administer oaths and to issue executions. The party appealing were required to give security for the prosecution of the appeal, and also to state the reason.

They were required to take the following oath. 'You shall, according to that measure of wisdom and discretion God hath given you, faithfully and impartially try all such cases between party and party brought before you, as also give such summons respecting your trust according to order of court, as a Selectman for the town of ——— for this present year. So help you God.'

They were also required to take notice of all who came into the government without the approbation of the governor or two assistants, and to warn them to apply for such approbation, and upon their refusal or neglect, they were to require them to appear at the next court at Plymouth, and to require security for their appearance. If they refused or neglected to give security, the constable, upon the information of the selectmen, was required to apprehend and carry them before the governor and assistants.

The court noticing the great neglect in frequenting public worship, ordered the selectmen to require an account of all whom they should suppose to have neglected public worship from profanity or slothfulness, and if they were not satisfied, to return their names to the court.

In 1669, the selectmen 'were authorized to issue warrants of *capias* and attachment in his majesty's name. Single persons were forbidden to live by themselves, or in any family excepting such as should be approved by the selectmen, and in case they refused obedience to the order of the selectmen, they were to be summoned to court and proceeded against.

By a law of 1670, any one refusing to serve in the office of selectman was to be fined. In the same year the court enacted 'that no attachment should be granted by selectmen against any freeman or other inhabitant, and that there should be three courts of selectmen in a year.

The selectmen were this year empowered to try all questions between the English and the Indians excepting capital and land titles. They were authorized to take a constable and 'repair to any house or place where they might suspect that any slothful did lurk at home or get together in companies to neglect the public worship of God, or profane the Lord's day and finding any disorder to return the names of the offenders to the next court, and also to give notice of any particular miscarriage.'

The powers and duties of selectmen appear to have been of a high character. They were not only the chief executive and police officers of the several towns, charged with a general superintendence of town affairs, and with a general oversight of the morals and manners of the inhabitants, but they were judicial officers, and were constituted a court. They united the functions of the mod-

ern justice of the peace, and partially those of the old county courts of common pleas, with a jurisdiction limited to the towns. This judicial power was conferred upon them in consequence of the great inconvenience which the people of the remote towns suffered from being obliged to attend the courts at Plymouth in small cases.

They exercised a supervisory power upon all who came into the colony without the approbation of the governor and two assistants, and they could compel them to obtain such approbation, or to appear before the governor and assistants for further dealing.

They united the functions of the Roman censor with those of the modern police officer. By a law of 1666, they were required to interrogate such as they supposed neglected to attend public worship from 'profanity or slothfulness,' and to return their names to the assistants, and by a law of 1670 they were further empowered to break into the haunts of the slothful and profane who neglected the Lord's day and the public worship of God, to employ the assistance of a constable, and to notify the court of the offenders.

They were empowered to compel single persons to live in such families as they should direct, and were authorized to prevent them from 'living by themselves' and in case these orders were neglected or opposed, they could issue processes to compel a compliance.

The possession of power too often leads to its abuse.

The power of the selectmen was not so clearly defined as to prevent doubts as to its extent, and some uneasiness arising probably from partial abuses, the court in June, 1675, found it necessary to pass a law, by which their power was defined with more precision, and in some measure restricted.



The reason of the law is stated in the preamble.

‘Whereas through the variety of interpretations of sundry orders respecting the selectmen’s courts, there may arise such actings as may be cross to the maine end of that constitution,’ the court therefore order that the courts of selectmen shall not have power to send forth any precept to seize any estate without their respective townships, or to compel any person that is not found within their respective towns unto their obedience. Nor shall they have power to try any of the king’s officers respecting the execution of their office, for any damage to any persons, nor to try an action of defamation, battery, or that respects title of lands, nor to make allowances for more witnesses than is necessary, nor to allow more than 18*d.* a day for one witness, nor to allow any cost for any attorneys; nor to hold more than two courts in a year, viz. on the last Tuesday of September and the first Tuesday in February; nor to adjourn any of their courts longer than until the next day immediate’y following, saving their liberty only to call a special court in case they see urgent cause thereof, only on the account of a stranger being concerned in a case, which without much damage cannot well be deferred to one of the colony courts. The inhabitant of another town neglecting to prosecute or to signify to the defendant, and to one of the selectmen his letting fall his action, then appearing the defendant to have cost, which being certified, the magistrate shall issue his warrant to a constable for a levy of the cost on the said offending plaintiff.’

Such were the powers and such the duties of selectmen. In the ordinary transactions of the towns, their functions were of the most useful character. At one period of the subsequent Indian war, the duty of providing means of defence was devolved almost wholly upon them.

The office still exists, curtailed indeed of much of its power, but now it is generally united with another which has no small influence upon the comforts and happiness of individuals :— the selectmen are now almost invariably overseers of the poor ; that office is distinct from the other, but not incompatible.

The establishment of this office proves that our forefathers knew well what institutions to create, and what were best adapted to the state of that society which they were to guard and protect. And it is by no means certain that the rights of citizens are better preserved by transferring the jurisdiction of cases civil and criminal to justices of the peace.

#### PROVISION FOR THE SUPPORT OF THE POOR.

By a law passed in 1642, each township was required to make competent provision for the support of their poor, 'as they shall find most convenient and suitable for themselves, by an order and general agreement in a public town-meeting.'

Any person brought in or received by an inhabitant of any town, 'and apparently likely to be chargeable to the township without the consent of the townsmen, such persons as brought them shall discharge the town of them.'

Any person coming out of England or elsewhere, 'and bringing any who by disease, impotency or otherwise, is likely to become chargeable, was required to discharge the township of them.' If any so brought should fall sick or become diseased, being indentured as servants, the master was required to support them 'during the time of the covenant, and after that to be relieved by the township where he is.'

Children or elder persons sent out of the town 'to be nursed, educated, or doctored,' and falling into want,

were to receive their relief from the towns from which they were sent.

Any person living and quietly settled in any township, and not excepted against within three months after his coming, was to be reputed an inhabitant of that town. This provision by a law of 1644, was ordered to be so construed, that it should apply only to poor persons, and should not impart any political rights. The children of those who received relief from the town were to be put to work in fitting employments.' By a subsequent law in 1659, three men in each town were authorized 'to put them out, and to provide for their comfortable maintenance.'

#### SCHOOLS.

The expense of the school being £33 per annum, was charged upon the profits of the cape fishery, 'until such time as the minds of the freemen be known concerning it, which will be returned to the next court of election.' This order was passed in June, 1673. At the next court of election in June, 1674, the opinions of a majority of the freemen having appeared to have been favorable to the above order, and to its continuance, 'if a competent number of scholars shall appear to be devoted thereunto,' the court decided the competent number to be 'eight or ten,' and confirmed the profits of the cape fishery to the school, 'and that there be no further demands besides the said profits of the cape fishery, demanded of the country for the maintenance of said school.'

Previous to June, 1674, it does not appear that any other provision than this was made for the support of schools. Only one public school had been established in the colony, which was at Plymouth.

THE SUPPORT OF PUBLIC WORSHIP, AND THE MAINTENANCE  
OF MINISTERS.

In 1655, the first Legislative proceedings were had with respect to the maintenance of ministers.

‘Whereas, (say the court in a preamble,) there hath been many complaints for want of due maintenance for ministers, (as some have reported.) It is therefore enacted by the court, that no pastor or teacher of any congregation shall remove before his complaint hath been tendered to the magistrates, and they have heard both sides. That upon such complaint, if there appears to be a real defect in the hearers of the ministers so complaining, the magistrates shall use all gentle means to upbraid them to do their duty therein, but if any of them shall not be thereby reclaimed, but shall resist through plain obstinacy against an ordinance of God, then it shall be in the power of the magistrates to use such other means as may put them upon their duty.’

For a long period the disinterested zeal of the ministers, and the fervent piety of the people, prevented the necessity of legal contracts between them. The engagement between the minister and his congregation was held to be of a spiritual and not a civil character. But zeal alone could not furnish bread, and the wants of the minister did not diminish in the same ratio with the attachment of the people. A wild spirit (engendered perhaps in England,) had gone forth, which proclaimed war upon carnal learning, and relied for religious instruction upon the miserable crudities of ‘gifted men,’ upon whose minds it was fondly hoped a divine influence was operating, which superseded the necessity of ‘book learning,’ and that the word of the Lord might as well proceed from the lips of such rude, unlettered expounders, as from such as

had by their midnight lamps and painful watches, mastered all the intricacies of the primeval languages of the scriptures, and expounded the holy writings after a critical investigation of their analogies, and a careful comparison of the evidence. Still the court were unwilling to proceed further than to upbraid; a poor resource when encountered by overweening spiritual pride operating upon ignorance, and envy, and avarice; and displayed in railing and abuse, and so the court found it, for in 1657 they were constrained to pass the following law.

‘Whereas the General Court taking into their serious consideration the great defect that either is, or like to be in the several townships of this jurisdiction for want of an able godly teaching ministry and the great prejudice to the souls of many like to ensue; and being desirous according to our duty that such defects shall not be for want of due encouragement to such as should be employed in so good a work of the Lord, for his honor and the good of souls, and in consideration that inasmuch as the several townships granted by the government was that such a company might be received as should maintain the public worship of God among them, do therefore judge that the whole; both church and town, are mutually engaged to support the same, and do therefore order and agree that in whatsoever township there is or shall be an able, godly teaching ministry which is approved by this government, that then some men be chosen by the inhabitants, or in case of their neglect, chosen by any three or more of the magistrates to make a just and equal proportion upon the estates of the inhabitants, according to their abilities to make any such convenient \* maintenance for his comfortable attendance on his work, as shall be agreed

\* Illegible.

upon by the church in such township where any is, with the consent of the rest of the inhabitants if it may be had, or by the magistrates aforesaid in case of their apparent neglect, and that distress according as in other just cases be made upon such as refuse to pay his or their proportion which is in justice due, but in case there be any other way which any township do or shall agree that may effect the end aforesaid, this law not to be binding to them. To be explained, those that only such person or persons as refuse to clear their part with the rest of the church or town in the due maintenance and support of the ministry, this law to be in force only to them, but not unto others that do their duty.'

This was the first attempt in this colony to enforce the support of ministers by law ; this law or order is so obscurely worded that it is difficult of interpretation. It is very questionable whether it is ever expedient to exercise the coercive power of law to secure the support of ministers. True indeed it is in ethics and religion that the 'laborer is worthy of his hire,' and that justice is to be done to the minister as well as to others, and the neglect so to do is a breach of positive moral obligation. Nevertheless the disputes which originate from such causes have a powerful effect in destroying the influence of the order, and money for such purposes forced from a reluctant hand, carries with it ill will, hatred, and a sense of oppression ; such compulsion not only excites a strong dislike to the system which tolerates it, but by association to religion itself, the very purposes for which a ministry is instituted are defeated, and a religious congregation frequently exhibits all the ferocious and angry passions of a political faction. The empire of evil instead of being narrowed, is enlarged, and there is a wider departure amongst pro-

fessed Christians from the real spirit of Christianity, than there is amongst those

‘ Who see God in clouds,  
‘ Or hear him in the winds.’

In 1657, public meetings were forbidden to be ‘ set up in the government,’ only such as the court shall approve.

In July, 1667, it was enacted ‘ that such townships where occasions ariseth for the disturbing upon the estates of any for the ministry,’ the property distressed should be delivered by the constable to some appointed by the town, and in case of no appointment to such as should be appointed by two magistrates ‘ to dispose of it as they shall see cause.’

The support of ministers having been provided for by taxes or rates in 1657, and the party neglecting to pay made liable to distress, &c, ‘ yet for preventing offence and it may be distress,’ the Court ordered in June, 1669, that the magistrates and selectmen being notified of a default, should be empowered to summon such defaulter to the next court, and amerce him double for the colony’s use.

Hitherto the ministers had gathered the rates ; this injudicious and unpleasant system was abolished in 1670.

The Court say, ‘ Forasmuch as it appeareth to be greatly inconvenient that the ministers should be troubled to gather in their rates for maintenance, and to be an occasion to prejudice some persons against them and their ministry,’ two meet persons were to be appointed to collect the rates. ‘ Inciting the people to do their duty in that respect, demanding it when due, and if need be by procuring distraint upon the estates of such as shall neglect or refuse to pay the same,’ provided any minister shall scruple to receive what is so raised, it shall nevertheless

be gathered as abovesaid, and disposed of as the court shall order or advise for the good of the place.'

The people in some places still continuing to neglect to provide an adequate support for ministers and to erect meeting-houses, the Court in 1670, passed the following law and preamble.

'Whereas it hath been and is the pious care and true interest of this court, that all such plantations or townships as are by them granted, should maintain the public Sabbath worship of God and the preaching of the word, and do to that end afford them such due proportions of laws as may accommodate such a society as may be able to maintain the same, and through the corruptions or sinful neglect of many, or most of the inhabitants of some plantations they content themselves to live without the ministry of the word, to the great dishonor of God, and danger of their souls, there being great reason to fear that many may be actuated therein by worldly or vicious principles.'

The Court therefore enacted that in townships where no ministers resided, 'especially if it should appear that the generality of the inhabitants are remiss in the obtaining of one,' the General Court might impose upon them a certain sum, 'which should be collected as rates, and be kept as a stock for building a meeting-house, or for encouragement for a minister to labor amongst them, or other such pious uses as the Court may improve it for their good.'

Dartmouth was assessed £15, to be in readiness when collected, 'towards the uses above expressed.'

In June, 1675, it was enacted that a meeting-house should be erected in every town in the jurisdiction, and any town refusing or neglecting so to do, the governor or magistrates were empowered to appoint some person or



persons to build it, 'according to the necessity and ability of the people,' the charge to be defrayed by the inhabitants and proprietors of the town.

#### LICENSED HOUSES, &C.

In 1668, it was enacted that none should sell liquors unless licensed, and they were to pay for their license 'according to the capacity of the place where they live.'

Plymouth, - - -	£10 00 00	Barnstable, - - -	£2 00 00
Duxbury, - - -	1 10 00	Yarmouth, - - -	1 10 00
Scituate, - - -	2 10 00	Bridgewater, - - -	1 00 00
Taunton, - - -	2 00 00	Rehoboth, - - -	1 10 00

The licensed taverners were forbidden 'to allow profane singing, dancing, or revelling, under penalty.'

In 1668, all unlicensed persons were forbidden to bring more than six gallons of strong liquors into the colony at once, except 'it appear that any man of quality whose condition calleth for further expenses in his family,' should not come within the operation of the law, unless he transcended in his quantity the limits of ordinary house-keeping.

In June, 1674, innkeepers were forbidden to sell liquor on the Sabbath, and were required to clear their houses of all town-dwellers and strangers drinking there, except lodgers, 'by the shutting in of the daylight, under penalty of 5s.'

#### MILITARY LAWS.

In 1645, the officers in each town were required to see that the arms were proper, and 'to present those which were defective.'

In the same year it was ordered by the council of war that the soldiers maimed in the service should be supported through life at the public expense.

The government or any three of the assistants were authorized to 'press horses,' and in 1644, it was ordered that compensation should be made for horses lost in the service.

In 1642, the chief officer in each town was required to appoint the days of training, and in 1644, the rate of fines was established by law.

In 1641, each town was required to provide a barrel of powder, and lead bullets answerable.

In 1642, it was enacted that in time of fear and danger, or sudden assault of an enemy, the chief military officer in each town should be empowered to call the soldiers of the town together, and put them in a posture of defence. The soldiers were required to obey and follow their directions in keeping watch and ward, 'provided that the ordinary watch be set and appointed with the magistrate's approbation of that town,' and the smiths were ordered by the council of war under compulsion, to amend and repair all deficient arms brought to them speedily, 'to be paid in wheat or butter, and smiths refusing, to answer it at their peril.'

It 1646, it was enacted that captains, lieutenants, and ensigns, being established in their places by the authority and approbation of the Court, 'should not resign without their consent, under penalties,' and if such officer neglected to train his men, 'or otherwise neglected, he should be fined 10s. for each default.' And it was also enacted 'in case any chief officer was wanted in any town, such was required to present two or three persons the fittest they had for the place, and such chief officer should be appointed by the Court, and such chief officers their under officers, with the consent of that body.'

In the same law, towns were required to provide 'some firelocks, and two swords for every thirty men, and some proportion for a greater or less number.'

In the early years of the colonial government, the office of captain was the highest military office, but in 1653, the military force was placed under a major's command, and so it continued until the Indian war in 1675.

The council of war existing by usage previously, in 1653, was established by law. The Court in assigning their reasons for this measure say, 'In regard to the many appearances of danger to the country by enemies, and the great necessity of counsel and advice, in which respect the Court thought meet to make choice of a council of war consisting of eleven persons, whose names are extant in the records of the Court, which said eleven or any five of them being orderly called together, their acts to be accounted in force, and they to be continued in their places until others be elected. To be orderly called is meant to be summoned by the governor, or major, or the president of the Council, or his deputy, or in case of their absence, any two magistrates of the Council of war.'

In 1659, they were authorized 'to issue out warrants in his majesty's name to press such a number of men and horses in each town as by proportion the said town is to set forth;' and also to issue the like warrants for arms and provisions, and all things necessary. Charges to be paid proportionably by the towns by rates; 'and to give commission to any chief officer under charge, either in time of peace or War.'

These were important laws. The civil government transferred the whole power of military legislation, as well as the executive power, so far as it applied to military appointments and regulations, to the Council of War, who in the military department of the government were made dictatorial.

The major was appointed by the Council of War and his commission was signed by its president. He was consti-

tuted chief officer over the military companies of the jurisdiction, and was required to obey the instructions of the Council. All captains and subordinate officers and all others were required to obey him. He was instructed to take the command of all the military companies in his jurisdiction, 'and to see that they were orderly trained in the use of arms.' To inspect the arms. To appoint the guards and watches necessary for the honor and safety of the government. With the advice of the Council he was to appoint the general musters of such companies as could conveniently meet together. In case of insurrection or invasion, with the advice of the Council, he was to place the companies in the best posture of defence. In all matters relating to discipline, he was to follow the instructions of the Council, and advise with them on all occasions.

In the same year (1653) the Council of War ordered that drums and halberds should be provided by the towns, and also half pikes, in the proportion of twenty for eighty men. They further ordered that the clerks of the companies should be sworn, and prescribed the form of the oath, and afterwards, in 1660, they directed that the towns should furnish the pikes, but that every soldier 'should provide at his own expense, a musket and a fix.'

In 1655, they ordered 'that all the Scots and Irish should bear arms and train as the other inhabitants, excepting such as are servants from month to month.'

In 1658, they established a colonial troop of horse, 'to be well appointed and furnished,' which was to be raised at large, and maintained by the government. Plymouth was required to furnish 3 men; Duxbury 2; Scituate 4; Sandwich 3; Taunton 3; Yarmouth 3; Barnstable 3; Marshfield 3; Rehoboth 4; Eastham 3; Bridgewater, 2 — in all 33. This troop was exempted from infantry ser-

vice, and in 1660 the major was authorized to admit volunteers, so as to increase the number of the company to fortyeight. All such were to serve three years at least.

In 1658, the Council of War were authorized to release any father having two sons doing military duty.

In 1668, a general training both of horse and foot was ordered on the second week of October, 1669, and to be held in succession in each year on that week, first at Plymouth, then at Yarmouth, and then at Taunton; every soldier to be provided with powder, 'to be improved in the said expedition, and exercised at their own charge.'

In June, 1672, the troop of horse was divided into three squadrons, each to be under the command of the three officers, who were to exercise each squadron 'in the year.' They were required to keep lists of their several squadrons, 'and see that they keep horses, arms, ammunition, and accoutrements for the service.' Each trooper was required to provide himself with a 'fix, carbine, or other horseman's piece, betwixt this and the next election court, or return into the foot company where he dwells.' And in July, 1673, it was enacted that the commissioned officers in each town as often as they should see cause, should make search and take notice of the defects in arms and ammunition, 'which defects being delivered to the constable,' the constables with the clerks of each company were authorized to levy the fines by distress for the company's use; the law was also made applicable to ancient persons and absentees not of the train-band, their fines to be for the use of the poor of their respective towns.

In September, 1673, it was ordered that the troop of horse 'be sixty,' who were required to have 'horse-pistols, carbines, with other accoutrements fit for service,' and for the better raising thereof, it shall be propounded in each town-meeting to see who will voluntarily tender

their service therein, and the names of such volunteers shall be returned to October court, who are empowered to certify or accept the numbers of each town respectively as they shall see cause.

In June, 1674, it was enacted 'that it be signified to the towns that the Court expects that the troopers in each town be as many in number as before, and that they be provided with arms and accoutrements fit for that service, and that their names be sent in to the July court.'

In June, 1676, the troopers or dragoniers generally declining to arm themselves according to the last order, the Court required that they should return to the foot companies and do service therein; and so the troop was dissolved.

#### LAWS RELATING TO THE INDIANS.

In 1643, it was enacted that it should be holden 'unlawful and of dangerous consequence, and it hath been our constant custom *from our very first beginning*, that no person should purchase, rent, or hire any lands, herbage, wood, or timber, of the Indians, but by the magistrate's consent.' For every transgression £5 was forfeited for every acre so purchased, rented or hired, and five times the value of the wood and the timber to the colony's use.

In 1660, it was enacted that this law should be so interpreted, as to prevent any from taking Indian land as a gift.

By these laws every practicable precaution was taken to secure the rights of the Indians, and to prevent the improper and deceptive practices of individuals.

To secure the peace and safety of the colony, all persons were forbidden either to give or sell arms and the munitions of war to the Indians, or boats, 'excepting to such as had been servants for some years, and in a good measure civilized, and unless the sale to such should be

approved by the governor and assistants.' In 1652, the sale of casks to the Indians was prohibited, and in 1656, that of barques, boats, and horses, under the penalty of the value of each tenfold.

In 1652, the Court undertook to prohibit the Indians from working, fishing, fowling, planting, killing, or carrying burthens on the Lord's day, and in case of transgression they were ordered to appear before the Court; in 1656, they were prohibited from discharging guns in the night time or on the Lord's day.

The policy of a law which should have inflicted any severe penalties for a violation of the Sabbath upon a people who did not acknowledge its sanctity, may well be questioned. Had its execution occasioned any serious disasters to the colony by exciting the ire or the revenge of the Indians, the government could hardly have justified their overzeal to their own consciences. But they did not for this offence provide a specific punishment, but wisely left themselves a discretion which might be regulated by circumstances.

In 1660, the Court assumed a power of a character yet more arrogant than the last; but this was a measure of sound policy, and a precaution in their circumstances dictated by that all controlling law, self-preservation. They say, 'Inasmuch as complaint is made that many Indians press into divers places of this jurisdiction, whereby some of the plantations begin to be oppressed by them, they therefore enact that no strange or foreign Indians shall be permitted to come into any places of this jurisdiction so as to make their residence there, and that notice be given to the several sagamores to prevent the same.'

In 1665, the law prohibiting the sale of powder and shot to the Indians was repealed, but in July, 1667, it was reenacted.

In 1665, another law was passed restricting the sale of strong liquors to the Indians. By a law of this year they were required to fence their lands.

In 1669, the order prohibiting the sale of powder and shot to the Indians was repealed.

In July, 1673, the Court ordered that the Indians especially young men, running in debt to the English for necessary articles should be compelled 'to work it out at reasonable rates, if they have not else to discharge their just debts.'

Pledges taken of the Indians for silver or drink, were upon complaint of the Indians to be forfeited. All persons were forbidden to sell beer to the Indians under a penalty of 5s. 'And if any Indian be found distempered with drink, and be brought before the Court in court time, or before any magistrate, or in towns where no magistrate is, before any of the selectmen, and if capable will not declare of whom he had his drink, he shall be forthwith whipt, and his accusation of any person shall be proof against them, except they shall clear themselves by their oath, as in case of liquors is provided, and if it manifestly appears that such Indians do wrongfully accuse any person, they shall be severely whipt for their drunkenness and false accusation.'

In June, 1674, it was enacted by the Court 'that whereas controversies do arise between the English and the Indians that are brought to the trial of the several courts of this government, and it is observed that the Indians would be greatly disadvantaged if no testimony in such case should be excepted but on oath, this Court orders that any court of this jurisdiction before whom



such tryal may come, shall not be strictly tyed up to such testimonies on oath as the common law requireth, but may therein act and determine in a way of charity, valuing testimony not sworn on both sides according to their judgments and consciences.'

Indians living idly and refusing to pay their just debts after conviction, were required to serve their creditors or some one else until the debt was paid, at the rate of *12d.* each day in summer, and *6d.* in winter with their diet; running away, by order from two magistrates or the selectmen of the town, they might be sold for the satisfaction of the debt and charges. The selectmen or constable in each town upon complaint were authorised 'to put out' young Indians living idly, 'to some persons as shall keep them to work and not to abuse them; running away, to forfeit double for the time they are absent.' Stealing from the English, they were to restore fourfold either by service or sale, at the discretion of two of the magistrates.

#### CRIMES AND PUNISHMENTS.

In 1645, a law was passed to punish 'the crime of forging deeds and writings, 'touching the property and title of lands,' by which, the offender was to be punished with 'double damages,' and fine, and in case of inability to pay the fine, whipping and burning in the face with a Roman F was substituted.

The keepers of records being public officers who should wilfully 'steal, embezzle, or make way with such records, or who should alter by erasures or additions, except trivial ones,' were to be disfranchised and burnt in the face.

And any one attempting to corrupt such officer for such purposes, was liable to be punished by a fine of £40, or by whipping.

In 1658, the crime of adultery appears to be first noticed in the laws. The punishment of this offence was 'two whippings, once while the court before whom the offending party was convicted should be in session, and once at any other time which they should direct; and the party so convicted was to wear two capital letters, A D cut in cloth and sewed on their uppermost garment, on their arm or back, and if they removed the letters, they were again to be publicly whipped.'

The court had previously enacted in 1645, 'that fornication should be punished with whipping, a fine of £10, or three days imprisonment, at the pleasure of the court. If however the offending parties are or will be married,' then the fine of £10 for both only, and three days' imprisonment, 'and by a lawful contract the mutual consent of parents or guardians being obtained, and a solemn contract of marriage in due time before two competent witnesses, if after such contract such offence should follow, 50s. fine to each, and if the court plead imprisonment for three days, in case of inability or refusal to pay the fine, or whipping.'

In 1645, a law was passed to punish apprentices for stealing or embezzling their masters' goods. For the first offence, to make double satisfaction either by payment or servitude. For the second to make double satisfaction, and either to find sureties for good behavior, or to receive a whipping.

In 1663, four pence a day was allowed for the support of each prisoner confined for felony or misdemeanor.

#### TRESPASSES, &c.

The damage arising from the wilful burning of fence was to be paid, and the offender bound to his good behaviour.

The damages from breaking down fences or gates, or a common gate or bridge, 'was to be made good,' and the offender fined 50s. for the first offence, and for the second £5, and binding for good behaviour.

The offence of 'wilfully defacing and removing land marks or bounds,' was made punishable by fines from 20s. to £5, according to the nature of the offence.'

June, 1674, neat cattle, horse kind, sheep, or swine, being impounded for trespass or damage done, if the owner give to the pound keeper security to satisfy the damage, viz. engage before two witnesses, or give under his hand to the keeper a promise of satisfaction for the damages; the keeper being paid his fees, might release them, and in June, 1675, cattle, swine, &c. doing damage a mile from the pound, might be impounded by the individuals damaged in their own enclosures for twentyfour hours, giving notice to the owner in six hours, and he failing to make satisfaction, they were to be driven to the town pound, the one who impounded to make oath as to the particular cattle, &c. that did the damage before a magistrate or selectman, (if required,) and that 'shall be taken as sufficient proof' without other proof.

Fences for securing corn were required to be four feet high, 'or otherwise sufficient by the judgment of indifferent men.'

#### SLANDER AND SPREADING FALSE NEWS.

In 1660 It was enacted 'that any person of the years of discretion, (sixteen,) who shall wilfully make or publish any lie which may be injurious to the public weal, or tending to the damage or hurt of any particular person, or with intent to deceive or abuse the people with any false news or reports,' shall be fined 10s. and in default of payment set in the stocks.

In 1669, any publishing scandalous matter to any but a magistrate or grand juror, it should be accounted defamation.

SPORTS, OFFENCES AGAINST RELIGION, PUBLIC MORALS,  
VIOLATION OF THE SABBATH, &c.

In 1645, a law was passed to punish masquerading, and strange to say, the preamble to this law discloses that such a practice existed amongst the austere puritans of Plymouth, the fact being positively asserted.

‘Whereas, (says the preamble,) some abuse hath formerly broken out amongst us by disguising, wearing visors, and strange apparel, to lascivious and evil purposes.’ The punishment was a fine of 50s. for ‘first default;’ for the second a public whipping, or binding to good behaviour, at the discretion of the court.

In 1655, card playing was punished by a fine of 50s. Servants or children playing at cards, dice, or other unlawful games, for the first offence to be corrected by their parents or masters, ‘for the second to be ‘publicly whipped.’

In the same year a law was passed, by which a magistrate at his discretion was authorized to inflict corporal punishment, ‘so it extend not to life or limb,’ on all ‘who denied the scriptures to be a rule of life.’

Villifying any church or ordinance was punished by a fine of 10s. Profaning the Lord’s day by a fine of 10s. or a public whipping. Neglecting to attend public worship on each Lord’s day by a fine of 10s.

In 1658, ‘whereas complaint is made of great abuses of profaning the Lord’s day by travelling, both horse and foot, by bearing of burthens and carrying of packs, to the great offence of the godly and well affected amongst us; enacted therefore, that such offenders shall be appre-

hended by the constable and fined 20s. or set in the stocks four hours, unless they can give a sufficient reason for so doing.

In 1665, persons 'who behaved themselves profanely by being without doors at the meeting-houses on the Lord's days in time of exercise, and there misdemeaning themselves by jestings, sleepings, or the like,' were to be admonished by the constables; if they persisted they were to be set in the stocks, and if still unreclaimed, their names were to be returned to the court.

In the same year the magistrates were authorized to take cognizance of misdemeanors without presentment by the grand inquest, and were empowered to 'proceed and determine them' by fine or otherwise; and as no house of correction was provided, any two magistrates were authorized after examination to sentence to the stocks or whipping 'such as not only live idly and unprofitably, but are otherwise vicious and wicked in their carriage to their parents or otherwise.'

In 1665, the constables were ordered to return the names of those who should play, or sleep, or smoke tobacco about the meeting-house on the Lord's day.

In 1669, all who had committed uncleanness in another colony, flying to Plymouth, were ordered to be sent back to the colony from which they escaped, for punishment.

June, 1674, horse racing was ordered to be punished by the stocks, or by a fine of 5s.

In 1646, the smoking of tobacco 'in the streets or about haystacks, or barns, or public places,' was prohibited.

#### LAWS RELATING TO LANDS.

In 1643, it was enacted 'that persons holding as joint tenants with others, and dying, their heirs and assigns not to be deprived, but to have their proportions equally.'

In 1646, the assistants were required to keep a book to record conveyances with all convenient speed, and that the wife come and consent and acknowledge thereto, 'but all sales made before the law, to be good without the wife's acknowledgment.'

In 1649, it was required that surveyors of lands and measurers should be sworn.

In 1654, every town was required to provide a book for recording such lands as are possessed, but no written evidence of title upon the testimony of witnesses before such as the town shall appoint to hear such evidence, which shall be five in number of the same town, and what the said five or any three of them being met together, shall conclude of, they shall cause the town clerk to enter the same in the tenure book, and to be published that if any within two years can make better claim, they shall come in, and in case none do, it may be brought to the court recorded and entered, and so shall be reputed sufficient evidence in future.'

In 1658, towns were required to ascertain the bounds of every inhabitant's lands, and the owners to put up monuments before April 15, 1659,—neglecting, to be fined.

In 1666, it was enacted that henceforth nothing be entered on the records of the court respecting lands in reference to exchanges, mortgages, leases or other conveyances, but such as shall be under hand and seal before witness, and that all such deeds be exhibited to a magistrate according to order, and that the said magistrate endorse thereon, and the same also be entered, and no other.' It was also enacted that all conveyances of land should be null unless acknowledged before the governor or one of the assistants within six months from the time in which it was made, but the law not to be construed to affect wills or testamentary devises.

In 1668, lands belonging to non-residents out of the colony, and situated out of the bounds of the townships, were to be taxed like other lands.

In June, 1679, it was enacted that evidence of land brought from any town-book to be placed on the court records, 'shall be shewed in open court before it be entered.'

In July, 1669, 'for quieting men's estates, and avoiding suits at law,' the court enacted that all persons having had for the space of ten years 'any right or title of entry or cause of action for any lands, tenements, or hereditaments,' now detained from him, should bring his suit within five years from the termination of the session of that court, or be barred. And none should commence such suit or make such entry, 'but within fifteen years next after the right and title should have descended or accrued, and failing to do that, should be barred, saving to minors, *feme coverts* non-composes, prisoners, or persons beyond the seas and their heirs, their rights at any time within five years after they come of age, '*discouverture*,' coming of sound mind, enlargement out of prison, or coming into the country five years after the expiration of the fifteen.'

And it was further enacted that all persons who had right, title, or cause of action for any lands, tenements, or hereditaments hitherto detained for the space of twenty years, and shall have neglected to commence a suit or to make an entry, or having had sure right, title, &c, shall have neglected, &c, for eighteen years, 'and shall neglect to make such entry into, or suit within two years from the termination of the session of the court, should in either case be barred and excluded from his remedy, excepting as in the above cases of infancy, &c, according to the statute of England, made Anno 21, Jacobi Regis. chap. 16.' 'It having been the usual manner and custom of this court to have recurred as much as might be to the laws

of England in such case, wherein there is no other law provided by the court more suitable to our condition.'

In June, 1674, it was enacted that Indian claims to lands in possession of the English should be prosecuted within a year after the claimant should come of age, and that the Indians should be notified of the pendency of the suit.

#### COMMONS, &c.

By a law of 1673, none were permitted to keep above three horses on the commons. One having £20 rateable estate was permitted to keep one, £40 two, £60 three. Any keeping more, 'it was made lawful for any one trespassed upon by such horses to kill them;' and also to do it in case of trespass 'on their corn, or other enclosed lands or meadows after warning given.'

#### LAWS RESPECTING COMMERCE, THE FISHERIES, &c.

In 1666, No horses were allowed to be carried out of any township in the government without the consent of the governor, under a penalty of £5.

In 1668, the exportation of bark and timber was forbidden, and the price of boards was fixed at 45s., and the importation of boards was forbidden.

In 1670, the exportation of timber 'unless sawn into boards, wrought out into shingles, or wrought up into casks, boats, barques, or other vessels of burthen,' was forbidden under penalty of forfeiture. 'The reason of this law is stated in the preamble. 'Forasmuch as several towns in this colony are very much straitened for building timber, and through God's providence, some other towns are well accommodated and able to afford them a supply, that towns so straitened be not necessitated to fetch their supplies from another jurisdiction, whilst we have of our own.' In 1673, this law was repealed.



The exportation of bark was subjected to like forfeiture, but in June, 1673, this law was in part repealed, so far as to permit persons to export timber growing on their own lands 'provided they make it appear to any one of the selectmen or constables of their respective towns by the testimony of one person uninterested.'

It was further enacted that the ship carpenter should be under the same restraint as others. Any officer neglecting to notice transgressions of the law was to be presented to the grand inquest.

The shipment of fish caught at Cape Cod, was forbidden unless an account thereof should be rendered to the water bailiff under penalty of forfeiture. In June, 1673, the excise on Cape Cod mackerel was lessened to citizens from 12*d.* to 6*d.*, and to foreigners from 2*s.* to 1*s.* per barrel, 'unless any shall come in by the next court, and rent the privilege of the cape fishing.'

## CHAPTER III.

PROCEEDINGS OF THE COMMISSIONERS OF THE CONFEDERATED  
COLONIES, AND THE ARTICLES OF CONFEDERATION.

PLYMOUTH had been settled seventeen years, Massachusetts seven, Connecticut one or two, and New Haven was scarcely settled, when these colonies began seriously to consider the benefit of a union for the common defence. The utility of such a union was not doubted. Articles had been drawn up as early as 1638, but were not adopted. In 1639, Governor Haynes and Mr Hooker of Connecticut, who were exceedingly solicitous to effect this object, visited Massachusetts for the express purpose of inducing the General Court to adopt the project, and remained at Boston several weeks to urge its expediency and necessity. Connecticut was fully sensible of the important benefits of such a union to them:—their settlements were on the river, which was a frontier both against the Dutch and the western Indians, and were then feeble and defenceless:—A wilderness was interposed between them and the other English settlements:—the people of Providence, their nearest English neighbors, possessed not that congeniality of sentiment which would have made their alliance desirable; but with Massachusetts and Plymouth their feelings, sympathies, and principles, were common. A union so desirable on every account to them they were exceedingly anxious to accomplish. The other colonies

were favorable to the project, for although they did not fear the Dutch, yet, after the overthrow of the Pequots, the Narragansetts being the strongest, were more dreaded than all the other Indian tribes, and it was in the power of the Connecticut settlements feeble as they were, in a time of war to make a strong diversion. The Narragansetts and a considerable part of the Pokanokets, were in fact surrounded on three sides by these three colonies, and the local situation of each was such that it afforded many facilities for mutual aid in all wars in which they should be jointly engaged with the Indians; yet it was so difficult to settle the terms of the compact on a basis of equality and reciprocity, that no agreement could be effected until 1643. Commissioners then met at Boston, on the part of each colony, in the month of May. The General Court of Massachusetts being then in session, elected their commissioners on the spot. John Winthrop, Thomas Dudley, and Simon Bradstreet, were chosen by the magistrates, and William Hathorne, Edward Gibbons, and William Tyng on the part of the deputies of Massachusetts. Edward Winslow and William Collier represented Plymouth. John Haynes and Edward Hopkins Connecticut. Theophilus Eaton and Thomas Gregson New Haven, and Saybrook, an independent settlement at the mouth of the river, which had been founded by Lord Say and Sele, and Lord Brook, and of which John Winthrop, Jr, the son of the governor of Massachusetts, was the first governor, was represented by George Fenwick.

The Commissioners had several meetings before they could agree on the terms of confederation, and the project came near to failing, but they were all so sensible of its general benefits, that the following articles were signed at last by all the commissioners excepting those from Plymouth, who had not been so far authorized by their Gen-

eral Court; but being transmitted to the General Courts of the several colonies, they were ratified and confirmed by all, and signed by the Commissioners of Plymouth at the next meeting.

Articles of confederation between the plantations under the government of the Massachusetts Bay, New Plymouth, Connecticut, New Haven in New England, with the plantations in combination with them.

‘Whereas, all came into these parts of America with one and the same end and aim, namely, to advance the kingdom of our Lord Jesus Christ, and to enjoy the liberties of the gospel in purity with peace; and whereas in our settling, (by the wise providence of God,) we are further dispersed from the sea coast and rivers, than was at first intended, so that we cannot according to our desire, with convenience communicate in one government and jurisdiction; and whereas we live encompassed with people of several nations and strange languages, which hereafter may prove injurious to us and our posterity; and forasmuch as the natives have committed sundry insolences and outrages upon several plantations of the English, and have of late combined themselves against us, and seeing by reason of the sad distractions in England, (which they have heard of, or by which they know,) we are hindered, both from the humble way of seeking advice, and reaping those comfortable fruits of protection, which at other times we might well expect; we therefore do conceive it our bounden duty, without delay, to enter into a present consociation amongst ourselves, for mutual help and strength, in all future concernments; that as a nation and relation, so in other respects we be, and continue one, according to the tenor and true meaning of the ensuing articles.

‘ 1. Wherefore, it is fully agreed and concluded between the parties and jurisdictions abovenamed, and they jointly and severally do by these presents agree, and conclude that they all be, and henceforth be called by the name of the United Colonies of New England.

‘ 2. The said United Colonies, for themselves and their posterities, do jointly and severally, hereby enter into a firm and perpetual league of friendship and amity, for offence and defence, mutual advice and succor, upon all just occasions, both for preserving and propagating the truths and liberties of the gospel, and for their own mutual safety and welfare.

‘ 3. It is further agreed, that the plantations which at present are, or hereafter shall be, settled within the limits of the Massachusetts, shall be forever under the government of the Massachusetts, and shall have peculiar jurisdiction amongst themselves, in all cases, as entire body, and that Plymouth, Connecticut, and New Haven, shall each of them, in all respects, have peculiar jurisdiction and government, within their limits; and in reference to the plantations which are already settled, or shall hereafter be erected; and shall settle within any of their limits respectively, provided that no other jurisdiction shall be taken in, as a distinct head or member of this confederation, nor shall any other, either plantation or jurisdiction in present being, and not already in combination, or under the jurisdiction of any of their confederates, be received by any of them, nor shall any two of these confederates, join in one jurisdiction without consent of the rest, which consent to be interpreted, as in the sixth ensuing article is expressed.

‘ 4. It is also by these confederates agreed, that the charge of all just wars, whether offensive or defensive, (upon what part or member of this confederation soever

they shall fall,) shall both in men and provisions, and all other disbursements, be borne by all the parts of this confederation, in different proportions, according to their different abilities, in manner following, namely, that the commissioners for each jurisdiction, from time to time, as there shall be occasion, bring account and number of all the males in each plantation, or any way belonging to or under their several jurisdictions, of what quality or condition soever they be, from sixteen years old to sixty, being inhabitants there; and that according to the different numbers, which from time to time shall be found in each jurisdiction, upon a true and just account, the service of men, and all charges of the war be borne by the poll. Each jurisdiction or plantation being left to their own just course or custom of rating themselves and people, according to their different estates, with due respect to their qualities and exemptions among themselves; though the confederates take no notice of any such privilege, and that according to the different charge of each jurisdiction and plantation, the whole advantage of the war, (if it pleased God to bless their endeavors,) whether it be in land, goods, or persons, shall be proportionally divided amongst the said confederates.

‘ 5. It is further agreed, that if any of these jurisdictions, or any plantation under, or in combination with them, be invaded by any enemy whatsoever, upon notice and request of any three magistrates of that jurisdiction so invaded, the rest of the confederates, without any further notice or expostulation, shall forthwith send aid to confederates in danger, but in different proportions: namely, the Massachusetts, an hundred men, sufficiently armed and provided for such a service and journey; and each of the rest fortyfive men, so armed and provided, or any less number, if less be required, according to this

proportion. But if such a confederate in danger, may be supplied by the next confederate, not exceeding the number hereby agreed, they may crave help thence, and seek no further for the present; the charge to be borne, as in this article is expressed; but at their return, to be victualled and supplied with powder and shot, (if there be need) for their journey, by that jurisdiction which employed or sent for them. But none of the jurisdictions to exceed those numbers, till by a meeting of the commissioners for this confederation, a greater aid appear necessary; and this proportion to continue, till upon knowledge of the numbers of each jurisdiction, which shall be brought to the next meeting, some other proportion be ordered; but in any such case of sending men for present aid, (whether before or after such order or alterations,) it is agreed that at the meeting of the commissioners for this confederation, the cause of such war or invasion be duly considered. And if it appear that the fault lay in the party invaded, that then the jurisdiction or plantation make just satisfaction, both to the invaders whom they have injured, and bear all the charge of the war themselves, without requiring any allowance from the rest of the confederates, towards the same. And further, that if any jurisdiction see danger of an invasion approaching, and there be time for a meeting, that in such case three magistrates of that jurisdiction may summon a meeting at such convenient place, as themselves think meet, to consider and provide against the threatened danger, provided, when they are met, they may remove to what place they please; only when any of these four confederates have but three magistrates in their jurisdiction, a request or summons from any two of them shall be accounted of equal force with the three mentioned in both the clauses

of this article, till there be an increase of magistrates there.

‘ 6. It is also agreed and concluded, that for the managing of all affairs, proper to and concerning the whole confederation, two commissioners shall be chosen by and out of each of those jurisdictions, namely, two for the Massachusetts, and so for the other three, (all in church fellowship with us,) which shall bring full power from their several general courts respectively, to hear and examine, weigh and determine, all affairs of war or peace, leagues, aid, charges, numbers of men of war, division of spoils, or whatsoever is gotten by conquest, receiving of more confederates or plantations into combination with any of these confederates, and all things of like nature, which are the proper concomitants and consequents of such a confederation, for amity, offence, and defence, (not intermeddling with the government of any of the jurisdictions, which by the third article is preserved entirely by them;) but if these eight commissioners, when they meet, shall not agree, yet it is concluded that any six of the eight agreeing shall have power to determine and settle the business in question. But if six do not agree, that then such propositions with their reasons, (so far as they have been debated,) be sent and referred to the four general courts, namely, the Massachusetts, Plymouth, Connecticut, and New Haven, and if at all the said general courts the business so referred be concluded, then to be prosecuted by the confederates and all their members. It is further agreed that these eight commissioners shall meet every year, (besides extraordinary meetings, according to the fifth article,) to consider, treat, and conclude of all affairs, belonging to this confederation; which meeting shall ever be the first Tuesday in September, and that the next meeting after the date of these presents, (which shall



be accounted the second meeting,) shall be at Boston in the Massachusetts; the third, at Hartford; the fourth, at New Haven; the fifth, at Plymouth; the sixth and seventh, at Boston; and then at Hartford, New Haven, and Plymouth, and so in course successively; if, in the meantime, some middle place be not found out, and agreed upon, which may be commodi us for all the jurisdiction.

‘ 7. It is further agreed, that at each meeting of these eight commissioners, (whether ordinary or extraordinary,) they all, or any six of them, agreeing as before, may choose their president, out of themselves, whose office and work shall be, to take care and direct for order, and a comely carrying on of all proceedings in their present meeting. But he shall be invested with no such power or respect, as by which he shall hinder the propounding or progress of any business, or any way cast the scales otherwise, than in the preceding article, is agreed.

‘ 8. It is also agreed, that the commissioners for this confederation hereafter, at their meetings, (whether ordinary or extraordinary,) as they may have commission or opportunity, do endeavor to frame and establish agreements and orders in general cases of a civil nature, wherein all the plantations are interested for preserving peace among themselves, and preventing (as much as may be,) all occasions of war or differences with others; as about free and speedy passage of justice in each jurisdiction, to all the confederates equally as to their own; receiving those that remove from one plantation to another without due certificates; how all the jurisdictions may carry it towards the Indians, that they neither grow insolent, nor be injured without due satisfaction, lest war break in upon the confederates through miscarriages. It is also agreed, that if any servant run away from his master, into any of the confederate jurisdictions, that in such case, (upon certifi-

cate from one magistrate in the jurisdiction out of which the said servant fled, or upon other due proof,) the said servant shall be either delivered to his master, or any other that pursues, and brings such certificate and proof.

And that upon the escape of any prisoner, or fugitive, for any criminal cause, whether breaking prison or getting from the officer, or otherwise escaping; upon the certificate of two magistrates of the jurisdiction out of which the escape is made, that he was a prisoner or such an offender at the time of the escape, the magistrate, or some of them of that jurisdiction, where for the present the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear, for the apprehending of any such person, and the delivery of him into the hand of the officer or other person who pursueth him. And if there be help required, for the safe returning of any such offender, then it shall be granted unto him that craves the same, he paying the charges thereof.

‘9. And for that the justest wars may be of dangerous consequence, (especially to the smaller plantations in these United Colonies,) it is agreed, that neither the Massachusetts, Plymouth, Connecticut, nor New Haven, nor any of the members of any of them, shall at any time hereafter begin, undertake, or engage themselves, or this confederation, or any part thereof, in any war whatsoever, (sudden exigences, with the necessary consequences thereof excepted, which are also to be moderated as much as the case will permit,) without the consent and agreement of the forenamed eight commissioners, or at least six of them, as in the sixth article is provided. And that no charge be required of any of the confederates, in case of a defensive war, till the said commissioners have met, and approved the justice of the war, and have agreed upon the sums of money to be levied; which sum is then

to be paid by the several confederates, in proportion according to the fourth article.

‘ 10. That in extraordinary occasions, when meetings are summoned by three magistrates of any jurisdiction, or two, as in the fifth article, if any of the commissioners come not, (due warning being given or sent,) it is agreed that four of the commissioners shall have power to direct a war which cannot be delayed, and to send for due proportions of men, out of each jurisdiction, as well as six might have done, if all had met; but not less than six shall determine the justice of war, or allow the demands or bill of charges, or cause any levies to be made for the same.

‘ 11. It is further agreed, that if any of the confederates shall hereafter break any of these present articles, or be any other way injurious to any of the other jurisdictions, such breach of agreement or injury shall be duly considered and ordered by the commissioners of the other jurisdictions, that both peace and this present confederation may be entirely preserved without violation.

‘ 12. Lastly, this perpetual confederation, and the several articles and agreements thereof being read and seriously considered, both by the General Court for the Massachusetts, and the Commissioners for the other three, were subscribed presently by the commissioners, (all save those of Plymouth, who, for want of sufficient commission from their General Court, deferred their subscription till the next meeting, and then they subscribed also,) and were to be allowed by the General Courts of the several jurisdictions, which accordingly was done, and certified at the next meeting, held at Boston, September 7, 1643.

‘ Boston, May 29, 1643.’

The preamble recites the inducements to union, which were principally the dangers of Indian wars, as from the distractions in England the prospect of assistance from home was dubious, and therefore it became necessary for the colonies to unite their strength.

The United Colonies of New England was the style assumed. A perpetual league was established of friendship and amity for offence and defence, mutual advice, and succor upon all just occasions, 'both for preserving and propagating the truths and liberties of the gospel, and for their own mutual safety and welfare.'

No plantation to be received into the jurisdiction of either colony unless within their chartered limits, and no colonies to unite in one jurisdiction unless by consent of the others.

The charges of wars to be borne, and the spoil whether 'in land or goods,' to be divided in proportion. The mode of requiring aid from each, and of ascertaining the proportions of the burthens, were prescribed.

In case of the invasion of either colony, the other parties of the confederacy were to raise a military force in equal proportions excepting Massachusetts, who was to raise in the proportion of one hundred, to fortyfive from each of the others. The justice of war was to be decided by the commissioners, and in case of injury to others, satisfaction was to be awarded to the injured party.

The last article was intended to prevent either colony from practising wanton depredations on the Indians, and from doing them wrong.

Each jurisdiction was to be represented by two commissioners, ('all in church fellowship.') Six of the eight to decide on all questions of peace or war, (with some exceptions.)

In case six of the eight did not agree, the propositions were to be referred to the General Courts of all the Colonies who were all to agree.

The place of meeting after the first seven years to be at Hartford, New Haven, and Plymouth alternately, unless a permanent 'middle spot,' should be adopted.

The president was to be chosen by six votes out of eight. He had no other powers than such as are ordinarily attached to the chair.

The commissioners were authorized 'to frame and establish agreements and orders in general cases of a civil nature,' to prevent differences, to cause such to be received as should remove from one jurisdiction to another without certificates, to regulate the intercourse with the Indians, to provide for the restoration of runaway servants and criminals escaping from one jurisdiction to another.

No war, offensive or defensive, was to be made without the consent of six of the eight commissioners.

Any violation of the articles of confederation was to be 'duly considered and ordered' by the commissioners, except those of the offending colony.

The articles were not precise in their terms, and were liable to a latitudinarian construction, but as there were no political dissensions at the period of their adoption nor for many years subsequent, dissensions being then confined altogether to religion, they were construed on sound principles, and made efficient by the force of opinion for a period of thirty years, and were not altered until 1672.

The first meeting of the Commissioners after the articles of confederation had been ratified, was at Boston, Sept. 7, 1643. The Commissioners were — from Plymouth, Edward Winslow, William Collier; from Massachusetts, John Winthrop, Thomas Dudley; from Con-

necticut, George Fenwick, Edward Hopkins; from New Haven, Theophilus Eaton, Thomas Gregson.

John Winthrop of Massachusetts was elected President.

On motion of the Commissioners of New Haven, it was ordered that the town of Milford may be received into combination and as a member of the jurisdiction of New Haven, if New Haven and Milford agree upon the terms and conditions among themselves. The like liberty was also granted in regard of the town of Southampton.

The Winchester was established as the common measure of the confederated colonies, eight gallons to the bushel.

The several General Courts were advised to attend particularly to the arms and equipments of the citizens of their colonies, their ammunition, stores, &c, and to report annually to the Commissioners, and six annual trainings, (at least,) in the several colonies, were ordered.

The proportion of men to be raised in the different colonies in case of war or imminent danger, was fixed by the Commissioners as follows.

Massachusetts,	-	-	150
Plymouth,	-	-	30
Connecticut,	-	-	30
New Haven,	-	-	25
			---
Total,	-	-	235

This apportionment was to remain until the second annual meeting of the Commissioners.

Samuel Gorton having again disturbed the tranquillity of the good people of Massachusetts by various writings and controversies, which they deemed not only blasphemous but subversive of civil order, complaint was made to the Commissioners. Gorton and his company had been summoned to appear before the General Court of

Massachusetts, and a safe conduct offered. If they should stubbornly refuse to appear, the commissioners 'thought fit that the magistrates in the Massachusetts proceed against them according to what they shall find just: and the rest of the jurisdictions will approve and concur in what shall be so warrantably done, as if their commissioners had been present at the conclusions, provided that this conclusion do not prejudice the government of Plymouth in any right they can justly claim unto any tract or tracts of land besides that possessed by the English and Indians who have submitted themselves to the government of Massachusetts.'

Massachusetts, it would seem, still continued to claim Gorton's purchase and jurisdiction also, on the ground of cession from the Indians. Plymouth also claimed jurisdiction; and although both colonies were willing to join in the persecution of this bold, insolent, obnoxious fanatic, yet they could not as yet agree which should take the spoil.

The Commissioners of New Haven complained of sundry injuries and outrages which the people of that colony had received from the Dutch and Swedes in Delaware bay, and exhibited their proofs. Governor Winthrop, the president, was instructed to require explanation and satisfaction of the Swedish governor.

The Dutch governor at Manhattan had written to the governor and General Court of Massachusetts, 'complaining against Hartford.' He was referred to the Commissioners. At this meeting the subject was taken into consideration, and Governor Winthrop was instructed to answer. 'It was thought fit, that in that answer the wrongs done both to Hartford and New Haven be expressed, requiring answer to the particulars that as we will not

wrong others, so we may not desert our confederates in any just cause.'

One of the most important subjects committed to the Commissioners was the regulation of their common relations with the Indians. With some of the sachems, special alliances had been formed, and it became their duty to interfere between the different tribes oftentimes, so that peace should be maintained, for a war between the larger tribes could hardly fail to involve the English eventually. The christian or praying Indians they were bound to protect. These were considered in the light of subjects, and so well was the relation understood, that even the Mohawks, the unrelenting enemies of all the tribes east of Connecticut river, in their incursions generally spared such Indians through fear or respect of the English.

The history of the disputes, negotiations, and treaties, and the measures pursued by the Commissioners when interfering to preserve the peace of the colonies, and peace also between the different tribes of Indians being confined, (until the general war) to the Narragansetts, Pequots, and Moheagans, belongs properly to Connecticut; and the history of the disputes, quarrels, and negotiations, with the Dutch and Swedes, to Connecticut and New Haven; and the history of the correspondence and intercourse of the Commissioners with the English Society for propagating the gospel in New England, to Massachusetts.

The legislation of the Commissioners on general subjects, and particularly in all things specially relating to Plymouth, may with propriety be inserted in the history of that colony.

Transactions of a miscellaneous character will be noticed in the order of the time in which they occurred.



The second meeting of the Commissioners was at Hartford, September 5th, 1644; present from Massachusetts, Simon Bradstreet, William Hawthorne; Plymouth, Edward Winslow, John Brown; Connecticut, Mr Hopkins, Mr Fenwick; New Haven, Mr Eaton, Mr Gregson. Edward Hopkins was chosen president.

The Commissioners of Massachusetts claimed precedence of right, as being first named in the articles of confederation: this claim the Commissioners rejected, 'yet out of their respects to the government of Massachusetts, they did willingly grant that their Commissioners should first subscribe after the president in this and all future meetings. And the Commissioners for the other colonies in such order as they are named in the articles, namely, Plymouth, Connecticut, and New Haven.'

Massachusetts also claimed a part of the lands conquered from the Pequots, as that colony had been associated in the war.

'Mr Fenwick for himself and some noble personages by patent interested in the lands in question, desired that nothing might be concluded against their right and title in their absence, and professeth that Pecoat harbor, and the lands adjoining were of great concernment to those interested in Connecticut river, and that they had special aim and respect to it when first they consulted about planting in these parts.'

This subject was interesting to the proprietors of Saybrook, and the Commissioners decided that they should have time to be heard.

The Commissioners took into consideration the subject of supporting the ministers, and recommended to each General Court, 'that those that are taught in the word in the several plantations be called together, that every man voluntarily set down what he is willing to allow to that

end and use ; and if any man refuse to pay mete proportion, that then he be rated by authority in some just and equal way, and if after this, any man withhold or delay due payment, the civil power to be exercised as in other just debts.'

A communication from Mr Shepard, pastor of the church in Cambridge, was read, and approved, and recommended to the several general courts 'as a matter worthy of due consideration and entertainment for advance of learning and which we hope (say the Commissioners) will be cheerfully embraced.' The communication was in these words.

'To the honored Commissioners,

'Those whom God hath called to attend the welfare of religious commonweals, have been prompt to extend their care for the good of public schools, by means of which the commonwealth may be furnished with knowing and understanding men in all callings ; the churches with an able ministry ; in all places, and without which it is easy to see how both these estates may decline and degenerate into gross ignorance, and consequently into great and universal profaneness. May it please you therefore among other things of common concernment, and public benefit, to take into your consideration some way of comfortable maintenance for that school of the prophets that now is ; for although hitherto God hath carried on that work by a special hand, and that not without some evident fruit and success, yet it is found by too sad experience, that for want of some external supplies many are discouraged from sending their children, (though pregnant and fit to take the best impression,) thereunto, others that are sent, their parents enforced to take them away too soon, or to their own houses too oft, as not able to minister any comfortable and seasonable maintenance to them therein, and those who are continued not without much pressure generally to the feeble abilities of their parents or other pri-

vate friends who bear the burthen therein alone ; if therefore, it were commended by you at least to the freedom of every family, (which is able and willing to give,) throughout the plantations to give yearly but the fourth part of a bushel of corn, or something equivalent thereunto : and for this end if every minister were desired to stir up the hearts of the people once in the fittest season in the year to be freely enlarged therein, and one or two faithful and fit men appointed in each town to receive and seasonably to send in what shall be thus given by them. It is conceived, as no man would feel any grievance hereby, so it would be a blessed means of comfortable provision for the diet of divers such students as may stand in need of some support, and be thought mete and worthy to be continued a fit season therein. And because it may seem an unmete thing for this one to suck and draw away all that nourishment which the lyke schools may need in after times in other colonies, your wisdoms therefore may set down what limitations you please, or choose any other way you shall think more mete for this desired supply, your religious care hereof as it cannot but be pleasing to him whose you are, and whom now you serve, so the fruit hereof may hereafter abundantly testify that your labor herein hath not been in vain.'

The government of Massachusetts were permitted to receive Martin's\* Vineyard into their jurisdiction ; and the jurisdiction of Connecticut South Hampton, on Long Island.

Woranoake was determined to be within the jurisdiction of Massachusetts, but the purchasers, Mr Hopkins and Mr

\* Martha's Vineyard, then called Martin's, from Martin Pring, one of the early navigators to America, as is supposed. The name of Martha's Vineyard was given by Capt. Gosnold to No-man's-land, and transferred afterwards to the larger island.

Whiting, who had built a trading house, were confirmed in their title to one thousand acres of land.

All voluntary expeditions against the Dutch, French, and Swedes, were forbidden.

‘Some of the inhabitants of Rhode Island having intimated a willingness to be received into and under the government of one of the colonies, the Commissioners considering by an utter refusal they may by the discords and divisions among themselves be exposed to some great inconveniences, and hoping many of them may be reduced to a better frame of government, thought fit, if the major part and such as have most interest in the island, will absolutely and without reservation submit, either the Massachusetts or Plymouth may receive them.’

All general charges were to be proportioned according to the list of males between sixteen and sixty in each colony.

It was recommended to the several general courts that every verdict or sentence rendered in one colony, should be made by law presumptive evidence in any other colony of the confederacy.

It was ordered that the repairs of the road from Massachusetts to Connecticut should be made at the general expense.

The Commissioners also took measures to prevent the people of Massachusetts from engaging in the controversies between La 'Tour and D'Aulney at St Johns. The Commissioners of Plymouth having laid before them the complaints of the people of that colony for the injuries which they had received at their establishment at Matthebiquatus in Penobscot, the affair was postponed to await the D'Aulneys' decision as to the explanatory letter which had been sent to him by the General Court of Massachusetts.

The Governor of Massachusetts having written to the Commissioners proposing for their consideration 'how the spreading course of error might be stayed, and the truths wherein the churches of New England walk, set upon their own firm and clear foundations, the Commissioners propounded to, and received from the elders now present at Hartford, as followeth.'

'QUEST. Whether the elders may not be intreated seriously to consider of some confession of doctrine and discipline, with solid ground to be approved by the churches, and published by consent, (till further light) for the confirming the weak among ourselves, and stopping the mouths of adversaries abroad.'

'ANS. We who are here present, in all thankfulness acknowledge your christian and religious care, to further the good of our churches and posterity, and do readily entertain the motion, and shall use our best diligence and endeavor to acquaint the rest of our brethren with it, and shall study to answer your desires and expectations as soon as God shall give fit season.'

A difference arising between Massachusetts and Plymouth respecting the jurisdiction of a 'plantation called Seacunk,' it was referred to the Commissioners, and the Plymouth patent was produced. It appeared that a place called Poccanokick, alias Sewamsett, was granted to Plymouth. The Commissioners inquired of the deputies of the Narragansett Indians who were then present, as to the extent of the country to which these names were applied, and determined that Seacunk was within the limits of Plymouth.

An extraordinary meeting of the Commissioners was holden at Boston, on the 28th of June, 1645. Present, John Winthrop and Herbert Pelham from Massachusetts; Thomas Prince and Mr Brown from Plymouth; Mr Hop-

kins and Mr Fenwick from Connecticut ; Mr Eaton and Stephen Goodyere from New Haven. John Winthrop was chosen president.

The difficulties between La Tour and D'Aulney were again considered, and an agreement or treaty for peace between the governor of Massachusetts and M. Marie the agent for D'Aulney, was produced, which was concluded, August, 1644.

This agreement was confirmed by the Commissioners, 'being desirous that a firm and general peace be maintained between the English and all their neighbors, that every one might pursue the common intention of subduing this wilderness for the use of man, in that way for which the earth was first given to the sons of Adam, and for bringing those barbarous people to civility, and so by divine assistance to the knowledge of the true God and our Lord Jesus Christ,' &c.

The Commissioners met at New Haven, September 7th, 1646. John Endicott from Massachusetts ; Timothy Hathery from Plymouth ; John Haynes from Connecticut. The other Commissioners were reelected. Theophilus Eaton of New Haven, was chosen president.

John Winthrop, Jr, having commenced a plantation at Pequot. (afterwards New London,) a question arose as to the jurisdiction. Massachusetts claimed the plantation by right of conquest. Connecticut by patent, purchase, and conquest.

The Commissioners agreed that the jurisdiction was in Connecticut.

The general account of the expenses heretofore incurred in the general cause of the colonies was adjusted. 'And upon consideration of soldier's diet, and other expenses in wine, *hot waters*, powder and shot, wherein either of the colonies may be provident or remiss to their

own or neighbor's damage, the expense of each private soldier was restricted to 6s. a week, corporal 8s., serjeant 10s., ensign 15s., lieutenant 20s., captain 30s.'

The following declaration and recommendation to the several general courts, was adopted by the commissioners.

' Upon serious consideration of the spreading nature of error, the dangerous growth and effects thereof in other places, and particularly how the purity and power both of religion and civil order is already much complayned, if not wholly lost in a part of New England, by a licentious liberty granted and settled, whereby many casting off the rule of the word, profess and practise what is good in their own eyes; and upon information of what petitions have been lately put up in some of the colonies, against the good and strait ways of Christ, both in the churches and in the commonwealth, the Commissioners remembering that those colonies for themselves and their posterity did enter into this firm and perpetual league, as for other respects, so for mutual advice that the truth and liberties of the gospel might be preserved, propagated: thought it their duty seriously to commend it to the care and consideration of each General Court within these United Colonies, that as they have laid their foundations and measured the temple of God, the worship and worshippers, by that straight reed God hath put into their hands, so they would walk on and build up (all discouragements and difficulties notwithstanding,) with an undaunted heart and unwearied hand, according to the same rules and patterns. That a due watch be kept and continued at the doors of God's house, that none be admitted as members of the body of Christ, but such as hold forth effectual calling, and thereby union with Christ the head, and those whom Christ hath received, and enter by an express covenant to attend and observe the laws and duties of that

spiritual corporation, that baptism the seal of the covenant be administered only to such members and their immediate seed, that Anabaptism, Familism, Antinomianism, generally all errors of like nature which oppose, undermine and slight either the scriptures, the Sabbath or other ordinances of God, and bring in and cry up unwarrantable revelations, inventions of men, or any carnal liberty, under a deceitful color of liberty of conscience, may be seasonably and duly suppressed, though they wish as much forbearance and respect may be had of tender consciences seeking light, as may stand with the purity of religion and peace of the churches. (The Commissioners of Plymouth desire further consideration concerning this advice given to the General Courts.) Plymouth, it seems, hesitated to join the denunciation of those of a different faith. The Commissioners conclude. 'And lastly, that some serious provision be speedily made against oppression, whether in commodities or wages, against excess and disorder in apparel, drink and all other loose and sinful mis-carriages not fit to be named amongst Christians, by which the name of our holy God is much dishonored, and the churches of Christ in these parts much reproached, as if they were strict in their forms only, or had respect only to one of the tables of God's law, their fruits in reference to the other, being nothing better than the wild vines or brambles in the wilderness. If thus we be for God, he certainly will be with us, and though the God of the world, (as he is styled,) be worshipped, and by usurpation set upon his throne in the main and greatest part of America, yet this small part and portion may be vindicated as by the right hand of Jehovah, and justly called Emanuel's land.'

This startling declaration of the Commissioners of the existence of vices besides heresies in religion, in the infant



and religious colonies of New England, must be taken with some qualifications. Perhaps what seemed excesses to these austere men, were nothing more than venial indulgences, which liberal minds would have viewed rather as temporary and accidental deviations than fixed and rooted habits of evil.

In one respect the puritan fathers of New England have won and have deserved the gratitude of their posterity. According to their means they were the munificent patrons of learning; they watched with paternal solicitude over the progress of the infant establishment at Cambridge, but they looked to the moral and literary improvement of the confederated colonies from the efforts and examples of well educated men, rather than the particular advantage of the student, or the general diffusion of science, as this declaration of the Commissioners discovers. 'Whereas the colonies at present afford some help towards the maintenance of some poor scholars in the college at Cambridge in the Massachusetts. It was propounded and thought fit that some course be taken with the parents, and with such scholars themselves, (as the case may require,) that when they are furnished with learning, in some competent measure, they remove not into other countries, but improve their parts and abilities for the service of the colonies, and for this purpose the Commissioners for the Massachusetts were desired to advise with the General Court and elders there, for the ordering such a course, and how such scholars may be employed and encouraged, when they leave the college either in new plantations, or as school-masters, or in ships, till they be called and fitted for other service.'

Although the eldest colony in this confederacy could date its origin only from 1620, that laudable ambition which seeks for national immortality in the pages of his-

tory was already felt, and these humble pilgrims were desirous of giving to the world and leaving to their posterity the story of the events of their pilgrimage in the wilderness. The Commissioners adopted the following declaration, which may have led to the publication of New England's Memorial by Nathaniel Morton, in 1669.

‘Whereas our good God hath from the first done great things for his people in these colonies, in sundry respects worthy to be written in our hearts with a deep and characted impression not to be blotted out, and forgotten to be transmitted to posterity, that they may know the Lord, and how he hath glorified his grace and mercy in our foundations and beginnings, that they also may trust in him, and walk with a right foot before him without warping and declining. It is desired by the Commissioners, that all the colonies, (as they may,) would collect and gather up the many special providences of God towards them since their arrival and settling in these parts, how he hath made room for them, how his hand hath been with them in laying their foundations in church and commonwealth; how he hath cast the dread of his people, (weak in themselves,) upon the Indians, scattered their councils, broken their plots and attempts, and continued our peace, (notwithstanding their insolencies, rage, and malice,) made gratuitous provision for us, and in all respects hath been a sun and shield to us, and that memorials being made, they may be duly communicated and seriously considered, that no thing be mistaken but that history may be compiled according to truth with due weight, by some able and fit man appointed thereunto.’

The Commissioners again met in Boston, July 26, 1647.

Thomas Dudley and John Endicott from Massachusetts; William Bradford, John Brown from Plymouth;

Edward Hopkins and Capt. John Mason from Connecticut ; Theophilus Eaton and Stephen Goodyear from New Haven.

Thomas Dudley of Massachusetts, was chosen president.

The Commissioners recommended to the several General Courts that the articles of confederation be so far altered that the day of the annual meeting might be left indefinite, and that the attendance of six should be sufficient to enable them to transact business.

Connecticut had claimed a contribution from all vessels and merchandize passing down the Connecticut river to keep the fort at Saybrook in repair, which Springfield, (considered within the jurisdiction of Massachusetts,) had refused to pay. This subject had been laid before the Commissioners at their previous meeting, and it was now decided by the Commissioners from Plymouth and New Haven, (those colonies not being interested,) that Springfield should pay 2*d.* on each bushel of corn, and 20*s.* for each hogshead of beaver passing down the river, but that they would hear any deputy from Massachusetts or from Springfield who should object to the imposition, and consider his objections at a future meeting.

Mr Dunster, the president of the College, laid before the Commissioners the following queries.

‘ I. Whether you be willing to submit the youth of your colonies that be or shall be students, so far to the college discipline administered by the president and fellows, and in cases arduous by the advice of the overseers, that whatsoever punishment shall be inflicted for the demerits, according to the laws of said college, shall noways infringe any privilege or honorable exhibition from your colonies to the college, and whether you do not give your approbation to the said laws.’

‘II. Whereas upon the seasonable motion of Mr Thomas Shepard the several colonies agreed firmly to contribute to the furtherance of learning in the college, the disposal whereof hath wholly been left to me hitherto, wherein I have already found some cases difficult to myself, and which may be dangerous in time ensuing to others, unless by your councils they be regulated, therefore have I thought it necessary to propound to your wisdom these following questions.

First. ‘Whereas that way is by free contributions wherein every colony, town, and family, take to themselves to be at liberty to give or withhold, if therefore some colonies or towns in them shall give nothing, yet out of the said places well deserving scholars shall come, whether then these shall be as capable of these contributions, as such as come from other colonies that do contribute liberally, and consequently if these supplies shall be extended to scholars coming from foreign places, as old England, Virginia, and the like?

‘Secondly. Whether in any case you give way that any of the said supplies be diverted from the society for the maintenance of school scholars, and if so, in what cases?

‘Thirdly. Whether we shall have respect in disposal of the said contributions to all the scholars in general, (as by maintenance of common officers, or the like,) or especially to such as are poor, pious, and learned, the three usual qualifications looked at in such cases, and whether any scholar from the college above a month shall have his exhibition continued.

‘Fourthly. Whether any scholars that have had these exhibitions, shall account themselves so engaged to stay in the country, as that they may not go away without offence, and if so, then what way they may disengage themselves.

‘Fifthly. Seeing the contributions of the colony have already amounted to above £50 per annum, and if the first proposition of 1s. a family were attended, they would amount to much more, whether therefore if the said exhibitions were collected by some faithful officers, constable, or the like, and presented to the General Courts, or their betruſted in the ſaid colonies, and thereof a fit proportion as they themſelves ſhall ſee good, allotted to the college £8 per annum for a ſcholarſhip, and £16 per annum for a fellowſhip, and the reſt for the maintenance of ſcholars at the grammar ſchool in the plantations where theſe collections are made, the ſaid courſe would be more honorable and orderly to the colonies and college, and more ſatisfactory to the people, when they ſhall ſee how their gifts are beſtowed, and how themſelves may reap the fruit of them both at home and abroad.’

‘Sixthly, Whether it is expected that pious, diligent, and learned graduates, ſhould be elected fellows, as emergent occaſion ſhall require, and that then they ſhould have for their encouragement the ſtipend due from ſuch ſcholars as are under their tuition, which for the preſent is a conſiderable part of the preſident’s maintenance, therefore we humbly entreat you to ſtate what you think to be a mere allowance for the preſident, and whence it ſhall arrive.

‘Seventhly, Seeing from the firſt evil contrivall of the college building there now enſues yearly decays of the roof, walls, and foundation, which the ſtudy rents will not carry forth to repair. Therefore we preſent it to your wiſdom to propound ſome way to carry an end to this work.

‘Eighthly, Seeing the public library of the college is yet defective in all manner of books, eſpecially in law, phyſic, philoſophy, and mathematics, the furniſhing

whereof would be both honorable and profitable to the country in general, and in a special to the scholars, whose various inclinations to all professions might thereby be encouraged and furthered, we therefore humbly entreat you to use such means as your wisdom shall think meet for supply of the same.

‘Ninthly, Seeing it will be of concernment and encouragement to the students that the degrees here taken may be so accounted in England, and we are informed of the readiness of some masters of colleges there to entertain and promote such a motion, we therefore desire your advice and furtherance in this matter. So praying for the blessing of the Lord upon all your consultations for the welfare of the United Colonies. I humbly take my leave and rest your willing servant,  
HENRY DUNSTER.’

The Commissioners answered the queries of the president.

‘Firstly, They do conceive that all who send any youths to the college do *eo facto* submit and leave them to the college discipline, as is usual in such cases in all places in Europe.

‘Secondly, They deemed it equitable that the colonies who contributed the most should be preferred,’ though they would also that deserving youths from other places (recommended from such colonies as do contribute) be not neglected.’

‘Thirdly, They express themselves against any diversion of the supplies ‘for the maintenance of Grammar school scholars, the several plantations making provision in these kinds within the several jurisdictions.

‘Fourthly, The supplies granted by the several colonies were first intended for the support and encouragement of poor, pious, and learned youths,’ but in case none such

applied, the funds might be 'employed for the common advantage of the college.'

'Fifthly, The Commissioners judged that those who have benefit by the contributions of the colonies, should be engaged to attend the service of the country upon tender of employment and maintenance suitable to their condition, and state of the country.' Such scholars as refused to acquiesce, 'should be engaged in convenient time to repay what they have received from the colonies.'

'Sixthly, The Commissioners promise to promote contributions, but refuse to alter the mode. The consideration of the other particulars are referred to the wisdom and piety of the General Court for this colony.'

It is certainly a source of genuine pleasure to reflect on the nursing care which the United Colonies of New England bestowed on the infant institution at Cambridge. While the country was yet a wilderness, through which savage men, and savage animals, continued to prowl—while the abilities of all were taxed to the uttermost to guard against danger, defend their firesides, and procure subsistence, the interests of learning were not overlooked, but were made by the guardians of the general weal, a subject for grave and serious discussion.

The English settlement on Pequot river was adjudged to be in Connecticut.

The Commissioners met at Plymouth, July 7th, 1648. John Endicott and Simon Bradstreet attended from Massachusetts; William Bradford and John Brown from Plymouth; Edward Hopkins and Roger Ludlow from Connecticut; Theophilus Eaton and John Astwood from New Haven. William Bradford was elected president.

The precedence of the colonies was established as follows: 1. Massachusetts, 2. Plymouth, 3. Connecticut, 4. New Haven. 'Only it is provided that any Commis-

sioner may manifest such personal respects as in his own discretion, he judge mete to any of the rest of the Commissioners.'

A petition of the following tenor was presented in behalf of Rhode Island, praying, 'that we the Islanders of Roode Island, may be received into combination with all the United Colonies of New England, in a firm and perpetual league of friendship and amity; of offence and defence, mutual advice, and succor upon all just occasions for our mutual safety and welfare, and for preserving of peace amongst ourselves, and preventing as much as may be all occasions of war and difference, and to this our motion we have the consent of the major part of our Island.

WILLIAM CODDINGTON,

ALEXANDER PARTRIDGE.'

To which motion the Commissioners returned this answer under all their hands: 'Mr Coddington and Captain Partridge.—The Commissioners for the United Colonies have considered that you have propounded either by speech or writing, and find your present state full of confusion and danger, having much disturbance amongst yourselves, and no security from the Indians, they desire therefore in several respects to afford both advice and help; but upon the perusal of the ancient patent granted to New Plymouth, they find Roade Island upon which your plantations are settled, to fall within their line and bounds, which the honorable Committee of Parliament think not fit to streighten or infringe, nor may we: if therefore yourselves, and the inhabitants of the most, and most considerable part of them, upon a due consideration of Plymouth patent and right, acknowledge yourselves within that jurisdiction, we shall consider and advise how you may be accepted upon just terms, and with tender respects to your conveniency; and shall afford you the



same advice, protection, and help, which other plantations within the United Colonies enjoy, which we hope in sundry respects may tend to your comfort and safety.'

Had the island of Rhode Island acceded to this proposition, and united itself with Plymouth, it might have been followed by consequences having a powerful influence not only upon their own, but upon the destinies of New England. The feeble settlements at Providence, Patuxet, and Warwick, could not have been sustained as independent jurisdictions; eventually they also would have sought a union with Plymouth; the islands of Nantucket and Martha's Vineyard would have pursued the same course; with such an accession of territory, and with so much capacity for the acquisition of wealth, Plymouth would have remained a separate government, and eventually would have become one of the states of the Union; a state distinguished for striking peculiarities; dividing in portions nearly alike, unequalled advantages for the successful prosecution of agriculture, commerce, navigation, and manufactures, the great departments of human exertion and industry; with a population in nearly equal proportions of independent farmers, skilful artisans, and enterprising sailors, presenting by strong analogies and resemblances, an epitome of England.

A representation on the part of Massachusetts was presented by their Commissioners proposing some alterations in, and expressing some doubts as to the just construction of the articles of confederation.

They propose that the word safety in the second article, should be construed to mean, 'safety only from an enemy, not from common providences as famine, pestilence, same of common welfare.'

'2. The scope of the eighth article to extend only to causes which concern divers of the colonies, (not any

one in itself,) or some one or more of the colonies and some neighbor plantations not within the confederation, and by Indians to be meant Indian strangers or such neighbor Indians as are not in subjection to the, &c, the government of the colonies.

‘ 3. Commissioners not to have power to appoint officers to carry their orders into effect, but the same be executed by the officers of such jurisdiction as shall be concerned therein,’ if such jurisdiction shall not submit and perform, after a due admonition then to be responsible to the rest of the colonies for breach of league and covenant, and to be declared what further power the Commissioners have in such cases, or what will be fit to be done in case any colony should change their religion professed, &c.

‘ 4. When a reference in case of disagreement is to be made to the four General Courts, to provide that the assent of three shall be sufficient to bind the whole.

‘ 5. Triennial instead of annual meetings, were proposed.

‘ 6. As the proportion of the expenses of Massachusetts was in the ratio of five to one of any of the other colonies, it was proposed to increase the number of their Commissioners to three, and if any colony would bear the same proportion of expense, the number of their Commissioners also to be increased to three.

‘ 7. It was proposed to the Commissioners that some more equal mode of apportioning expenses be devised.

‘ Whereas there be divers orders made by the Commissioners, (as about admission of Church members, maintenance of scholars at Cambridge, about a general trade, &c, as in the book of records of the Commissioners’ Acts, do more fully appear, all which orders are only by way of advice to the General Courts of the several colonies, yet forasmuch as orders by way of advice are in some

introduction to orders where the advice is not followed, it is to be propounded if it were not reasonable to be declared, that in such cases if any of the colonies shall not think fit to follow such advice, the same not to be accounted, any offence or breach of any article of our confederation, or to give power or occasion to the Commissioners to proceed to any act of authority in such case.'

The committee of Massachusetts then go into a long argument to convince the Commissioners of the impropriety of compelling Springfield to pay any contribution for the purpose of maintaining the fort at Saybrook.

'1. The Commissioners in their reply disclaim any power under the words "safety and welfare," of making any orders or laws in cases of famine and pestilence.

'2. They appear to agree with the committee in their construction of the eighth article of confederation.

'3. Though the Commissioners consider and order in the public concerns of the colonies within the compass of their trust and power contained in the articles as in all treaties concerning peace and war, sending messengers, appointing generals and other officers for war, when all the colonies are interested, appointing numbers of men, ordering provision and charges necessary for the service, giving commission, taking accounts concerning offenders, and all things of like nature, which are the proper concomitants or consequents of such a confederation, yet the execution to belong to the jurisdiction wherein the commissioners sit, or where the offender is or may be found, and to the magistrates and other inferior officers but so that if the magistrates or the officers do deny or delay execution in any case proper to the Commissioners' cognizance, and wherein the other colonies are interested and many suffer such jurisdiction to be responsible for

breach of covenant ; but what shall be done in such case, or in case any colony shall change their religion professed, they conceive cannot be now so well resolved, as when the case in the compass and with all circumstances shall be considered.'

'4. The Commissioners approved the project of making the General Courts of three colonies competent to certain decisions instead of requiring the whole. Of the sixth and seventh propositions of Massachusetts for changing the compact they disapprove.'

With respect to the contribution imposed on Springfield the Commissioners seem to adhere to their former opinions.

The Commissioners recommended that the last wills and testaments of persons deceased in any one of the colonies, and there approved and allowed, should be authoritative in the other colonies, and so of administrations.

An extraordinary meeting of the Commissioners was holden at Boston, July 23, 1649.

The Commissioners of Plymouth and New Haven, Mr Bradstreet from Massachusetts, and Mr Hopkins from Connecticut, were rechosen ; Thomas Dudley supplied the place of Mr Endicott, and Thomas Wells that of Roger Ludlow.

Thomas Dudley of Massachusetts was elected president.

Massachusetts, in order to retaliate the duties imposed on Springfield, ordered duties to be imposed on all furs, corn-meal, and biscuit coming within their jurisdiction from the other confederated colonies.

'Upon a question betwixt the two colonies of Massachusetts and Plymouth formerly propounded and now again renewed by the Commissioners of the Massachusetts, concerning a tract of land now or lately belonging

to Pomham and Saconoco, two Indian sagamores, who had submitted themselves and their people to the Massachusetts government, upon part of which land some English, (besides the said Indians,) in Anno. 1643, were planted and settled; the Commissioners for Connecticut and New Haven remembering and duly considering what had passed in Anno. 1643, and in Anno. 1646, did and do still conceive that the Commissioners for Plymouth did consent and agree that the aforesaid tract of land, though it fall within Plymouth bounds, should be and from thence forward acknowledged as a part and under the Massachusetts jurisdiction; nor doth it yet appear that Plymouth, when those conclusions of the Commissioners Anno. 1643, were read in the General Court, did protest and doth declare against it, that the Massachusetts might have considered their way before they expended so much charge in Samuel Gorton's business; but what direction, council and order Plymouth Commissioners had from their General Court so to do, we understand not; and what power any of the Commissioners have to resign or pass over any tract of land within their patent to another jurisdiction, without consent and express license from the General Court interested and concerned therein, is of weighty consideration to all the colonies; they therefore advise and desire that by a neighborly and friendly treaty a due consideration may be had, and a course settled, both about the charges expended, and how Pomham and Saconoco with their people may be governed and protected.'

'Mr Dudley one of Commissioners for the Massachusetts, and president for this meeting, being lately fallen sick and unable to attend the present occasion in hand; the other Commissioner for the Massachusetts declared himself unsatisfied with this return of the Commissioners of Connecticut and New Haven, as seeming to detract

from the conclusions of the Commissioners in the case in Anno. 1643, and in Anno. 1646, where the lands in question seem to be granted and adjudged to the government of the Massachusetts, and the way propounded not likely to issue the present difference, there having been trial formerly made thereof, but without effect. The like unsatisfiedness he expressed in the last answer or reply of the Commissioners for Connecticut, but for the reason before mentioned and present straits of times, defers replying to some other opportunity.'

'The Commissioners for Connecticut and New Haven who were present in the former agitations, conceive that they have retracted nothing in any respect from what they did in Anno. 1643, and in Anno. 1646, and therein refer to an indifferent and due consideration of those passages, and what is now declared. But they profess they never thought themselves interested in the question betwixt the Massachusetts and Plymouth, unless as witnesses in both those years, they being neither concerned in Samuel Gorton's business, or in the tract of land in question, but concurred in what was just and warrantable, that a due peace might be settled for the comfort of all the colonies.'

At the meeting of the Commissioners at New Haven in 1651, the following letter was presented from the inhabitants of Warwick.

'May it please this honored committee to take knowledge that we, the inhabitants of Sowamett alias Warwick, having undergone divers oppressions and wrongs amounting to a great damage since we first possessed this place, being forced thereby to seek to that honorable State of Old England for relief, which did inevitably draw great charge upon us to the further impairing of our estates, and finding favor for redress, we were willing to waive

for that time, (in regard to the great troubles and employment that then lay on that State,) all other losses and wrongs we then underwent, so that we might be replanted in and upon that our purchased possession, and enjoy it peaceably for time to come, without disturbance or molestation by those from whom we had formerly suffered ; but since our gracious grant from the honorable Parliament, in replanting of us in this place we have been, and daily are pressed with intolerable grievances to the eating up of our labors and wasting of our estates, making our lives together with our wives and children bitter and uncomfortable ; insomuch that groaning under our burthens, we are constrained to make our addresses to that honorable Parliament and State once again to make our just complaint against our causeless molesters, who, by themselves and their agents, are the only cause of this our reuttering of our distressed condition.

‘ May it please, therefore, this honored assembly, to take notice of this our solemn intelligence given unto you as the most public authorized society appertaining unto and instituted in the United Colonies, whom our complaints do concern, that we are now preparing ourselves with all convenient speed for old England, to make our grievances known again to that State, which fall upon us by reason that the order of Parliament of England concerning us hath not been observed, nor the enjoyment of our granted privileges permitted to us ; that we are as it were bought and sold from one patent and jurisdiction, to another.’

The commissioners again met at Hartford, September 5th, 1650. Simon Bradstreet and Captain William Hawthorne from Massachusetts ; Thomas Prentice and John Browne from Plymouth ; Edward Hopkins and John Haynes from Connecticut ; Theophilus Eaton and Ste-

phen Goodyere from New Haven. Edward Hopkins of Connecticut was chosen president.

Connecticut was permitted to receive East Hampton upon Long Island into its jurisdiction, 'if they subait.'

The next annual meeting of the Commissioners was holden at New Haven, September 4th, 1651.

The commissioners of Massachusetts and New Haven, Mr Browne of Plymouth, and Mr Hopkins of Connecticut, were rechosen. Timothy Hatherly supplied the place of Governor Prence, and Roger Ludlow that of Governor Haynes. Theophilus Eaton of New Haven, was chosen president.

The Commissioners addressed the following letter to Mr Coddington, then governor of Rhode Island.

'SIR,—We are informed that it hath pleased the Parliament or Council of State, to commit the public trust of government in the island unto your hands, wherein we cannot but desire that truth and righteousness may so flourish, that the gospel professed by the English in this wilderness may not be brought under any just reproach. It is presented to us, that some notorious delinquents who are liable to highest censures, making escape out of several of the colonies, repair to your island as to a *city of refuge*, hoping thereby to avoid the stroke of justice, and we may well expect offenders in like and other kind will be easily apprehensive of their advantages and improve them for the future, if such door be open, which occasioneth us to direct these few lines to yourself, and desire to receive information from you and from your council, what we may expect in the forementioned cases, or when any fugitives out of any of the English United Colonies shall hereafter seek shelter there: Whether upon certificate from some of the magistrates of the several jurisdictions where the offences committed may be best understood, and receive



its due censure, you will deliver up and return such delinquents and fugitives to be proceeded with in their proper place, according to their demerits, as the colonies upon due consideration for the promoting of justice and righteousness find cause to do amongst themselves, or whether you intend to receive and keep such under your protection, until they be pursued and impleaded in your courts, and the respective cases there issued, as we hear hath been sometimes pretended, which we judge very obstructive to the ways of justice. We shall add no more but our due respects to yourself, and so rest

‘Your very loving friends.’

Mr Dunster the President, and the Fellows of Harvard College, having addressed a letter to the Commissioners on the state of the College buildings, the Commissioners replied, and close with saying, ‘The Commissioners will propound to, and improve their several interests in the colonies, that by pecks, half-bushels, and bushels of wheat, according as men are free and able, the College may have some considerable yearly help towards their occasions, and herein if the Massachusetts please to give a leading example the rest may probably the more readily follow.’

A communication was received from John Green, Jr, town-clerk of Warwick, in behalf of that town, reciting the various abuses which they had received from Massachusetts, and expressing an intention of appealing to Parliament; the people of Warwick complain that ‘they were bought and sold from one patent and jurisdiction to another;’ of warrants summoning them to the courts of Massachusetts executed by the officers of that colony; of the Indians counselled by evil-minded English, killing their cattle, offering violence to their families, and the last, of vilifying the authority of Parliament, and claiming justification under the authority of Massachusetts, of preventing their commerce, and holding their estates.

Massachusetts by her Commissioners replied that the lands of Warwick had been voluntarily ceded by the Indian sachems who were the original proprietors to the government of Massachusetts; that Plymouth who had claimed an interest therein, had voluntarily surrendered it to Massachusetts, who thus became possessed both of the English and Indian title; that the seizure of Gorton, who was a trespasser, had been acquiesced in by all the confederated colonies; but that Gorton and his company had been permitted to reside on those lands without molestation, notwithstanding the repeated complaints both of English and Indians; 'the inhabitants of Warwick never exhibited any complaints to the jurisdiction of Massachusetts, of any wrongs or injuries done them by English and Indians there, which had they done, they should have received equal justice with any other.'

'And when there arose a difference betwixt the Massachusetts and Plymouth concerning the jurisdiction of the aforesaid place, the government of Plymouth not allowing of what their Commissioners had done therein; though for a long time they had been silent, the Commissioners of Massachusetts referred the determination of that difference to the rest of the Commissioners at Boston, in Anno 1649, who advised to issue the same, by hearing a neighborly treaty betwixt the two jurisdictions of the Massachusetts and Plymouth, whereupon the General Court of the Massachusetts sent two deputies to the General Court of Plymouth, with Commissioners and instructions to resign and submit the aforesaid lands and persons residing therein, to the government of Plymouth, they only promising to do equal justice both to English and Indians there, according to our engagements, but the government of Plymouth chose rather to ratify and confirm the aforesaid resignation of their Commissioners, which accordingly

was done by an authentic writing signed by the governor, &c.'

The court of Massachusetts finding Gorton still refractory, 'desired the advice of the rest of the Commissioners at Hartford in Anno 1650,' and on grounds of expediency were again advised by them to resign these lands to Plymouth. Massachusetts again tendered a resignation of the lands, which Plymouth again refused; out of their own stock they had supplied a considerable quantity of corn to the Indians living there, to replace their corn which had been destroyed by Gorton's cattle. The Commissioners of Massachusetts conclude their declaration with an inquiry as to the extent of support and aid which they might expect to receive from the other confederated colonies should Gorton still prove refractory and resist.

The Commissioners of Connecticut and New Haven, after reciting the various proceedings respecting these lands, conclude their declaration by saying: 'the Commissioners, therefore, fearing some inconvenience, would provide remedy, but know not what to add to the advice given in Anno 1650, concerning trespasses, but that which is proved to be recovered if no other means will serve by legal force; but with as much moderation as may be, lest, from a course of continued offences, further quarrels and acts of hostility should spring and grow betwixt the inhabitants of Warwick and their aforementioned neighbors.'

The Commissioners of Plymouth appear to have been much at variance with their brethren of Massachusetts in their declaration, and rather inclined to favor Gorton. They say, 'taking knowledge of the long declaration of the Massachusetts Commissioners collected out of pieces of passages of many years, and being unsatisfied therewith, thought meet to declare themselves that what was

done by Mr Winslow and Mr Collier, the Commissioners of Plymouth in Anno 1643, concerning the resignation up of any lands which Plymouth had interest in, was not at all in their power to resign up any part of Plymouth's jurisdiction to the Massachusetts. Neither could the Massachusetts receive any such resignation without being injurious to the third and sixth articles of confederation, (if any had been made.) And Mr Winslow and Mr Collier have several times publicly denied that they either did or intended to resign any part of the jurisdiction of Plymouth to the Massachusetts, and by what right of authority the General Court of Massachusetts had to send for Samuel Gorton, inhabiting so far out of their jurisdiction we understand not, and how just their censure was we know not, or what part of censure they have suspended, and upon what grounds we apprehend not; and concerning any reference put to the determination of the rest of the Commissioners at Boston in Anno 1649, the Commissioners of Plymouth referred none, and what authentic writing the governor of Plymouth signed, the Massachusetts Commissioners do not show, but if they mean a writing signed by the governor of Plymouth and some particular persons joining with him, bearing date the 7th of June, 1650, we, the Commissioners of Plymouth for our particular persons, cannot own it, having protested against it in the court of Plymouth, as being directly contrary to the order of the honorable committee of the parliament of England, and contrary to the articles of confederation with the rest of the colonies.'

'And whereas we are informed that the court of Massachusetts have lately sent out several summons or warrants to several persons inhabiting Warwick, alias Showamet and Patuxet, and have made seizure upon some of their estates, we do hereby protest against such proceedings, if any such be.'

It might have been, that Plymouth, indifferent at first, made but slight objection to the assumption of jurisdiction over Showamet or Warwick by Massachusetts, but as that tract became more valuable by improvement, Plymouth might have become unwilling to renounce any possible title, although there might not have been much confidence in its legality.

The Commissioners met at Boston in May, 1653; present, John Endicott, William Hathorne, from Massachusetts; William Bradford, John Browne, from Plymouth; Roger Ludlow, John Cullick, from Connecticut; Theophilus Eaton, John Astwood, from New Haven.

John Endicott was chosen President.

In expectation of a war with the Dutch, it was voted to raise five hundred soldiers, to be apportioned as follows—

Massachusetts,	-	-	333
Plymouth,	-	-	60
Connecticut,	-	-	65
New Haven,	-	-	42

Major General Daniel Dennison was appointed commander.

'The Commissioners being informed that the Corporation in England,' had sent over arms and ammunition, ordered the same to be divided according to the value as estimated in money.

To Massachusetts,	-	-	£232	8	3
Plymouth,	-	-	43	6	3
Connecticut,	-	-	45	5	2
New Haven,	-	-	37	13	0

Another meeting was held at Boston in the same month in consequence of the expiration of some of the Commissions.

Simon Bradstreet took the place of Governor Endicott. The others remained.

Mr Bradstreet was chosen president.

At a meeting of the Commissioners at Boston, September 1, 1653, present,—Simon Bradstreet, William Hathorne, from Massachusetts; Thomas Prence, John Browne, from Plymouth; Roger Ludlow, John Cullick, from Connecticut; Theophilus Eaton, John Astwood, from New Haven.

Simon Bradstreet, of Massachusetts, was chosen president.

A communication was submitted from the General Court of Massachusetts, in which they made some question as to the power of the Commissioners to bind the colonies to support an offensive war.

The Commissioners from the other colonies signed a special declaration, (Sept. 2,) in which they impugn the doctrines of Massachusetts, as ‘tending to break the confederation; for they conceive that neither colonies nor Commissioners will find encouragement to bear such charges, and make such journeys upon such uncertain and unsatisfying terms.’

On the sixth, a more explicit declaration was received from the General Court of Massachusetts, in which they denied that ‘the several jurisdictions are subordinate or subject to the authority of the Commissioners, and therefore not bound in *foro civili* to their determinations, nor act according to their judgments in making offensive war, leagues or aids because *potestas belligerendi aut pacis sanctiendix̄ salva majestate Imperii eripi nequet*; notwithstanding if their judgment and determination be just according to the word of God, we do acknowledge the colonies to be bound to act accordingly; not only in *foro conscientix̄*, because their determinations are just; but in

*foro civili*, because of the contract and league between the confederates, although not by the authority of the Commissioners.’

This was a difficult question — ‘To whom could the power be given to interpret the will of God?’

The Commissioners of the three smaller colonies replied on the same day. They recurred to that article of the confederation by which six out of the eight Commissioners ‘should have full power to hear, examine, weigh, and determine all affairs of war and peace, leagues, aids proper to the confederation, &c.’ They continue, ‘the power of determining cannot be taken from the Commissioners without violation of the covenant; they have no power to make new articles, nor may act as Commissioners if the former be broken, but shall acquaint their several respective General Courts with the final conclusion of this colony, dated and received this day, and leave it to their consideration; propounding only to yours whether it will not be a great sin against God, and very scandalous, and a consideration five years under deliberation in New England, and since continued ten years without inconvenience; nay with a blessing, a confederation wherein every article and every clause in every article was considered and weighed not only by a committee from the four jurisdictions, but by the whole General Court then sitting; a confederation, for which prayer was put up while it was under treaty, and public thanks returned when it was finished, should by this court be first disturbed, and a strained interpretation as if the articles gave no power to the Commissioners to act in offensive wars, leagues, aids, et cetera. They must meet only to give advice; which any of the several jurisdictions may take or leave, as themselves see cause, and so make all void, that because the majesty or honor of government

cannot be preserved, if the power of making war and settling be in the hands of Commissioners chosen generally out of, and by the freemen of the four colonies, which by the confederation are made and ordered to continue, and be called by the name of the United Colonies of New England, who by the covenant and league, solemnly, seriously, and religiously made, must necessarily break and be dissolved; but whether this violation proceed from some unwarrantable scruple of conscience, or from some other engagement of spirit, the Massachusetts neither express, nor will the Commissioners determine, but leave it to the wise and righteous God who is only Lord of the consciences and spirits of men.'

The General Court of Massachusetts addressed another communication to the Commissioners, in which they disclaimed all intention of violating the articles, but assert their object was solely to have the Commissioners explain or construe the articles, but as they had denied that they had the power so to do, they should refer the question to the several General Courts; they disclaim any intention to deny to the Commissioners the power 'to hear, weigh, examine, and determine all affairs of peace, war, leagues, aids, &c, proper to the confederation.' 'Neither (say they) did we ever imagine, and therefore wonder it should at least seemingly be imposed upon us, that any one colony or General Court alone had power to act for the rest; or that we do affirm the Commissioners must meet only to give advice, which the several jurisdictions may take or leave, as themselves see cause, and so make all void; have we not in terms acknowledged ourselves bound to act according to their just determination before God and man by virtue of our confederacy, though not by any other authority? What bounds would you lay upon us? Can we be imagined to be obliged to act the determinations



of more than eight of the ablest and wisest gentlemen in all the colonies, were we not bound by our confederation? We may, therefore, with less offence, challenge and assert our own interest, because we are ready to give others their due; neither is it a point of majesty or honor we labor for, but an essential part of that entire government which is reserved to either colony in the articles, before the very office, much more the power of Commissioners, be provided, for which being preserved to us inviolable, we shall be far from opposing the power of the Commissioners, but do acknowledge ourselves bound to assert and defend the same, but if our own rights are invaded, we shall be thereby disabled from maintaining either, though we desire to keep ourselves free from infringing them; we shall not take upon us to determine the cause of this contest between the court and yourselves, we shall challenge the like liberty with the Commissioners, and leave it to the Lord, the judge of the spirits of all men.'

The Commissioners with the exception of those of Massachusetts, in their answer maintain again the truth of their construction of their powers under the articles of confederation, and conclude — 'we have sufficiently expressed our apprehensions, and shall only add that when any authority imposeth penalties in cases wherein the subject cannot according to God obey, guilt will be charged; Joab sinned in obeying in the death of Uriah, and David had sinned, and he punished Joab for disobedience to such a command. As no colony hath power to act for the rest, so no one colony within the covenant of confederation may to the prejudice of the rest reject the determination of the Commissioners not manifestly unjust. That peculiar jurisdiction which the articles reserve to each colony, the Commissioners never questioned, nor they hope shall ever have any thought in the least to

eneroach upon; but wherein that consists, yourselves expressed in your propositions, 1648, before mentioned, and by a due consideration of the passages in other articles compared with the eleventh, you may possibly receive further light.'

'To conclude, we may safely (to say no more) protest our own readiness to preserve the articles in their full strength, and to attend our duty in the present meeting, obstructions cast in by this Court being duly removed; if you therefore please to express your resolutions to continue the just power of the Commissioners according to the true sense of the articles, as till this year ever intended and understood both by yourselves, and by all the other till any other articles, explanation, or provision be agreed by the four General Courts, the Commissioners shall presently cheerfully proceed; if not, they desire, without further loss of time, they desire to return to their other occasions, and shall close with your close, leaving the whole cause to the wise and just judge who knows both our several aims, and all the passages betwixt us in this dispute.'

To this Massachusetts returned the following laconic answer. 'We see not reason to protract time in fruitless and needless returns, we shall acquiesce in our last paper, and commit the success to God.'

Mr Bradstreet and Mr Hathorne, the two Commissioners of Massachusetts, took the bold step of publicly disapproving and disavowing the opinions of their General Court in the following paper, which they both signed.

'Notwithstanding what formerly, or at this present meeting hath passed betwixt the General Court of Massachusetts and the honored Commissioners of the other colonies, as relating to the articles of confederation wherein we are not engaged, yet at the beginning of this

sessions and divers times since, one of us, so now again jointly we do earnestly desire and request that forthwith we attend the occasions of the colonies according to the articles of confederation, professing ourselves willing and ready to act therein, according to our best light, and the commission granted by our Court; always desiring and (as God shall help us) resolving to keep ourselves free from having any share in the breach of the solemn and perpetual confederation which manifestly tendeth thereunto, and the sad consequences thereof that may ensue.'

September 9th, 1653.

The Commissioners with the exception of those from Massachusetts, signed a declaration in which they expressed their determination to abide by their decisions.

This produced a semi-disavowal on the part of the General Court of Massachusetts, of the imputation of designing to violate the articles of confederation, concluding with a declaration, 'that they judged and granted that by the articles of confederation, so far as the determinations of the Commissioners are just and according to God, the several colonies are bound before God and men to act accordingly, and that they sin and break covenant if they do not, but otherwise we judge we are not bound neither before God nor men.'

This drew from the six Commissioners the following answer.

'The Commissioners for the three colonies judged of the meaning of the Massachusetts General Court by their expressions in former writings, and accordingly returned answers to which they still refer, what the Court doth this day declare, the Commissioners so far accept, that they

purpose presently to proceed, referring all further questions to the addresses the Massachusetts shall please to make to the other General Courts.’

September 10th, 1653.

This disorganizing proceeding on the part of Massachusetts arose from their strong dislike to a war with the Dutch and Ninnigret, one of the Narragansett sachems. Although that government might have had good reasons for their dislike to engage in this war, yet it would hardly justify the breach of faith which a violation of the articles of confederation would have involved.

The Commissioners notwithstanding the reluctance of Massachusetts, undertook to make hostile preparations, and required the several colonies to raise two hundred and fifty men in the following proportions, namely, Massachusetts, one hundred and sixtysix, Plymouth, thirty, Connecticut, thirtythree, and New Haven, twentyone. Mr Bradstreet entered his protest against this measure. Massachusetts was still refractory, and their Council signified to the Commissioners ‘that not seeing sufficient grounds either from any obligation of the English towards the Long Islanders, or from the usage the messengers received from the Indians, or from any other motive presented to our consideration, or from all of them; and therefore dare not exercise our authority to levy force within our jurisdiction to undertake a present war against the said Ninnigret.’

The Commissioners after voting ‘that they had just grounds of a war against the Dutch,’ signed another declaration against the conduct of Massachusetts, in which they conclude as follows. ‘But the Massachusetts refusing to act as by a writing this day received from their Council appeareth, in raising men to be sent against Nin-

nigret, the Nyantick sachem, according to a clear vote wherein seven of the Commissioners did fully concur, they apprehend the Massachusetts have actually broken their covenant, but what damages may hereby grow to the other colonies, they leave to such discoveries as the wise God shall please to make, and to the consideration of the several General Courts therein concerned; only they declare that the vote concerning the justice of a war against the Dutch upon the grounds herein mentioned, was twice voted.

‘September 24th, 1653.’

Mr Bradstreet in his counter declaration, denies the right of the Commissioners to make an offensive war, ‘the colonies are not bound (says Mr Bradstreet) to act in any offensive war according to the determination of the Commissioners, further than the same is just and according to God;’ and again, ‘knowing and solemnly professing that according to my best knowledge and understanding, it is not the mind of our Council or General Court to oppose the determination of the Commissioners further than they conceive the same to oppose the mind of God; and upon this account I earnestly request that due regard may be had to the judgments and consciences of others pious and prudent, that are so deeply concerned herein, and that in care of blood, and though at present we cannot be all like-minded, that yet our christian moderation may appear as in other respects, so especially in reference to an offensive war with Indians or others, till the mind of God do more fully appear. Remembering it will be no grief of heart to any of us when we come to give up our accounts, that we have neither shed blood causelessly, nor drawn others to do it, upon the grounds not clear to them, however possibly satisfactory to yourselves.’

To this the Commissioners reply.

‘The Commissioners as one man, without any dissent, have formerly fully expressed themselves that any determination of theirs manifestly unjust bindeth not, but the Council of Massachusetts refusing to raise men against Ninnigret, allege not, much less prove, that any part of their conclusions is unjust, or breaketh any rule of God, so that in this refusal they return to their former purposes and resolutions, that the Commissioners should only act as counsellors to advise, and the General Courts may, and the Massachusetts Council will attend so far as they see cause for *‘posestas belli gerendi aut pacis sanctiendæ salvo majestate imperii eripe Nequit*, which may stand with a kingdom, commonwealth, or with the Massachusetts jurisdiction uncombined, but not as they stand in confederation with the other colonies, who have made the Commissioners their representatives, to hear, examine, weigh and determine in matters of war, peace, leagues, aids, &c, as by the express words of that solemn covenant appears; and as it can be no grief of heart to spare guiltless blood, so it is a duty to require the blood of innocents who depend on us for safety; and probably suffer for their faithfulness to the English, as being their tributaries and approved friends so murtherously and so expressly against Ninnigret’s covenant, speed to recover their wives and children from so unjust a captivity, to vindicate the honor of our nation, and secure ourselves and friends from the insolency and outrage of such barbarous and bloody men.’

Mr Bradstreet also dissented from all the other Commissioners, (including his colleague Mr Hathorne,) as to the justice and expediency of the war with the Dutch.

The government of Massachusetts still dissatisfied, addressed a communication to that of Plymouth, proposing four queries.

‘1. Whether the reason of the Commissioners be the reason of all the General Courts.

‘2. Whether notwithstanding the determinations of the Commissioners of the Courts in cases of greater concerns ought not to be satisfied of the justice of their determination, before they proceed to act.

‘3. Whether it can consist with the preservation of entire power of governments reserved to the several jurisdictions that the judicial or authoritative determination of peace and war should be in the hands of six Commissioners, who as such are not members of any court, and may probably be no members of a dissenting jurisdiction.

‘4. Whether the Commissioners as Commissioners be subject to the General Courts of the several jurisdictions to which they belong, or the jurisdictions and General Courts be subject to the Commissioners.’

They conclude the communication by saying, ‘the articles we conceive give occasion for these and many other questions of the like nature, and therefore needs explanation or reconciliation according to the true nature of a confederation which is the preservation of the power of governments of every jurisdiction; not the stating of any powers in Commissioners otherwise than subordinate and subservient to that end. The concordance of your answer (in these particulars) with our apprehensions will put an end to our differences and beget a right understanding between us; but because we cannot assure ourselves thereof in every particular, and being seriously desirous of the continuation of our amity, we propose to your consideration that a committee be chosen by each jurisdiction, to treat and agree upon such explanation or reconciliation of the articles of confederation as shall be consistent with our true meaning, the nature of confederacy, and the power and authority of every government;

which being presented to the several General Courts may be acknowledged, ratified, and confirmed.'

To this the government of Plymouth returned the following answer.

'MUCH HONORED FRIENDS,

'The unexpected and less welcome intelligence that we received upon the return of our Commissioners from their last and most uncomfortable meeting, hath administered just ground to us to let you understand how sadly we resent, and how deeply we are affected with that sad breach of the confederation on your part acted, especially at such a time as this, wherein our enemies may be occasioned not only to insult over us, but also to reproach the name of God and his ways, which we profess, which upon whose account it will be charged, we leave to consideration, and pass on to express our thoughts in answer to yours dated the 13th of September, 1653, which after due consideration, we conceive (reserving due respects to yourselves dissenting) that the articles of confederation are so full and plain that they occasion not any such queries for their further explanation or meeting of a committee for such purpose, it seeming unto us to be obvious to any impartial eye that by the said articles the Commissioners are the representatives of the several colonies, and therefore what they act and determine according to that power given them in such matters as are expressly included in the said articles, may justly be interpreted as the sense, reason, and determination of the several jurisdictions which have substituted thereunto, and the several colonies may and ought to acquiesce as if themselves had done it, which may stand without prejudice to the preservation of each colony entire to its own proper jurisdiction; Commissioners acting in their proper places, and the several jurisdictions in their places not intermeddling in the affairs



of each other as such, which is duly provided for in the third and sixth articles; neither will it allow us any absurdity if granted, that in things just acted by the Commissioners within their proper sphere, the General Courts, be subject unto them, and yet the Commissioners subject to their respective General Courts in any mal-administrations of their trusts and power in things proved undoubtedly to be unjust, where the rule holds true, better obey God than man, whether commissioners, kings, or courts, for all which in other societies, parallel cases as you very well know may be produced.'

The next meeting of the Commissioners was holden at Hartford, on the 7th of September, 1654; present Simon Bradstreet and Daniel Dennison from Massachusetts; Thomas Prence and John Browne from Plymouth; John Mason and John Webster from Connecticut; Theophilus Eaton and Francis Newman from New Haven. Theophilus Eaton was chosen president.

Massachusetts now gave up the controversy, and after considerable discussion renounced their former construction of the articles of confederation in a writing of the following tenor.

'To the intent all former differences and offences may be issued, and determined, and forgotten, betwixt Massachusetts and the rest of the confederate colonies, we do hereby profess it to be our judgments, and do believe it to be the judgment of our General Court, that the Commissioners, or six of them, have power according to the articles to determine the justice of all wars, &c. That our General Court hath and doth recall that interpretation of the articles which they sent to the Commissioners at Boston, dated 2d of June, 1653, as it appears by that interpretation and concession of our Court presented to the Commissioners in September last; and do acknow-

ledge themselves bound to execute the determinations of the Commissioners according to the literal sense and true meaning of the articles of confederation, so far as the said determinations are in themselves just and according to God.

‘SIMON BRADSTREET,  
DANIEL DENNISON.’

‘September 11th, 1654.

‘The Commissioners for the other colonies do accept of the foregoing writing to the intents and purposes therein expressed; provided the General Court of the Massachusetts at their next meeting do certify to the other three General Courts their consent thereunto, and profess to act accordingly.

‘THEOPHILUS EATON, President.  
‘THOMAS PRENCE,  
‘JOHN BROWNE,  
‘JOHN MASON,  
‘JOHN WEBSTER,  
‘FRANCIS NEWMAN.’

Considerable warmth had been excited in consequence of the seizure of a vessel belonging to the colony of New Plymouth, by Thomas Baxter, under color of a commission from Rhode Island. The vessel belonged to Samuel Mayo of Barnstable, and was while under the command of John Dickinson, (employed in conveying the goods of William Leverich, the minister of Sandwich, who was about commencing a settlement at Oyster Bay on Long Island,) seized at Hampstead harbor, within the Dutch jurisdiction.

The Commissioners despatched Lieutenant William Hudson to Rhode Island to demand satisfaction.

Mr Easton, the governor of Rhode Island, denied any authority in Baxter to make this seizure, and the owners engaging to prosecute the offender, the affair subsided.

The Commissioners met at Hartford, September 7th, 1654, as has been already stated.

The next meeting was at New Haven, September 6th, 1655. The Commissioners from Massachusetts were re-appointed, as well as, Mr Browne, Major John Mason, and Mr Eaton. Captain James Cudworth appeared from Plymouth in the room of Governor Bradford. John Callich from Connecticut in place of Mr Webster, and William Leete from New Haven in the place of Mr Astwood. Mr Eaton was chosen president.

The next meeting was at Plymouth, September 4th, 1656. Mr Bradstreet and General Dennison were re-chosen from Massachusetts; Governor Bradford and Governor Prence were chosen by Plymouth; John Mason and John Talcott by Connecticut; Messrs Leete and Eaton by New Haven. William Bradford of Plymouth was chosen president.

The Commissioners addressed an affectionate letter to the church at Hartford, where great differences had arisen, advising peace and mutual forbearance.

They also subscribed the following declaration, with a view to call forth a general history of the confederated colonies.

‘To the end that the works of God and his goodness which hath been great towards his people in their first planting of this desolate wilderness may never be forgotten, but to be kept in a thankful and perpetual remembrance to the praises of his grace, and comfort of posterity, and that the generations to come may truly understand the main ends and aims proposed in our transmigration hither from our dear native country, and the great things that God hath done for their fathers, we thought it no less than our duty to commend it to the several General Courts, that they would please to appoint some meet

persons in each jurisdiction to collect the special and remarkable passages of God's providence towards us, since the first arrival of the English in these parts, which collections being brought to the next meeting of the Commissioners at Boston, some one fitly qualified may be appointed and desired to compose the same into a history and prepare it for the press.'

Plymouth had been settled thirtysix, Massachusetts twentysix, and Connecticut and New Haven less than twenty years, and the passion for historical immortality was roused; having prophetic anticipations of the greatness of the end, they were anxious to clear the commencement of all obscurity, and to shew posterity 'what manner of men they were,' and the great things which God had wrought for them.

In consequence of this declaration, Secretary Morton compiled the 'Memorial,' the earliest history of New England, but he too much neglected the philosophy of history, for the relation of special providences, and miraculous interpositions.

On the 3d of September, 1657, the Commissioners met at Boston. The Commissioners of the preceding year were all rechosen, except Governor Bradford, who had died; his place was supplied by Captain James Cudworth. Mr Bradstreet was chosen president.

On the 2d of September, 1658, they met at Boston. John Endicott and Simon Bradstreet were chosen by Massachusetts; Thomas Prentice and Josias Winslow by Plymouth; John Winthrop and John Talcott by Connecticut; Francis Newman and William Leete by New Haven. Governor Endicott was chosen president.

The Commissioners met at Hartford, September 1st, 1659. Simon Bradstreet and Major General Dennison, from Massachusetts; Josias Winslow and Thomas South-

worth from Plymouth ; John Winthrop and Thomas Wells from Connecticut ; Francis Newman and William Leete from New Haven.

John Winthrop was chosen President.

Much controversy took place at this meeting about the respective rights of Massachusetts and Connecticut to the Pequot country, both claiming. The Commissioners of Plymouth and New Haven, to whom the question was referred, did not determine it, but found them to be joint conquerors.

The Commissioners being all rechosen, excepting Mr Wells of Connecticut, in whose place Matthew Allin was elected, met at New Haven, September 6th, 1660. Francis Newman was chosen president.

The Commissioners recommended to the several General Courts to regulate the mackerel fishery ‘ considering the fish is the most staple commodity of this country.’

They also determined that their next meeting should be at Rehoboth, in the Plymouth jurisdiction. The last vote, however, was not carried into effect, as the Commissioners met at Plymouth, September 5th, 1661

Mr Bradstreet and General Dennison were again chosen by Massachusetts ; Governor Prence and Thomas Southworth by Plymouth ; John Mason and Samuel Willis by Connecticut ; Governor Leete and Benjamin Fen by New Haven. Governor Prence was chosen president.

The Commissioners presented the New Testament printed in the Indian language, to King Charles II., accompanied with a long and loyal letter.

The next meeting was at Boston, September 4th, 1662. General Dennison and Thomas Danforth appeared from Massachusetts ; Governor Prence and Josias Winslow from Plymouth ; Samuel Willis and John Talcott from Connecticut ; Governor Leete and Benjamin Fen from New Haven. General Dennison was chosen president.

Much complaint was made at this session of the intrusion of the Rhode Islanders into the Narragansett country, and a communication was made to the government of that colony.

The next meeting of the Commissioners was at Boston, September 3d, 1663. Present, Simon Bradstreet and Francis Danforth from Massachusetts; John Winthrop and John Talcott from Connecticut. The Commissioners of Plymouth and New Haven were rechosen. Simon Bradstreet was elected president.

The controversy between Massachusetts and Connecticut respecting the Pequot lands was revived, but nothing definitive was done.

The next meeting was at Hartford, September 1st, 1664. Massachusetts was represented by Simon Bradstreet and Thomas Danforth; Plymouth by Josias Winslow and Thomas Southworth; Connecticut by Matthew Allin and Samuel Willis; New Haven by Governor Leete and William Jones. Mr Bradstreet was chosen president.

King Charles II., by letter recommended Thomas Chiswick, John Scott, John Winthrop, Daniel Dennison, Simon Bradstreet, Thomas Willett, Richard Smith, Edward Hutchinson, Amos Richardson, John Alcock, William Hudson, and their associates, holding estates in the Narragansett country derived from Major Atherton, to the protection of the colonies as they were 'unjustly molested in their possessions and laudable endeavors, by certain unreasonable and turbulent spirits from Providence colony,' 'to the great scandal of justice and government, and the eminent discouragement of that hopeful plantation.'

In consequence of the royal pleasure thus signified, the Commissioners addressed a communication to the government of Rhode Island.

During the years 1665 and 1666, Josias Winslow and Thomas Southworth were the Commissioners from Plymouth.

September 5, 1667, the Commissioners again met at Hartford. Thomas Danforth and John Leverett represented Massachusetts; Thomas Southworth and Thomas Hinckley Plymouth.

New Haven, by a royal charter, was now annexed to Connecticut, and the two colonies were amalgamated and represented by William Leete and Samuel Willis.

Governor Leete was chosen president.

Plymouth as early as August, 1665, had protested against the continuance of the confederation under the subsisting articles, in the following communication made to the General Court of Massachusetts.

‘ From the last commission, (say they,) something was commended to the several General Courts of the United Colonies for the continuance of the confederation with three colonies, viz. Massachusetts, Plymouth; and Connecticut; we have not as yet heard from any of the General Courts; but our last General Court taking the premises into consideration, requested me to acquaint you with our present apprehensions, which is, that we find not our reason seated in sufficient light to continue confederation with three colonies as we did with four.

‘ 1. Because it is against an express article that no two of the said colonies shall become one, (and we apprehend grounded upon good reason,) except with consent of the rest, which we do not, nor yourselves for ought we know, nor New Haven, except constrained.

‘ 2. That matters of peace and war and other concerns of the colonies hath been looked upon as matters of such concernment as required at least six of the ablest, discreetest, and most experienced gentlemen of the four

colonies to determine, and we are apt to judge that the concerns of the colonies are of as great weight as then; and we are very apprehensive the colonies then were as well furnished with able persons fit for such work as now; to say no more, we know how it is with ourselves.

‘3. How the determination of the Commissioners hath been attended by some, when there were at least six to determine, and mostly eight concurring; such as have been on the commission may easily remember, which indeed hath been matter of trouble to us, as unto others, but we know not how to remedy it, and there is little reason to conceive it will be amended by the determination of four, if not liked by that colony whom it may concern.

‘4. To enter into a confederation with any where it cannot be rested upon that the matters agreed on shall in all points exactly be attended, after so much travel, expense of time, and not a little charge, we apprehend it neither necessary nor convenient; these with several other that we might mention if need were, doth so obstruct our way, that we are not willing to enter into such a confederation with three colonies as we did formerly with four. The truth is, we are the meanest and weakest, least able to stand of ourselves, and little able to contribute any helpfulness to others, and we know it, though none should tell us of it, yet through God’s goodness we have not hitherto given you much trouble, and hope it shall be our study and endeavors as we are able to be serviceable to our countrymen, brethren, and fellow-subjects, and doubt not to find the like from yourselves if need be; not willing to give you any further trouble at present, commending you and all your weighty occasions unto the blessing of the Almighty, we crave leave to remain,

Gentlemen,

‘Yours to love and serve you,

‘Plymouth, 21st of June, 1665.

THOMAS PRENCE.’



The Commissioners demanded an exhibition of the compact by which Connecticut and New Haven were united, but it was not produced. Neither was the concurrence of the General Court of Connecticut for the continuance of the confederation, and triennial meetings of the Commissioners, as proposed by Massachusetts.

The Commissioners declared that the articles of confederation were so weakened and infringed as to require a 'reestablishment of the confederation betwixt these colonies, who are here willing exiles from the place of our fathers' sepulchres, for the enjoyment of the same spiritual mercies, of the same nation, and all of us subjects of the same prince, knowing well that the violation thereof will be highly provoking to the most high God, who is the witness, and will be the judge of and between the parties concerned, and it is also of no less tendency than the breaking down of that wall which under God hath hitherto been, and still is the means of our own safety, and preservation of his majesty's dominions here against domestic and foreign enemies.'

The Commissioners then set forth the grievances besides those which were included in the Plymouth memorial.

'1. The several acts relating to the differences between Massachusetts and Connecticut with respect to the Pequot country.

'2. The acts of the Commissioners, by which the subject was partly referred to New Haven; the junction of New Haven and Connecticut, which the Commissioners cannot as yet approbate, being ignorant of the conditions of their union.

'3. The acts of the Commissioners respecting the provisions for the Pequot Indians.

The Commissioners, after alluding with regret to some proceedings of Connecticut, submit their propositions for altering the articles of confederation, which were

‘1. To take from the Commissioners the power of making offensive war, unless instructed by the several General Courts, and vesting that power in the General Courts.

‘2. In confidence of our compliance by our beloved brethren and confederates of Connecticut according to the loving intimations given them, we do again propound the proviso made by the Commissioners at Hartford, September, 1664, for the resettlement of the articles of confederation.

‘3. Triennial instead of annual meetings proposed, but only once in fifteen years at Plymouth.

‘4. A synod was prepared for the settlement of questions arising in the churches on matters of faith and order, consisting of ‘messengers from the churches called indifferently out of all the United Colonies to meet at or near Boston.

‘And whereas, the scripture doth abundantly testify against the neglect of those things that appertain to the house of God; we do commend to the consideration of the several jurisdictions that some special provision be made for the more comfortable and settled maintenance of an able ministry in every plantation; and where any shall presume to slight or oppose the same by turbulent or schismatical practices, that a condign testimony be borne against them.

‘5. A further provision respecting vagabonds or wandering persons, was recommended.’

The Commissioners from Connecticut disclaimed any dislike to a *tripartite* confederation, or a triennial meeting of the Commissioners.

With respect to Southertown they claimed it as included in their charter.

The difficulties with the Pequot Indians were settled.

New Haven and Connecticut, they say, were constituted as one government by a royal patent, and therefore it was no proper cause of complaint on the part of the Commissioners, and conclude, 'we shall forbear to mention anything of our dissatisfaction with our loving confederates of Massachusetts and Plymouth, whose letters and instructions seems to us to have too much tendency to weaken that solemn confederation; being resolved with all cordialness to comply with you in strengthening the same; and to join with you in commending to the prudent consideration of the several General Courts what may be adviseable for the best security of our religious rights and civil enjoyments as becomes brethren, and brethren in so remote a corner of this wilderness.

'September 12, 1667.

'WILLIAM LEETE.

'SAMUEL WILLIS.'

In 1668 and 1669, Josias Winslow was chosen Commissioner by the General Court of Plymouth. In 1668, Thomas Southworth. In 1669, Constant Southworth.

On the first of June, 1670, articles of agreement were recommended to the several General Courts of Massachusetts, Plymouth, and Connecticut; by Richard Bellingham, governor, Thomas Danforth and John Leverett on the part of Massachusetts; Josias Winslow for the government of New Plymouth; Samuel Willis and John Talcott for and by order of the General Court of Connecticut.

Thomas Prence and Josias Winslow were annually chosen Commissioners by the General Court of Plymouth in 1770, 1771, and 1772.

On the fifth of September, 1672, the new articles of confederation were finally ratified.

ARTICLES OF CONFEDERATION OF THE NEW ENGLAND COLONIES.

Articles of Confederation between the Plantations under the government of the Massachusetts, the Plantations under the government of New Plymouth, and the Plantations under the government of Connecticut.

‘Whereas we all came into these parts of America with one and the same end and aim, viz. to advance the kingdom of our Lord Jesus Christ, and to enjoy the liberties of the gospel in purity and peace, and whereas in our settling, by a wise providence of God, we are further dispersed upon the sea-coasts and rivers than was at first intended, so that we cannot according to our desire with conveniency communicate in one government and jurisdiction, and whereas we are compassed with people of several nations and strange languages, which hereafter may prove injurious to us and our posterity, and forasmuch as the natives have formerly committed sundry insolencies and outrages upon several plantations of the English, and have several times combined themselves against us, and seeing, by reason of our distance from England, our dear native country, we are hindered both from that humble way of seeking advice and reaping those comfortable fruits of protection which we might otherwise well expect, we therefore account it our duty as well as safety to enter into a confederation for mutual help and succour in all our future concernments, that as in nation and religion, so in other respects we be and continue one, according to the terms and true meaning of the ensuing articles:—

‘1. Wherefore it is agreed and concluded by and between the parties or jurisdictions abovenamed, and they do jointly and severally by these presents agree and con-

clude, that they all be and henceforth to be called by the name of the United Colonies of New England.

‘ 2. The said United Colonies, for themselves and their posterity, do jointly and severally hereby enter into a firm and perpetual league of friendship and amity, mutual advice and succour upon all just occasions, both for preserving and propagating the truth and liberties of the gospel, and for their own mutual safety and welfare, provided notwithstanding that the power of determination of an offensive war properly so called, so as to engage the colonies therein, shall be in the several General Courts of the aforementioned confederates.

‘ 3. It is agreed that the plantations which at present are or hereafter shall be settled within the limits of the Massachusetts, shall be forever under the government of the Massachusetts, and have peculiar jurisdiction amongst themselves as an entire body, and that Plymouth and Connecticut each of them in all respects have the like peculiar jurisdiction and government within their limits, according to their respective letters patent from his majesty, provided that no other jurisdiction shall hereafter be taken in as a distinct head or member of this confederation, nor shall any other plantation or jurisdiction in present being, and not already in combination or under the jurisdiction of any of these confederates, join in one jurisdiction without the consent of the several General Courts of the abovenamed confederates.

‘ 4. It is also agreed, that for the managing and concluding of all affairs proper to and concerning the whole confederation not excepted against in these articles, two Commissioners shall be chosen by and out of each of these three jurisdictions, namely, two for the Massachusetts, two for Plymouth, and two for Connecticut, *being all in church fellowship with us*, who shall bring full power

from their General Courts respectively, to hear and examine, and weigh, and determine the same; but if these six Commissioners when met shall not all agree, yet it is concluded that any five of the six agreeing, shall have power to settle and determine the case in controversy; but if five do not agree, that then such propositions with their reasons so far as they have been debated, be sent and referred to the several General Courts, and if by all the said Courts there be a concurrence in the matter so referred, then to be accordingly prosecuted by all the confederates, and all their members.

‘ 5. It is further agreed, that the Commissioners for the United Colonies shall meet but once in three years, except in cases extraordinary, which meeting shall ever be on the first Thursday in September, and that the next meeting after the date of these presents shall be at Plymouth, which shall be accounted the first meeting, the second at Boston, the third at Hartford, the fourth at Boston, the fifth at Hartford, and so the meeting will be but once in fifteen years at Plymouth, and double so often in the other colonies, if in the meantime some middle place be not found out and agreed on, which may be commodious for all.

‘ 6. It is further agreed, that at each meeting of these six Commissioners, whether ordinary or extraordinary, they may choose their president out of themselves, whose office and work shall be to take care and direct for order and comely carrying of all proceedings in the present meeting, but he shall be invested with no such power by which he may hinder the proposing or progress of any business, or any way cast the scales otherwise than in the present articles is agreed.

‘ 7. It is also agreed, that the Commissioners for this confederation hereafter at their meetings, whether ordinary

or extraordinary, as they may have commission or opportunity, may consult of and propose to the several General Courts to be by them allowed and established, such orders, in general cases of a civil nature, wherein all the plantations are interested, for preserving peace amongst themselves, and preventing as much as may be, all occasions of war or differences with others, as about the free and speedy passage of justice in each jurisdiction to all the confederates equally as to their own, receiving those that remove from one plantation to another; how all the jurisdictions may carry towards the Indians, that they neither grow insolent nor be injured without due satisfaction, lest war break in upon the confederates through such miscarriages; it is also agreed, that if any servant run away from his master into any other of these confederated jurisdictions, that in such case, upon the certificate of one magistrate in the jurisdiction out of which the said servant fled, or upon other due proof, the said servant shall be delivered either to his master or any other that pursues and brings such certificate or proof; and that upon the escape of any prisoner whatsoever, or fugitive for any criminal cause, whether breaking prison or getting from the officer, or otherwise escaping, upon the certificate of the jurisdiction out of which the escape is made, that he was a prisoner, or such an offender at the time of the escape, the magistrates or some of them for that jurisdiction where for the present the said prisoner or fugitive abideth, shall forthwith grant such a warrant as the case will bear for the apprehending any such person, and the delivering him or her into the hand of the pursuer, and if help be required it shall be granted, he paying the charge thereof.

‘8. It is further agreed, that for the disposing of the Indian stock for the future, the choice of the Commission-

ers of the several colonies being annually as formerly, the Commissioners of the Massachusetts with such others as shall be present, or any three of the Commissioners, meeting yearly at Boston, or elsewhere as they shall agree, and at the usual time, they may do any act for the managing and ordering of that affair as though all the Commissioners were present, and what they shall do herein they shall keep a true record thereof, and transmit the account of the same from time to time, to the triennial meeting of the Commissioners.

‘9. It is agreed also by the confederates, that the charge of all just wars, whether offensive or defensive, upon what part or member of this confederation soever they fall, shall both in men, provisions, and all other disbursements, be borne by all the parts of the confederation in different proportions, according to their different abilities, namely, that the rule for proportioning men, and raising of monies for the defraying of such charges as may from time to time arise upon any war, defensive or offensive, begun and carried on according to the articles of confederation, shall be as follows: the Massachusetts one hundred, Plymouth thirty, Connecticut sixty; and this rule to continue for fifteen years next coming after the beginning of the meeting of the Commissioners to be held at Plymouth in September next; and then if any one or more of the confederates shall apprehend the abovesaid proportion to be unequal, that then matters shall be again considered by the Commissioners, and what they shall agree upon shall be presented to the several General Courts for their acceptance and confirmation, each jurisdiction or plantation being left to their own just course and custom of rating themselves and people, and that according to the different charge of each jurisdiction and plantation, the whole advantage of the war, (if it please



God so to bless their endeavors,) whether it be in lands, goods, or persons, shall be proportionably divided amongst the said confederates.

‘ 10. It is further agreed, that if any of these jurisdictions, or any plantation under them, be invaded by any enemy whomsoever, upon any notice or request of any three magistrates of that jurisdiction so invaded, the rest of the confederates without any further meeting or exposition, shall forthwith send aid to the confederate in danger, but in different proportions, namely, the Massachusetts one hundred men sufficiently armed and provided for such service and expedition, Plymouth thirty men so armed and provided, and Connecticut sixty men so armed and provided, or any less number if less be required, according to this proportion; but if such confederate in danger may be supplied by their next confederate, not exceeding the numbers hereby agreed, they may crave help there, and seek no further for the present, the charge to be borne by the several colonies, according to the proportions abovesaid, and at their return to be victualled and supplied with powder and shot, if there be any need for their journey, by that jurisdiction that employed or sent for them; but in any such case of sending men for present aid, whether before or after such order or alteration, it is agreed that at the meeting of the Commissioners for this confederation, the cause of such war or invasion be duly considered, and if it appear that the fault lay in the parties so invaded, that then that jurisdiction or plantation make just satisfaction both to the invaders whom they have injured, and bear all the charges of the war themselves, without requiring any allowance from the rest of the confederates towards the same.

‘ 11. And for that the justest war may be of dangerous consequence especially to the smaller plantations in these

United Colonies, it is agreed, that neither the Massachusetts, Plymouth, nor Connecticut, nor any of the members of any of them shall at any time hereafter begin, undertake, or engage themselves, or this confederation in any war whatsoever, (sudden exigencies with the necessary consequences thereof excepted, which are also to be moderated as much as the case will permit,) without the consent of the several General Courts of the United Colonies.

‘12. It is also agreed, that in case of any sudden exigencies, or other weighty occasions requiring the meeting of the Commissioners before the ordinary time, the governor or any three magistrates of any of the confederate jurisdictions may summon a meeting of the Commissioners, briefly signifying the occasion thereof, and the time and place of the meeting, which shall be accordingly attended by the Commissioners of all the confederate jurisdictions, and when met they may adjourn to any other time or place as they shall see meet.

‘13. It is also agreed for settling of vagabonds and wandering persons removing from one colony to another, to the dissatisfaction and burden of the places where they come, as daily experience sheweth us; for the future it is ordered, that where any person or persons shall be found in any jurisdiction to have had their abode for three months, and not warned out by the authority of the place, and in case of the neglect of any person so warned as abovesaid to depart, if he be not by the first opportunity that the season will permit, sent away from constable to constable, to the end that he may be returned to the place of his former abode, every such person or persons shall be accounted an inhabitant where they are so found, and by them governed and provided for, as their condition may require, and in all such cases the charge of the constables to be borne by the treasurer where the said constables dwell.

‘ 14. It is agreed, that if any of the confederates shall hereafter break any of these present articles, or be in any other way injurious to any of the confederate jurisdictions, such breach of agreement or injury shall be duly considered, and ordered by the Commissioners for the other jurisdictions, that both peace and this present confederation may be preserved inviolate.

‘ 15. Whereas, in the former articles agreed upon, May the 29th, 1643, for the United Colonies abovenamed, New Haven is therein mentioned, and was owned as a distinct confederate, and is by these included and concluded as one with Connecticut, the abovesaid union shall be always interpreted as by their own concession, and not otherwise.

‘ Now whereas for many years past, upon divers good considerations there was a confederation agreed upon by the ancient English colonies under his majesty’s authority in New England for mutual help, support, and defence, as also for the better maintaining his majesty’s interest against any opposition or incursion of the barbarous natives and others, as appeareth by articles that were agreed upon in the year 1643, and are upon record to be seen, whereby the said colonies have been so united as have proved very beneficial to all his majesty’s subjects in these parts for their peace and security, and whereas the several General Courts of the said colonies have seen cause to renew the said confederation with some necessary alteration and addition to the said articles, as is more fully expressed in the articles above written, and also, whereas the General Court for the Massachusetts colony, by their commission dated in Boston, in August 30th, 1672, have nominated Thomas Danforth, Esq., and Major William Hawthorne, Esq., their Commissioners, investing them with full power and authority to sign, ratify, and confirm, the above recited articles of confederation, and in like

manner the General Court at Plymouth, June the 5th, 1672, have nominated Thomas Prence, Esq., and Major Josias Winslow, Esq., investing them with like power, and the General Court of Connecticut colony held at Hartford, May the 9th, and June the 26th, 1672, have in like manner nominated John Winthorpe, Esq., and James Richards, Esq., investing them with like power, the abovesaid Commissioners being assembled at Plymouth, September the 5th, 1672, having read and examined these above written articles, do according to their said commissions, and by virtue thereof, clearly and absolutely ratify and confirm the same, for the reestablishing of a perpetual confederation between the abovenamed colonies, as was the declared intentions of the former articles; in confirmation whereof, the Commissioners abovenamed, by the authority granted unto them from their several General Courts, and in their name and stead have hereunto subscribed their hands, in Plymouth, September the 5th, 1672.'

'JOHN WINTHORPE,

'JAMES RICHARDS,

'THOMAS PRENCE,

'JOSIAS WINSLOW,

'THOMAS DANFORTH,

'WILLIAM HAWTHORNE.'

Alterations it would seem had been proposed in the different General Courts, and had been adopted from time to time, which were now embodied in these new articles.

The principal changes were those which required the voices of five of the six Commissioners instead of six in eight, the junction of New Haven and Connecticut having reduced the number to six.

Instead of an annual meeting holden alternately at New Haven, Hartford, and Plymouth, it was made triennial, and the places of meeting were established at Boston, Hart-

ford, and Plymouth, but was to be holden at Plymouth only once in fifteen years.

The power of the Commissioners was rendered less positive and their functions seemed to be restricted to advice and recommendation to the governments of the several colonies.

The proportions of the general expenses, military force, &c, were changed to correspond with the change in the relative wealth and population of the colonies, Massachusetts being rated at one hundred, Connecticut sixty, and Plymouth thirty; and in this proportion disbursements were to be made and men raised.

No war was to be undertaken without the consent of the several General Courts of the different colonies.

The governor or any three of the magistrates of any colony were authorised to summon a meeting of the Commissioners whenever an exigency arose requiring such meeting.

A residence of three months gave to citizens of either colony the right of inhabitants.

New Haven was recognised only as a part of Connecticut.

These alterations materially changed the character of this union. The power formerly enjoyed by the Commissioners was restricted, and from being in many instances executive, it became merely advisory.

After signing these articles, the Commissioners proceeded to the transaction of business. The meeting was on the 5th of September, 1672, and was held at Plymouth.

Thomas Danforth and William Hathorne were appointed from Massachusetts; Thomas Prence and Josias Winslow from Plymouth; John Winthrop and James Richards from Connecticut. Thomas Prence was chosen president.

But little business was transacted at this meeting. The next was holden after the general Indian war in 1675.

Josias Winslow and Thomas Hinckley were chosen Commissioners in 1673 and 1674, by the General Court of Plymouth.

It was the practice in Plymouth to choose the Commissioners annually, although by the amended articles of the confederation, the meetings were to be triennial.\*

\* From 1643 to 1672, while the New England colonies were under the original articles, the following Commissioners were chosen from Plymouth.

First chosen.		served	-	-	-	Years.
1643	Edward Winslow		-	-	-	2
1643	William Collier	"	-	-	-	1
1644	John Browne	"	-	-	-	12
1645	Thomas Prence	"	-	-	-	12
1646	Timothy Hatherly	"	-	-	-	2
1647	William Bradford	"	-	-	-	4
1657	James Cudworth	"	-	-	-	1
1658	Josias Winslow	"	-	-	-	14
1659	Thomas Southworth	"	-	-	-	8
1669	Constant Southworth	"	-	-	-	1

## CHAPTER IV.

SETTLEMENT, AND LOCAL AND ECCLESIASTICAL HISTORY OF THE TOWNS OF REHOBOTH, EASTHAM, BRIDGEWATER, MIDDLEBOROUGH, DARTMOUTH, AND SWANSEA.—PROGRESS OF THE OTHER TOWNS OF THE COLONY.

BETWEEN the years 1641 and 1675, six new towns were settled and incorporated, namely, Rehoboth in 1645, Eastham in 1646, Bridgewater in 1656, Middleborough in 1660, Dartmouth in 1664, and Swansea in 1667.

The towns already established were making considerable progress in wealth and population.

## REHOBOTH.

The ancient Rehoboth in its greatest extent, comprised the present towns of Seekonk, (where the first permanent settlement commenced around the Great Plain,) the present towns of Rehoboth and Pawtucket, the town of Attleborough, first called the north purchase, the Gore, (now Cumberland in Rhode Island,) and that part of Swansea which was called Wannamoiset.

The first settler within the limits of the ancient town was William Blackstone, who was also the first settler and ancient proprietor of Shawmut, since Boston. His residence was on the river which now perpetuates his name, above Pawtucket, at a place afterwards known by the

name of the Attleborough Gore, (now Cumberland in Rhode Island.)

He seated himself at Boston probably about the year 1625 or 1626, and his right by occupancy was regarded by the settlers who came out with Governor Winthrop, as they all paid him a consideration for its relinquishment.

To use his own words, 'he fled from England to escape the tyranny of the Lords Bishops,' and in 1635, he abandoned Boston 'to escape the tyranny of the Lords Brethren.' He built his house on a knoll near the river; he named it 'Study Hall.' This house he surrounded with a park. The Indian name of the place which he occupied was *Wawepooseag*. In June, 1673, he lost his wife, and died himself May 26, 1675. He lived in New England about fifty years.

William Blackstone had been in England a minister of the established church. Unwilling 'to endure the tyranny of the Lords Bishops,' he abandoned his country at the commencement of the arbitrary proceedings in ecclesiastical affairs. He did not yield himself, however, to the dominion of that fierce spirit by which most of the puritans appear to have been influenced, and never renounced his episcopal calling. His temper was impatient of restraint, and restless under the exercise of arbitrary power, but unlike his austere brethren, he sought neither controversy nor proselytes, and to escape the approaching tempest, retreated to the shelter of a wilderness. His taste for solitude was singular and unconquerable. Plymouth had been settled when he reached America, but he preferred the solitary quietude of Shawmut (Boston). He built his cottage by the side of a fountain, cultivated his garden, and planted his orchard, (the first in New England,) and shunned all association with man. When his lonely asylum was invaded by men fierce and intolerant,



he made no complaints, he provoked no quarrels, but quietly sold his lands, and 'to avoid the tyranny of the Lords Brethren,' settled himself a second time in a wilderness far distant from any English settlement, 'planted another orchard,' and wandered on the banks of his placid stream, devoted to horticulture, contemplation, and books, a lonely, musing man.

It is easy to conceive of the intense and ardent passions which drove Daniel Boon and the pioneers of the west from the haunts of men. Bold, enterprising, and unlettered, like the savages they delighted in the animated pleasures of the chase, and only felt the sense of independence when denizens of the forest. After warring on beasts of prey, they turned their deadly rifles upon their wild and ferocious neighbors, and acquired a keener relish for life by putting it in constant hazard.—Blackstone like them travelled from wilderness to wilderness, but he abandoned society to seek the quiet and the peace which disgusted them.

In his death, this pilgrim father of Boston and Rehoboth, was singularly happy. It happened a few days previous to the commencement of that direful war, which in a few days after gave his house and his books to the flames, and rendered his fair and cultivated domain a scene of desolation.\*

\* Blackstone's conduct was marked by many harmless eccentricities; he tamed a bull, on which he would occasionally ride to Providence. He was also remarkable for his love of children. His was one of those singular minds which preserved its simple and natural tastes, without yielding in the least to the artificial influences of society.

Mr Blackstone left a son whose name was John. It is believed that he settled somewhere near New Haven.

The Plymouth Court adopted the following order for the relief of John Stevenson, the son of Mr Blackstone's wife.

'June 10th, 1675. Whereas the Court is informed that one whose name is John Stevenson, son-in-law to Mr William Blackstone, late deceased, was (for

Roger Williams and his companions, driven from Salem, at first seated themselves at Seekonk, but advised by Governor Winslow, they crossed the river (as has been already related,) and founded Providence.

The real founder of the town of Rehoboth was the Rev. Samuel Newman, the minister of Weymouth. Mr Newman came to America in 1636, and settled at Dorchester. In 1638 he was settled as the pastor of Weymouth, where he remained about five years.

Dissatisfied with his situation, he and several of his society and some from Hingham, came to a determination to remove, and a place called Seekonk was fixed on for the new settlement; they probably were induced to select this spot as it was an extensive plain, already cleared of forest trees, and a place apparently favorable to the cultivation of the Indian corn.

The first meeting of the proprietors appears to have been holden at Weymouth, August 24, 1643.

They agreed to divide their new plantation into sixty-five shares. A provision was made that if some failed, the number of the shares might be reduced to sixty. It was also resolved that the lands should be planted and

off) to his father and mother in their lifetime, without whom they could not well have subsisted as to a good help and instrument thereof, and he is now left in a low and mean condition, and never was in any measure recompensed for his good service aforesaid, and if (as it is said at least,) his father-in-law engaged to his mother at his marriage with her, that he should be considered with a competency of land out of the said Blackstone's land then lived on, which hath never yet been performed; and forasmuch as the personal estate of the said William Blackstone is so small and inconsiderable, that he the said Stevenson cannot be relieved out of it; this Court therefore, in consideration of the premises, do order and dispose fifty acres of land unto the said John Stevenson, out of the lands of the said William Blackstone, and five acres of meadow to be laid out unto him by Ensign Henry Smith, and Mr Daniel Smith, and Mr Nathaniel Paine, &c.'

fenced previous to the ensuing 20th of April, and that all should remove together with their families in one year, or should forfeit their interest in the lands to the plantation, they allowing for the improvements according to their discretion.

October 10, 1643, regulations were made as to the planting of corn. The teacher to have a certain proportion from each settler. Servants after four years to be inhabitants and entitled to the privileges. Richard Wright was employed to build a corn-mill.

On the 21st of April, 1644, a meeting was held at See-konk, and a new division was ordered.

It was also resolved that on every fortieth day a meeting should be holden by all the inhabitants 'for the consideration and acting such necessary affairs as concern the plantation.'

At another meeting it was ordered 'that nine men should be chosen to order the prudential affairs of the plantations who shall have power to dispose of the lands in lots of twelve, eight, or six acres, as in their discretion they think the quality or the estate of the person do require.' This was applied to house lots. It was further ordered, 'that all other lots be divided according to person and estate.' 'One person to be valued £12 sterling in the divisions of lands, and that no person should sell his improvements but to such as the inhabitants shall accept of,' and that the meeting-house should stand in the midst of the town.'

On the 3d of September, 1644, the inhabitants signed a compact in the following words.

'This combination entered into by the general consent of all the inhabitants after general notice given the 23d of the 4th month.'

' We whose names are underwritten, being by the providence of God inhabitants of Seakunk, intending there to settle, do covenant with ourselves one to another to subject our \* (according to law and equity,) to nine persons, any five of the nine which shall be chosen by the major part of the inhabitants of this plantation, and we (torn off,) to be subject to all wholesome (torn off) by them, and to assist them according to our ability and estate. And to give timely notice unto them of any such thing as in our conscience may prove dangerous to the plantation, and this combination to continue until we shall subject ourselves jointly to some other government.'

This 'combination' was signed by the following persons—

Walter Palmer,	Ephraim Hunt,
Edward Smith,	Peter Hunt,
Edward Bennett,	William Smith,
Robert Titus,	John Peren,
Abraham Martin,	Zachary Rhoades,
John Mathewes,	Job Laine,
Edward Sale,	Alexander Winchester,
Ralph Shepherd,	Henry Smith,
Samuel Newman,	Stephen Payne,
William Cheeseborough,	Ralph Alin,
Richard Wright,	Thomas Bliss,
Robert Martin,	George Kendricke,
Richard Bowen,	John Allen,
Joseph Torrey,	William Sabin,
James Clark,	Thomas Cooper.

Of these signers, Abraham Martin, Mr Henry Smith, Stephen Payne, and Thomas Cooper, came from Hingham, originally from Hingham in Norfolk, England. The others were probably from Weymouth. Henry Smith came with Governor Winthrop in 1630. Walter Palmer and

\* Illegible.

William Cheeseborough were in Massachusetts in 1630. Palmer was constable of Charlestown in 1636. Sale was a freeman of Massachusetts in 1637. Payne in 1639. Bliss in 1642. Cooper in 1638.

Edward Smith and Joseph Torrey subsequently were followers of Obadiah Holmes, became Baptists, and went to Newport. Zacchary Rhoades also became a Baptist, and was one of the founders of Patuxet, a plantation of Providence. The lands were laid out by Mr Oliver of Boston and Joseph Fisher, and an order was passed in May 1744, that such as neglected to pay the surveyor's fees should forfeit their lands.

October 10th, 1644, 'at a general meeting of the town of Seekonk at lawful warning given, by reason of many meetings and other strong causes for the easing of the great trouble, and for the \* and the deciding of controversies between party and party, as well as for the proposing of men's levies to be made and paid, and for the well ordering of the town's affairs as may stand with future equity according to our former combination, the inhabitants of the said place have chosen these men here named.

Alexander Winchester,  
Richard Wright,  
Henry Smith,  
Edward Smith,  
Walter Palmer,

William Smith,  
Stephen Payne,  
Richard Bowen,  
Robert Martin.

These townsmen met on the 26th of December, 1644, and it was by them ordered, 'that the recording of any man's land in the town book shall be to him and his heirs a sufficient assurance forever. On the same day it was ordered that no man's lands be recorded till he be an

\* Illegible.

inhabitant amongst us, and further that no man's lands be recorded till he bring to the town clerk a note for his lands butted and bounded.'

The plantation hitherto was considered independent of any jurisdiction. It does not appear that any permission to settle here was sought either of the jurisdiction of Plymouth or Massachusetts, although both colonies afterwards claimed Seekonk; but in 1645 it was received by Plymouth and became the town of Rehoboth, a name derived from the scriptures, and selected by Mr. Newman.

March 28, 1645, the allotments were ordered to be recorded. The names of Edward Sale and Ephraim Hunt, two of the signers of the combination, do not appear. The others are the signers, with the following other names.

Mr ——— Howard,	Mr John Browne,
John Holbrook,	Thomas Holbrook, senior,
Matthew Pratt,	Thomas Hett,
William Carpenter,	Edward Gilman,
Samuel Butterworth,	Thomas Clifton,
Edward Patterson,	The Widow Walker,
James Browne,	Richard Ingram,
John Sutton,	Robert Fuller;
Robert Morris,	Thomas Loring,
Thomas Willmarth,	John Read,
John Fitch,	John Miller,
Edward Hall,	John Peck,
Obadiah Holmes,	

Of one name nothing can be discovered except Thomas; one other is illegible. Lots were also assigned to the governor, the schoolmaster, and the pastor. Obadiah Holmes came from Salem, originally from Preston, Lancashire, England. He commenced a schism in Mr Newman's congregation and ultimately became a Baptist.

Mr John Browne, and his son James Browne, came into this plantation from Taunton. Edward Gilman came from

Hingham, and removed to New Hampshire ;\* Thomas Hett† came also from Hingham, and John Peck and John Sutton. William Carpenter subsequently became a Baptist, and was one of the founders of Patuxet.

April 9th, 1645, the following seven persons were chosen to order the prudential affairs of the town for ‘ half a year,’ viz.

Mr John Browne, senior,  
Richard Wright,  
Stephen Payne,  
Walter Palmer.

William Cheeseborough,  
Mr Alexander Winchester,  
Edward Smith,

On the same day lots were drawn for lands on the Great Plain. The following new names appear.

James Walker,  
Richard Bullock,\*  
Robert Abel,†

Nicholas Ide,  
Mr Joseph Peck,  
Isaac Martin.

Mr Joseph Peck came from Hingham, originally from Hingham, (England.)

Mr John Browne became a great proprietor of Wannamoiset, included in the ancient Swansey by virtue of this agreement. It would seem to have been a place where Indians resided, and from which they were hired to remove.

‘ The 20th of the 10th month, (October) 1645.

‘ Whereas there was a second agreement made with the Indians for their full consent in their removing from Wannamoiset, and the value of fifteen pounds sterling to be paid them, or thereabouts in several commodities. It was

\* A freeman of Massachusetts in 1638.

† A freeman in 1642. Thomas Loring in 1636. John Browne in 1634. James Browne in 1636.

‡ A freeman of Massachusetts in 1645.

|| Came with Governor Winthrop 1630.

in several town meetings expounded that the aim, \* would pay that particular \* they hold there, that land with twelve acres lying at Watchemoket cove, and for much more land at Wanamoysset as sold, be thought worth the payment of the same after Mr Richard Bowen, Robert Martin, and Stephen Payne, by the appointment of the rest of the townsmen, viewed and laid out that neck of land called and known by the name of Wanamoysset neck from the salt water where the Indians had formerly made a hedge, ranging unto the north end of the Indian field, and the bounds about the said Indian field unto the salt water. Whereupon, this 20th of the 10th month, 1645, Mr John Browne, in a town-meeting, did promise and undertake to pay the \* in consideration that said lands to belong to him and his heirs or assigns forever; and further it was agreed in the said town-meeting that in all the divisions of lands that was \* hereafter sold, \* after the rate of three hundred pounds estate, should be called forty for him; adjoining to the aforesaid lands on the farther side from the town, or towards the salt-marsh, or as may be both least prejudicial to the town or to himself, saving that fortyfour acres upon Watchemoyket already allotted him to be part of the same, and he doth farther agree to accept of ten acres of salt-marsh where he mowed this year, formerly allotted to him in full of the meadow land belonging to the town, and doth farther promise that when the rest of the townsmen shall fence their lands already allotted on Watchemoquit neck, he to fence his part with them, and to bear his part in town charges, after the aforesaid sum of £300 estate, &c. 26th of 10th mo. 1645.

At a meeting of the townsmen it was voted that the house lot, &c. laid out to John

\* Illegible.



Button, 'he not having come to live amongst us, nor fulfilled his written agreement bearing date the 24th of the 8th month, 1643,' be granted to William Devell.

8th of the 8th mo. 1646. The town permitted John Doggett\* to take the lands laid out to John Mathewes.

On the same day a rate was ordered 'to get the town out of debt, and also a rate so much as shall build a meeting-house.'

18th of the 12th mo. Another division of meadow lands was made. The following new names appear —

Robert Sharp,	Widow Bennet, (probably the
Robert Wheaton,	widow of Edward Bennet.
Ademia Morris,	And two others, (names illegible.)

January 7th, 1647. The town permitted John Lashell to purchase the lands of William Devill.

Feb. 20th. George Wright's lands were sold by permission of the town to John Doggett.

13th of 11th mo. 1647, Ademia Morris, executor of Robert Morris, sold to Nicholas Ide his home lot.

28th of 4th mo. 1647. John Titus was permitted to take the lands of Matthew Pratt; John Woodcock those of Edward Patterson.

26th, 3d mo. 1647. Mr Browne, Mr Pecke, Stephen Paine, Mr Winchester, Richard Bowen, William Carpenter, and Edward Smith, were chosen townsmen.

The other townsmen during the period between 1644 and 1675, exclusive of those already mentioned were Thomas Cooper, Robert Titus, John Read, senior, Peter Hunt, John Allen, John Peram, William Sabin, Anthony Perry, Nicholas Peck, Philip Walker, and Daniel Smith.

11th of the 1st mo. 1648. Mr Peck and Stephen Paine were chosen to assist Mr Browne in matters controverted at the Court.

\* Came with Governor Winthrop, 1630.

It was voted to levy a rate to finish the meeting-house.

18th July. The town gave to Roger Amidowne a house lot and other lands.

July 12th, 1649. Mr Browne and Stephen Paine were chosen to make diligent search to find out the most convenient way between Rehoboth and Dedham.

1650, 10th mo. 5. It was voted that a convenient way four rods wide, should be made by Edward Smith for the town's use, 'or any that shall have occasion to pass from town to Providence, or to Mr Blackstone's.'

1651, 15, 1st mo. 'It was agreed that Peter Hunt should accompany Mr Browne to Plymouth, to make agreement about the Indian complaints.'

The first notice of the appointment of military officers, was on the 20th of March, 1653, when Peter Hunt was lieutenant, and John Browne, Jr. ensign.

October 25th, 1653. The damage done the Indians for the trespasses of hogs, horses, &c, for the last two years, was ordered to be paid in wampum, 'out of the wampum at Walter Palmer's.'

12th December, 1653. Voted that the price of corn should be at 5s., wheat 5s., rye 4s., Indian corn 3s.

11th mo. 10, 1653. Indians killing wolves were to be paid.

3d mo. 22, 1654. Peter Hunt and John Browne, Jr. were again appointed lieutenant and ensign, 'and allowed to stand by the honorable bench at Plymouth Court.'

12th mo. 1, 1654. Mr Browne was permitted to have for his use four rods square of ground, 'to build a house on something near the meeting-house.'

22d mo. 1, 1654. Voted that the 'new highway towards the bay be perfected, and that it should be done under the inspection of Goodman Paine, and Goodman Carpenter.'

‘ June 26th 1655. At a town-meeting it was agreed upon, that Mr Newman, our teacher, should have fifty pounds a year.’ Seven men, namely, Mr Joseph Peck, Thomas Cooper, Richard Bowen, Stephen Paine, Robert Martin, Peter Hunt, and William Sabin, were chosen a committee ‘ for the levying of a rate according to person and estate for the raising of said maintenance.’

At this period, so much indifference as to the support of the clergy was manifested in Plymouth colony as to excite the alarm of the other confederated colonies. The complaint of Massachusetts against Plymouth, on this subject, was laid before the Commissioners, and drew from them a severe reprehension. Rehoboth had been afflicted already with a serious schism, and by its proximity to Providence and its plantations, where there was a universal toleration, the practice of free inquiry was encouraged, and principle, fancy, whim, and conscience, all conspired to lessen the veneration for ecclesiastical authority.

February 9th, 1655. Mr Peck, Richard Bowen senior, Stephen Paine senior, Thomas Cooper senior, Robert Martin, William Carpenter senior, and Peter Hunt, were chosen townsmen. ‘ It was also granted that they shall have power to order the prudential affairs of the town, and that they shall have power to call a town-meeting when they see cause.’

‘ At the same time Father Bowen was chosen moderator to see good orders in our town-meetings.’

It will be seen from the following colonial record, that Mr Browne, a principal inhabitant of Rehoboth, and one of the colonial magistrates, entertained scruples as to the expediency of coercing the people to support the ministry, although he was willing to contribute his proportion,

‘Whereas, a petition was presented unto the General Court at Plymouth, the first of June, 1655, by several inhabitants of the town of Rehoboth, whose hands were thereunto subscribed, desiring the Court to assist them in a way according to the orders of other colonies about them, for the raising maintenance for their minister; the sum of the petition seemed to hold forth that those whose hands were not subscribed, contributed nothing, or so little as was not esteemed of, which petition occasioned some discourse about a forcible way to compel all the inhabitants of that town to pay a certain sum every year, towards the maintenance of the minister. Whereupon Mr John Browne, one of the magistrates then sitting in Court, and being one of the inhabitants of that town, and not being made acquainted with the said petition until the names of the inhabitants were subscribed; to issue the said troublesome controversy, and take off the odium from others, did propound that forasmuch as those whose hands were to the petition desired to submit themselves to a rate, that if the Court would send two of the magistrates unto Rehoboth to take notice of the estates of the petitioners, he would engage himself in the behalf of those who were the inhabitants of the said town, whose hands were not subscribed to the petition, that they should voluntarily contribute according to their estates; and if any of them fell short in this business, he would supply that want out of his own estate, and this he would make good by engaging his lands for seven years in their behalf while they staid, though he himself should remove from the place, which was approved of, and Captain Standish and Mr Hatherly were then made choice of by the Court to see it ordered accordingly.’

July 13th, 1657. Voted, ‘that all such persons or any person that is behind hand in their accounts with Mr

Newman for this year present, that they shall make up their accounts with Mr Newman by a month after Michaelmas, and in case it be neglected, then such townsmen as may be deputed together with the deacons also to go to such persons and labor to convince them of the neglect of their duty; in case they find them obstinate, then the Court order is to be attended on.'

November 20th, 1657. Stephen Paine, senior, was ordered to assist Deacon Cooper, 'to go to certain the inhabitants of the town, to put them on to clear their accounts with Mr Newman.'

It was also agreed that there shall be a town-meeting this day fortnight, and in case it appear that any person or persons be behind hand with Mr Newman, that then some effectual course may be taken according to Court order, to make such to pay as have been negligent in their duty for the settling of Mr Newman amongst us.'

It was also voted that persons neglecting to attend town-meeting should be fined 6*d*.

September 15th, 1658. Mr Newman was exempted from all country and town rates; this exemption applied to him personally, not to his lands in case of sale and descent.

December 9th, 1657. 'It was voted that Sampson Mason should have free liberty to sojourn with us, and to buy house, lands, or meadow, if he see cause for his settlement, provided that he lives peaceably and quietly.'

Sampson Mason, ultimately one of the founders of Swansea, was a dragoon in the Commonwealth's army, commanded by Oliver Cromwell;—became a Baptist and emigrated to America.

February 22nd, 1658. 'The following persons are accepted as freemen of the town, to take up their freedom, namely, Joseph Peck, John Peck, Henry Smith, Robert Fuller, John Fitch, Stephen Paine, Jonathan Bliss, William Buckland, Rice Leonard.'

William Buckland came from Hingham; this name afterwards was called Bucklin.

A division of the meadows on the north side of the town was made, June 22nd, 1658, among the following persons; this appears to have been the first division in the north purchase, (afterwards Attleborough.)

John Pécck,	Nicholas Ide,
George Robinson,	James Reddeway,
Robert Abell,	Jonathan Bliss,
Mr Winchester's children,	Peter Hnnt,
Mr Newman,	Thomas Cooper, junior,
George Kendrick,	William Sabin,
Stephen Paine, senior,	Philip Walker,
John Butterworth,	Daniel Smith,
John Read,	John Doggett
Thomas Willmarth,	Nicholas Peck,
John Fitch,	Rice Leonard,
Henry Smith,	Robert Jones,
William Carpenter, senior,	Francis Stevens,
John Millard, junior,	Thomas Cooper, senior,
Robert Wheaton,	John Woodcock,
Richard Bullock,	Edward Hall,
Robert Martin,	Stephen Paine, junior,
John Perrum,	Roger Amadowne,
Richard Bowen, senior,	Richard Bowen, junior,
Obadiah Bowen,	Robert Fuller,
Anthony Perry,	William Bucklin,
Joseph Pécck,	Mr Peck,
John Matthewes,	John Millard, senior,
John Allin,	William Carpenter,
John Sutton,	

2d, 9th mo. 1658. The Indians were forbidden to set the traps within the town's bounds.

30th, 11th mo. 1659. Voted, to agree with Richard Bullock to keep the office of town-clerk, 'to give him 16s. a year, and to be paid for births, burials, and marriages besides.'

21st, 12th mo. 1660. In town-meeting it was voted that Mr Willet should have liberty to take up five hundred or

six hundred acres of land northward or eastward beyond the bounds of our town, where he shall think it most convenient for himself.

1st day, 2d mo. 1661. Gilbert Brooks of Scituate, had 'free liberty to be an inhabitant of Rehoboth, and to purchase what he may, if he be minded to come amongst us.'

'6th, 7th mo. 1661. Lieutenant Hunt and Joseph Peck were chosen to view the damage in the Indians' corn upon Kickamuet neck, and Consumpsit neck, and to give the town notice of it.'

27th of the 12th mo. 1661. Samuel Luther was permitted to be a sojourner to buy or hire.

December 16th, 1662. A fine of 1s. 6d. ordered to be paid by such as neglected to attend town-meeting.

January 22d, 1663. Humphrey Tiffany permitted to be a sojourner, and to buy or hire.

The towns-people were forbidden by order of Court to herd their cattle on Indians' land, 'to the prejudice of the Indians at Kickamuet.'

July 3d, 1663. It was voted that a letter should be sent to Samuel Fuller of Plymouth, 'that if he will come upon tryal according to his own proposition, the town is willing to accept of him; and in case the town and he do accord, the town is willing to accommodate him in the best way they can for his encouragement.'

Mr Fuller was a physician residing at Plymouth.

At the same town-meeting, Goodman Sarle was accepted, and a home lot voted to him.

Mr. Newman the pastor, died on the 5th of July, 1663. His death was attended with some singular circumstances. 'He had (says Eliot) a certain premonition of it, and seemed to triumph in the prospect of its being near. He was apparently in perfect health, and preached a sermon upon these words—Job xiv. 14. *All the days of my ap-*

*pointed time will I wait till my change come.*' In the afternoon of the following Lord's day, he asked the deacon to pray with him, saying he had not long to live. As soon as he had finished his prayer, he said the time was come that he must leave this world. But his friends seeing no immediate signs of dissolution, thought it was the influence of imagination. But he turned round saying, 'angels do your office,' immediately expired. In those times many marvellous tales were received as true, which would not bear scrutiny. But the circumstances of Mr Newman's death were notorious, and the accounts of many witnesses concurrent. He might have felt that sinking of the heart, that indescribable and painful feeling which is said in many instances to be the precursor of death, and yet have discovered no external signs of failing health, and while his friends were unconscious of its approach, the inward consciousness of the sufferer might seem to them the inspiration of prophecy. In some organizations, peculiarly nervous, a strong apprehension of death has produced it.

Mr Newman was subjected to many trials, perplexities, and troubles. Obadiah Holmes who came from Salem and some others of his church, disliking his discipline, and some of his tenets, withdrew from their connexion and established what they called a new church. This happened in 1649. They soon embraced the principles of the Baptists, and received another baptism from the hands of Mr Clark of Newport. This was the first appearance of what was denominated schism in the colony of Plymouth. Lyford's disturbance was a sedition rather than a schism. Mr Newman excommunicated Holmes and his followers, and incited the civil authority against them. Four petitions were presented to the court; one from Rehoboth signed by thirtyfive persons; one from



Taunton ; one from all the clergymen in the colony but two, and one from the government of Massachusetts. The government of Plymouth merely directed the schismatics to refrain from practices disagreeable to their brethren, and to appear before the Court. In October, 1650, John Hazel, Edward Smith and his wife, Obadiah Holmes, Joseph Torrey and his wife, the wife of James Mann and William Buell and his wife were indicted for continuing their meeting from house to house on the Lord's day, contrary to the order of Court ; but it does not appear that any punishment was inflicted. In Massachusetts Holmes did not escape so easily. Some time after his trial at Plymouth, he was arrested near Boston, tried, and sentenced to receive thirty lashes, which sentence was executed with great severity and cruelty ; he then with most of his followers removed to Newport in Rhode Island, where he succeeded Mr Clark in 1652, and remained there until his death in 1682. He was a native of Preston in Lancashire, (England,) and was distinguished for his unconquerable resolution.

Mr Newman was born in Oxfordshire, and educated at the University of Oxford. He was a distinguished minister in England, and is particularly noticed by Anthony Wood. He abandoned his country at the commencement of the persecution by Archbishop Laud.

He was an indefatigable scholar, and a devout and zealous minister, but his temper was irascible, and it was by no means softened when he was compelled to witness in his own congregation the commencement of a religious schism.\*

\* Hopestill Newman, a daughter of the Rev. Samuel Newman, was married to the Rev. George Shove, a native of Dorchester, and third minister of Taunton. She died March 7, 1674, leaving three sons and two daughters.

In September, 1663, 'At a meeting of the church and town, it was concluded that Mr Zachariah Symmes should have £40 for this year, his diet at Mr Newman's besides.'

Stephen Payne and Lieutenant Hunt 'were chosen to go down to his friends, to use means for the settling of him with us for this present year.'

November 2, 1663. Goodman Payne, John Allen, sen., Lieutenant Hunt, Mr Browne, Anthony Perry, Goodman Walker, Thomas Cooper, jun. and Henry Smith, were chosen a committee to buy or to build a parsonage or 'house for the ministry.' At the same time a *rate* was voted to pay the charges.

November 25, 1663. It was voted in town-meeting, 'that whereas God by his providence hath lately taken away from us our dear father, yet out of his goodness and mercy hath brought amongst us Mr Zachariah Symmes, whom we honor and \* yet with reference to the place we live in, we judge it expedient to look out for another godly, able minister to join with him in the work of the ministry, and therefore do accept of Mr Willett's proposition, as to embrace any opportunity that providence shall guide him to, for that end.'

June 20th, 1664. It was voted 'that the public house intended for the ministry,' shall be set on the west side of the run, in the middle of the common, being the place appointed for a teacher's lot, being six acres.'

January 24, 1665. Mr Willett's authority to engage a minister to assist Mr Symmes was again confirmed.

April 13, 1666. Mr Symmes was admitted an inhabitant.

'Mr Myles was voted to be a lecturer, viz. to preach once a fortnight on the week day, once on the Sabbath day.'

\* Illegible.

May 15th, 1666. In town meeting, 'it was agreed by joint consent, that a third man alone for the work of the ministry should be forthwith looked for, and such a one as may preach to the satisfaction of the whole, (if it be the will of God for the settling of peace amongst us, according as the former and renewed council sent us from our honored governor and assistants.' The meeting was adjourned to the 19th to make choice of a committee to obtain a 'third man alone for the work of the ministry.' 'Richard Bullock declared his protest against this act, as judging it the sole work of the church.'

August 13, 1666. 'It was again voted in town-meeting, that an able man for the work of the ministry shall with all convenient speed be looked for, as an officer of this church, and a minister for the town, such a one as may be satisfactory to the generality.'

It was also voted 'that Mr Myles shall still continue a lecturer on the week day, and further on the sabbath, if he be thereunto legally called.'

A committee was now chosen to engage a minister according to the previous vote of the town. The committee was Deacon Cooper, Lieutenant Hunt, Nicholas Peck, Ensign Smith, and Nathaniel Payne, and they were to go in the first place to Mr Esterbrooks.'

December 10, 1666. In town-meeting it was voted 'that Mr Buckley should continue still amongst us till the first of April next ensuing upon further trial, in reference to the former vote of August 13, 1666, which is in order to the settlement in the ministry, if he be approved of.'

It is very evident that much dissension in religious affairs at this time prevailed in this town, to such a degree that the governor and assistants interfered. These dissensions might have been increased from an accidental circumstance. This was the arrival of John Myles, the

elder of the first Baptist church in Wales, which was founded at Swansea, in 1649; this church, although its numbers were small at its commencement, had increased to three hundred in 1662. Mr Myles in that year was ejected from his charge for non-conformity. He fled to America, bringing with him his church records written in Welsh,\* and followed by some adherents. In 1663, he founded the first Baptist church in the Plymouth colony, and older than any one in Massachusetts, at Wannamoiset.† Shortly after his arrival the church consisting of Mr Myles the elder, James Brown, Nicholas Tanner, Joseph Carpenter, John Butterworth, Eldad Kingsley, and Benjamin Alby, were united by a solemn covenant. This was held by the Plymouth government to be an act of contumacy and a public disturbance, and each person concerned was fined £5, prohibited from worship for the space of a month, and advised to remove from Rehoboth. It was perhaps discreet on the part of the government to endeavor to prevent the growth of schism within the limits of their corporate grants, but they do not appear at this time to have entertained a design of violating the rights of conscience, or of stifling the worship of conscientious men; for after the Baptists had, in pursuance of their advice, removed first to that part of the ancient Swansea now called Barrington, where they erected a meeting-house, and afterwards to that part of the same town near the bridge which now perpetuates the name of Myles, (where they erected another,) they granted them and others in 1667, the lands of Wannamoiset, which had been considered as within the jurisdiction of Rehoboth, and in the same year the town of Swansea was incorporated.

\* Now in existence.

† Then within the jurisdiction of Rehoboth, now Swansea.

The Reverend Noah Newman, the son of the late pastor, was finally settled in the place of his father in March, 1668.

In December, 1668, a salary of £40 and firewood, were voted in town-meeting, 'for his comfortable maintenance for his carrying an end the work of the Almighty amongst us. Deacon Cooper, Lieutenant Hunt, and Goodman Read, were to see the aforesaid order accomplished, and to speak to them who were defective in not doing their duty.'

Various other privileges and accommodations were afterwards voted him; still it would seem from the terms of the votes, that from many it was difficult to obtain any part of the minister's maintenance, for although a majority afterwards raised his salary to £60, yet a committee was chosen, 'to take some pains to see how it might be raised, that is, it might be raised freely, and that it might be effectually accomplished, and also for the £40 a year, which is past be inquired into, to see if it be accomplished; and if the committee do apprehend that the aforesaid pay will not effect the thing, then the town to seriously consider of some other way that it may be effected, for the comfortable carrying on the worship and ordinances of God amongst us.'

Notwithstanding all these votes, the maintenance of the minister continued to be in arrear, for a committee was raised 'for the inquiring into and insisting those whom it concerns, that Mr Newman's maintenance may be brought in for three years, and also for three years past.' Still the measures were ineffectual, for in 1671, it was voted, 'as Mr Newman's salary had not been paid, that there shall be a trial made by contribution every sabbath day.'

November 25th, 1663. 'It was voted that Alexander the Scotchman, a brick-maker should be freely accepted amongst us for to make brick.'

December 20th, 1664. £4 17s. was voted, being the

sum which Captain Willet agreed to give Philip for growing corn in the neck, and that Captain Willet should agree with Philip for the year ensuing.

May 22d, 1665. 'Sam, the Indian that keeps the cows was admitted by the town as an inhabitant, to buy or hire house or lands if he can, in case the Court allow it.'

This is believed to have been the first and only instance of an Indian resident amongst the English, who was admitted to the rights of citizenship within this colony.

This vote, if it was 'allowed by the Court,' (which does not appear) gave to this Indian all the privileges of his English neighbors. Sam was probably a Christian.

May 22d, 1665. 'John Lowell was admitted by the town, to buy or hire house or land if he can.'

June 6th, 1665. The town voted to pay the governor their proportion of £50; also, that there be a standing council, three in number, with the governor, and that this council be renewed yearly.

April 18th, 1666. Mr Tanner was admitted an inhabitant.

May 23d, 1666. 'It was agreed that Mr Myles be received an inhabitant amongst us, to buy or hire for his money.'

June 26th, 1666. 'Stephen Paine senior, Mr Browne, and Goodman Allen, were chosen selectmen to answer the Court order.' They were the first. The townsmen still continued to be chosen as usual.

The other selectmen chosen in different years between this and 1675, including the last, were Peter Hunt, Henry Smith, Philip Walker, Nicholas Peck, Anthony Perry.

December 10th, 1666, Thomas Estabrook was admitted an inhabitant.

April, 1668. 'Voted, that whereas the select townsmen did give Philip Sachem a gratuity at the sealing of an evidence of eight miles square, the sum of £8, 12s., that the said select townsmen shall make a rate for the payment of it.'

May 26th, 1668. A division of lands in the north purchase, (now Attleborough) was made amongst the following persons.

Obadiah Bowen,	John Butterworth,
Samuel Luther,	Mr Myles,
Stephen Paine, senior,	Richard Bowen, junior,
John Savage,	Mr Newman,
Goody Hide,	Joseph Peck,
Childrens' lands,	William Sabin,
Thomas Reade,	Ichabod Miller, junior,
Preserved Abell,	Mr Daniel Smith,
William Carpenter,	Mr Browne,
Gilbert Brooks,	Robert Miller,
Thomas and Jacob Ormsby,	John Titus,
Robert Jones,	Nathaniel Peck,
John Reade, senior,	George Robinson,
Nathaniel Paine,	Robert Fuller,
Robert Wheaton,	John Fitch,
Widow Carpenter,	Thomas Willmarth,
Benjamin Buckland,	William Buckland,
Philip Walker,	John Kinslye,
John Peren, senior,	Ovid Bullock,
John Ormsby,	Jonathan Fuller,
Jaret Ingraham,	John Miller, senior,
Nathaniel Paine,	Joseph Carpenter,
Henry Smith,	Samuel Peck,
Nicholas Peck,	Sampson Mason,
Jonathan Bosworth,	John Allin, junior,
Samuel Carpenter,	John Reade, junior,
Richard Whitaker,	John Lowell,
Mr Tanner,	Thomas Grant,
Stephen Paine, junior,	Israel Peck,
Jonathan Palmer,	Captain Willet,
James Redeway,	Jonathan Bliss,
Nicholas Ide,	Lieutenant Hunt,
Deacon Cooper,	Eldad Kinsly,
James Gilson,	Joseph Buckland,
Rice Leonard,	Francis Stevens,
Samuel Newman,	Edward Hall,
John Doggett,	John Woodcock,
Anthony Perry,	John Allin, senior,
Thomas Cooper, junior,	Abr. Martin.
George Kendrick,	

May 14th, 1669. 'The town with one consent declared by vote that the proposition from the Court about sales of guns, powder, and shot to the Indians, they apprehend it will be greatly detrimental to our English interest, and therefore declare themselves against it.'

Ensign Smith, Nicholas Peck, William Sabin, and Philip Walker, were chosen a committee to meet a committee of the new town of Swansey, to settle a controversy (probably about boundaries.)

May 16, 1672. It was agreed and voted that the townsmen are to draw up such particulars as may be necessary for the general good of the town, as instructions for the deputies to manage at the Court.

May 14th, 1673. John Woodcock, Thomas Willmarth, Josiah Palmer, Thomas Reade, and John Ormsby, were propounded to the freemen at the town-meeting to take up their freedom, and approved of.

November 13th, 1674. It was voted that a new meeting-house be built.

#### EASTHAM.

The territory comprised within the limits of the ancient town of Eastham, was originally owned by the Nauset Indians.

In 1640, a tract of land extending from the bounds of Yarmouth to three miles eastward of Namskeket, and 'across from sea to sea,' was granted by the General Court 'to the purchasers or old comers of Plymouth,' but no settlement was made on this tract.

In 1643, the people of Plymouth becoming dissatisfied with their situation, deliberated upon removing, and after many consultations and much difference in opinion, determined to remove.

Upon a proposition of Governor Bradford, the church



directed a committee to repair to Nauset, and to ascertain the expediency of establishing their settlement there. The committee made a favorable report, and 'the purchasers or old comers,' to whom the grant was made in 1640, consented to the plan. In June, 1644, the church appointed a committee to explore and survey Nauset, and authorized them to purchase it of the natives. Of this committee was Governor Bradford, and several members of the church, amongst whom were Thomas Prince, John Doane, Nicholas Snow, Josias Cooke, Richard Higgins, John Smalley, and Edward Bangs. This committee after an accurate examination, decided that Nauset was not sufficiently extensive to accommodate the whole of the church at Plymouth, but they purchased of Mattaquason, the sachem of Monamoyick, a tract of land called Pochet, with two islands lying before Potanumaquat, with a beach and small island upon it; also all the land called Nam-skeket, extending northward to the bounds of the territory belonging to George the sachem, excepting a small island which was purchased afterwards. From George the sachem of the Nausets, the successor of the sachem Aspinet, they purchased all his lands 'extending northward, excepting a small neck of land lying by the harbor on the east side of the tract; which neck of land the English stipulated to fence, that the Indians might use it as a corn-field.'

The right of getting shell-fish in the cove, and a part of all the whales driven on shore, was reserved to the Indians. There being no claimant of the land in the bay north of the territory purchased of George, called Billingsgate, the Indians consented that the English should occupy them; but a long time after in 1666, an Indian who was called Lieutenant Anthony, claimed the Billingsgate lands, and the settlers purchased his claim, he reserving a small

neck called Tuttomnest; this tract 'extended from the northern limits of Nauset, to a little brook named by the Indians, Sapokonisk, and by the English, Bound Brook.' Previously to this, they had purchased of the subjects of sachem George, after his death, the neck which had been reserved to him, and allowed the Indians a piece of land at Gesquoquaset; and not long after they purchased 'the fertile island of Pochet, which in the first sale had been reserved by Mattaquason to the Indians.'

In 1644, the Court granted 'unto the church of New-Plymouth, or them that go to dwell at Nauset, all the tract of land lying between sea and sea, from the purchasers bounds at Namskeket, to the herring brook at Billingsgate, with said herring brook, and all the meadows on both sides the said brook, with great bass pond there, and all meadows and islands lying within said tract.'

'This grant included Eastham, Welfleet, and Orleans. It extended south to Monamoyick bay.' At one end it was bounded by lands of the purchasers or old comers, (afterwards Harwich) and on the other by lands which afterwards were included in the town of Truro, being fifteen miles in length.

The church of Plymouth in consideration of the same sum which they had paid, conveyed their right to Thomas Prence, John Doane, Nicholas Snow, Josias Cook, Richard Higgins, John Smalley, and Edward Bangs, who immediately commenced a settlement at Nauset.\*

\* John Doane came from England early. In 1633, he was elected an assistant, and afterwards a deacon of the church at Plymouth. His posterity are numerous and respectable, and reside principally within the limits of ancient Eastham.

Edward Bangs and Nicholas Snow arrived at Plymouth in the ship Anne, in July, 1623. Richard Higgins was one of the freemen of Plymouth, in 1633.

The descendants of Bangs, Snow, and Higgins, as well as those of Cook and Smalley, still remain in the lower part of the county of Barnstable, and are numerous, particularly those of the three first.

Mr Prence arrived in November, 1621, in the ship *Fortune*; he was then only twentyone years of age. In 1634, and in 1638, he had been chosen governor, and was always when not exercising the functions of chief magistrate, one of the assistants, and frequently the first, or deputy governor.

A church was soon gathered at Nauset, but no pastor was ordained for many years.

The settlement increased so rapidly, that an application was made to the General Court for an incorporation, and on the 2d of June, 1646, the Court ordered, 'Nauset is granted to be a township, and to have all the privileges of a township, as other towns within the government have.'

The Reverend John Mayo came here from Barnstable about this time, and preached to the people, 'but some differences arising,' he left Eastham and went to Boston in 1649.

In 1654, the line between Eastham and the lands belonging 'to the purchasers or old comers,' was established. It began at the river Namskeket, and extended to the eastern harbor, or Monamoyick.

The inhabitants of Eastham were not sufficiently numerous to support a pastor, until 1672, when Samuel Treat was ordained.

Mr Treat was the eldest son of Robert Treat, the governor of Connecticut, a man of talent, zealous in the cause of religion, and uncommonly successful in the conversion of the natives. In 1685, the christian Indian men and women within the limits of Mr Treat's parish were five hundred, and the children were supposed to amount to thrice that number. He spoke and wrote the Indian language with great facility. By familiar visits and kind and affectionate treatment, he won the regards of these rude savages, and they loved him with the affection of

children. During the subsequent Indian war, the benefit of the deep-rooted attachment of the Nauset Indians for the English was sensibly felt. Mr Treat continued in the ministry at Eastham fortyfive years, and until his death, March 18th, 1717, at the age of sixty-nine.\*

\* The biographer of Mr Treat represents him as a man of much kindness of heart, but as a Calvinist of the 'straitest sect.' He did not profess 'that moderate Calvinism which is so common at the present time, and which by giving up, or explaining away the peculiar doctrines of the party, like a porcupine disarmed of its quills, is unable to resist the feeblest attack; but consistent Calvinism, with all its hard and sharp points, by which it can courageously defend itself; in fine, such Calvinism as the adamantine author of the system would himself have avowed.'

He quotes from his manuscript sermons, particularly from a discourse, text, Luke xvi. 23. His denunciations are terrific. After threatening sinners with everlasting punishment, he says, 'Consider, God himself shall be the principal agent in thy misery. He is that consuming fire; his breath is thy bellows, which blows up the flame of hell forever; he is the devouring fire, the everlasting burning; and if he punish thee, if he meet thee in his fury, he will not meet thee as a man; he will give thee an omnipotent blow. Little dost thou know what it is to enter the lists of contention with the Almighty. If his wrath kindle but a little while, we wither before it. Now thou art afraid of the wrath of man; what wilt thou do when God takes thee in hand?

'Consider, God will take delight to execute vengeance on thee. God delights in justice, and in executing his own decrees. Now it was his eternal decree to destroy sinners forever. He purposed to shew his power, and make his wrath known upon the vessels of wrath fitted for destruction. But woe to that soul whom God shall delight to punish. Now thou laughest at the reproofs which God gives thee by his ministers and people. God will laugh at thee shortly. And wilt thou bear when he shall torment thee, and thou shalt roar under thy torments? Thou shalt cry for mercy, and he shall mock thee. Thou now rejoicest in sinning; he will ere long rejoice in thy calamity.'

After threatening sinners with hell, he says, 'Consider what must be thy employment there. 1. Sin. Some think sinning ends with this life; but it is a mistake. The creature is held under an everlasting law; the damned increase in sin in hell. Possibly the mention of this may please thee. But remember there shall be no pleasant sins there; no eating, drinking, singing, dancing, wanton dalliance, and drinking stolen waters; but damned sins, bitter, hellish sins, sins exasperated by torments, cursing God, spite, rage, and blasphemy.

At a meeting of the General Court, (June, 1674,) it was ordered that Mannamoiett, Paomet, and Satucket, which

‘2. Thou shalt be delivered up into the hands of the tormentors; then Satan will pay thee thy wages for thy servile slavery to him, and thou shalt know what a cruel master thou hast here served. What cruelty hath Satan sometimes exercised to some here in this world, that have been possessed by him, and to others that have sold themselves to him! What amazing stories doth the world afford of such things! What dost thou think he will do, when he hath unlimited commission, and full possession? How wilt thou endure when thou shalt have a thousand devils rending, and tearing, and macerating thee; when all the rage of hell shall fall on thee without restraint?

‘3. The never dying worm shall gnaw and eat out all the heart of thy comfort. Thou shall become thy own executioner; thy conscience shall pursue thee in hell, always crying out against thee, and bringing bitter things to thy mind, making thee to wring thy hands, and howl out sad lamentations.

‘Thou canst hardly sit under one of these lectures now coming from the mouth of a poor minister; but let me tell thee, conscience in hell will read it after another manner than can now be conceived; every thought and consideration whereof, will be a sharp dagger at thy heart, that will let out all joy and comfort out of thy soul.

‘Remember how universal all this torment shall be. Here usually our pain is but in one part of the body; and yet what a misery it is to all the rest by sympathy; but then soul and body shall be filled brimful; the guilt of all thy sins shall be laid upon thy soul, and be made so many heaps of fuel; when that tender and delicate body shall have all its beauty blasted, and pride consumed; when the flames shall have no respect to its comeliness; when every member’s pain shall be intolerable, and that insupportable misery shall spread itself through the whole man; when eyes, ears, hands, feet, heart, and all shall be tormented in that flame.

‘Consider how near the time hastens, when all this comes to pass upon thee. Time is almost gone with thee, and thou standest at the gate of eternity; and death is waiting upon thee, to transport thee away to the place of all thy miseries. Shortly thou must die, and it will be but a moment from thence to hell. When thou hast sinned away a few more days, watched and slept out a few more nights, away thou goest irrecoverably. It may be thou dreamest of many days to come, but, thou fool, how knowest thou but thy soul may be called for this very night; and the day of judgment is not far off.

‘Sinner, I beseech thee, realize the truth of these things. Do not go about to dream that it is derogatory to God’s mercy, and nothing but a vain fable to scare children out of their wits withal. God can be merciful, though he make thee miserable. He shall have monuments enough of that precious attribute shining like stars in the place of glory, and singing eternal hallelujahs to the

had been put under the constablerick of Eastham, 'should belong unto and be of the same township until the Court should see cause otherwise to order.'

Saukatucket was an incorporated plantation, (but without town privileges, and without a church,) as early as 1640.

Its territory comprised the present towns of Harwich and Brewster.

Monamoy was a plantation unincorporated until 1686. The territory of this plantation is now comprised within the limits of the town of Chatham.

Paomet comprehended the present towns of Truro and Provincetown.

In 1646, Eastham was incorporated. The proper territory of the ancient town is now comprised in the present town of Eastham, the Indian Nauset, Welfleet, called by them Punnonkanit, and Orleans (Naumskeket.) In 1651, the old town was permanently settled.

#### BRIDGEWATER,

The territory comprised within the limits of the ancient town of Bridgewater before the later divisions, was originally granted to the settlers of Duxbury, of which town it was a plantation. The first order of Court was passed in August, 1644.

'Upon the petition of Duxbury men, it is thought good by the Court, that there be a view taken of the lands described by them, namely, seven miles up into the woods

praise of him that redeemed them; though to exalt the power of his justice, he damn sinners heaps upon heaps.'

Mr Treat was the eldest of twentyone children. He was educated at Harvard College, and was graduated in 1669. He had thirteen children. Fortunate in his ancestry, he was no less so in his posterity. One of his grandchildren, Robert Treat Paine, was a signer of the Declaration of Independence. His great grandson, Robert Treat Paine, junior, was the celebrated poet.

from Plymouth bounds at Jones' river, and if it prove not prejudicial to the plantation to be erected at Teightaquid, nor to the meadows of Plymouth at Winnigtuckquett, it may be confirmed unto them; provided also the herring or alewife river at Namassachusett shall be equally between the two towns of Duxbury and Marshfield.'

In 1645, the grant was made.

'The inhabitants of the town of Duxbury are granted a competent proportion of lands about Saughtucket, towards the west for a plantation to them, and to have it four miles every way from the place where they shall set up their centre; provided it entrench not upon Winnytukquett, formerly granted to Plymouth. And we have nominated Captain Miles Standish, Mr John Alden, George Soule, Constant Southworth, Joseph Rogers, and William Brett, to be feoffees in trust for the equal dividing and laying forth the said lands to the inhabitants.'

'The whole number of the inhabitants entitled to this grant was fiftyfour,' and the territory was divided into fiftyfour shares, and two were added for the minister and the miller.

The names of the inhabitants of Duxbury, and proprietors of Bridgewater are given in the account of Duxbury, with the exception of the minister, who came from Scotland, and the miller Samuel Edson, who came from Salem.

The aboriginal title was afterwards extinguished, March 23d, 1649, by a deed from Ossamequin or Massasoiet. The contract was executed on a small hill within the limits of East Bridgewater.\*

\* The following is a transcript of the deed and contract.

'Witness these presents, that I Ousamequin, sachem of the contrie of Pocanauket, have given, granted, enfeofed, and sould unto Myles Standish, of Duxborough, Samuel Nash, and Constant Southworth of Duxborough aforesaid, in

The inhabitants afterwards discovered a large tract of meadow land called Hockomock, lying westward towards Taunton, which induced them to apply to the Court for a grant, and for leave to move the centre towards the west, so as to include it, and after a committee from the Court had reported upon the expediency, in 1662, the Court granted it in the following words : ‘ In answer to a petition preferred to the Court by Bridgewater, it is agreed that the meadow land lying northward and westward from the centre within seven miles is inclusive.’

By the leave of the Court they afterwards removed their centre a mile and a half from the place where it was first established, and established a large oak tree for the monument, and so included the lands of Hockomock.

the behalf of all ye townsmen of Duxborough aforesaid, a tract of land usually called Saughtucket, extending in length and the breadth thereof, as followeth, that is to say, from the weare att Saughtuckett seven miles due east, and from the said weare seven (miles) due west, and from the said weare seven miles due north, and from the said weare, seven myles due south ; the wch tract the said Ossamequin hath given, granted, enfeofed, and sould unto the said Myles (Standish) Samuel Nash, and Constant Southworth in ye. behalfe of all the townsmen of Duxborough as aforesaid, wth all the emunityes, privileges, and profits whatsoever, belonging to the said tract of land, wth all and singular all woods, underwoods, lands, meadows, rivers, brooks, rivelets, &c, to have and to hould to the said Myles Standish, Samuel Nash, and Constant Southworth, in behalfe of all the townsmen of the towne of Duxborough, to them and their heyers forever. In witness whereof, I the said Ousamequin, have hereunto set my hand this 23d of March, 1649.

‘ The ink of  OUSAMEQUIN.’

‘ In consideration of the above bargain and sale, we the said Miles Standish, Samuel Nash, and Constant Southworth, doe bind ourselves to pay unto the said Ousamequin, for and in consideration of ye. said tract of land, as followeth :

Seven coats, a yd and half in coat,	}	Myles Standish, Samuel Nash, Constant Southworth.
Nine hatchets,		
Eight howes,		
Twenty knives,		
Forty moose-skins,		
Ten yds and half of cotton,		

This deed and obligation was written by Standish.



The Court afterwards enlarged their grant, so as to extend it from the centre six miles north, if the line between the colony and Massachusetts did not intervene, and on the west to Taunton, (now Raynham and Easton,) and on the south and south-easterly side to Titticut river, as far as the six miles extended, and so on the east side. The Indian title had been already extinguished seven miles in each direction from the centre, but the Court granted only six, and were careful that the grant to Bridgewater should not extend itself over previous grants. They further ordered that the lands between Bridgewater and Namasket, (Middleborough) 'already granted, shall be determined by the Court unto what towns they shall belong; and that the Indians be not molested; and that they be careful to provide a competency of land for Mr Keith,' (the minister.)

In all the grants, a reservation of lands had been made to the Indians of Titiquet plantation, which had been granted to those Indians by Chickatabut, a sachem of Massachusetts, who lived on Neponsit river. Bridgewater was afterwards allowed to purchase all the Indian lands which lay on the north of the river, and within the boundaries of their township, which was done November 20th, 1672. Pomponoko, the Titiquet chief, having executed a deed for that purpose to Elder Brett, Mr Nicholas Byram, and Samuel Edson, a committee appointed by the Court, excepting two parcels, one containing one hundred acres, and the other ten, which was reserved to an Indian who was called Charles. The consideration was £16. The two reserved lots were afterwards purchased by individuals of Charles. The various grants were confirmed in 1686, and on the 23d of December in the same year, they were also confirmed by a deed from Josiah, son of Josiah Wam-patuck, an Indian sachem living at Matakeset, (Pembroke)

in consideration of £10, and one hundred acres of land, which land was afterwards purchased by individuals. The land was purchased twice over, once of Josiah, and once of Massasoiet or Ousamequin.

The first four mile grant was never allotted or divided, but was taken up according to the rule of those days,\* but the two mile grant, and the purchase from Pomponoko was divided. In the northeast part of the town there was a large gore of land not included in any of the grants called the Howards' farms, but was considered as belonging to Massachusetts, although south of the province line, and were purchased from that province, but were not included in any town until 1730, when it was annexed to Bridgewater.

These several grants comprised a territory which now constitutes a large part of the town of Abington, and a small part of Pembroke, (now Hanson) and the entire towns of West Bridgewater, North Bridgewater, East Bridgewater, and Bridgewater.

The first settlement commenced in 1651, on the river in West Bridgewater. Each settler had a lot of six acres on the Nunketest or Nunketetest river. The settlement was called by this name, although the plantation bore the name of Sautucket. The settlement was compact and the houses near together.†

\* 'The proprietors had their meetings, officers, and records, distinct from the town, and were accustomed from time to time to make grants of a certain number of acres from five to twenty, which each proprietor had a right to pitch and call on the committee to lay out for him; which being done, and a return of the survey made and entered on their books, created a perfect title in such proprietor. Any person not a proprietor, finding common land, might purchase a right of any one who had not taken up his full quantity upon any of the grants then existing, and procure to himself a title to it in the same manner.'

† The first permanent settlers were Thomas Hayward, who died in 1681, John Hayward, Nathaniel Willis, John Willis, William Bassett, John Washburn, who died in 1679, John Washburn, junior, Thomas Gannett, William

In 1656, the plantation was incorporated, and then received the name of Bridgewater.

The taxes which had been paid by Duxborough and this appendage, were divided, and Bridgewater paid one third.

The town was organised in 1657. John Willis was elected the first deputy to the Court, and was appointed the first magistrate. In 1661, William Brett was elected a deputy, and continued to 1676.

The settlement extended southerly, and the principal intercourse of the settlers was with the people of Taunton.

The east part of the town was not settled until 1685.

The first death was that of Thomas Gannett, in 1655.

No regular church was formed until 1664, when James Keith, a native of Scotland, educated at Aberdeen, was ordained the first pastor. He came to Bridgewater in 1662, and was zealously patronised by Dr Increase Mather of Boston. He lived in perfect harmony with his people until his death, which happened on the 23d of July, 1719, at the age of seventysix. His posterity are numerous.

#### MIDDLEBOROUGH.

Although Namasket (the Indian name of this town,) was near to Plymouth, yet the continuance of the Indians on its soil, prevented its settlement by the English for

Brett, John Cary, Samuel Tompkins, Arthur Harris, John Fobes, Experience Mitchell, Solomon Leonardson, the Reverend James Keith, and Samuel Edson, who died in 1692.

William Bassett came over in the second ship, Fortune, in 1621; he died in 1667, leaving a numerous posterity. Experience Mitchell came in the Anne in 1623, and died in 1689, leaving a very numerous posterity; his descendants are spread over the United States.

Nicholas Byram, Thomas Whitman, Joseph Shaw, and John Kingman, were amongst the earlier settlers from Weymouth. Jonathan Hill from Dorchester, John Field from Providence, Samuel Packard, Isaac Lazell, William Hudson, and Isaac Johnson, from Hingham, and David Perkins, from Beverly.

many years, while in places more remote, destitute of an Indian population, flourishing towns had grown up, which were filled with a thriving English population.

This town, now the largest in the commonwealth in territorial extent, has remained but little changed, and still includes nearly the same territory which was comprised in the original grant.

On the 10th of June, 1621, it was explored by Edward Winslow and Stephen Hopkins, then journeying to visit Massasoiet. At the distance of fifteen miles from Plymouth they found Namasket, a considerable Indian village, near a river of the same name, and a few miles farther north, at the confluence of this river with another, they found a fishing place called Titicut, Tettiquet, Tetaquid, and here the united rivers took that name.

The settlement commenced near Namasket, and in 1660, it was incorporated as a town, and received its English name. All the early settlers were from Plymouth. At the commencement of the Indian war in 1675 no church had been gathered, and no pastor officiated. All the families, being sixteen in number, abandoned the settlement, and together with the friendly Indians retired to Plymouth.

#### DARTMOUTH.

The territory of the ancient town of Dartmouth, comprehended the present towns of Dartmouth, New Bedford, Westport, and Fairhaven.

Captain Bartholomew Gosnold in 1602, named a round hill in the present town of Dartmouth, between the rivers Apooneganset and Pascamanset, Hap's Hill, and discovered two good harbors, which fall within the limits of the same town, being Apooneganset and Pascamanset. Gosnold and some of his men made a slight examination of the country.

Many years had elapsed after the settlement of Plymouth, before any progress was made by settlers in this direction.

Anthony Slocum and Ralph Russell, two of the early settlers of Taunton, were early settlers in Dartmouth. Some went from Plymouth, and some from Duxbury.

Dartmouth was thus described in the original grant. 'A tract or tracts of land known by the name of Accushena, alias Aquset, entering in at the western end of Nakata, and to the river Cookset, alias Ackees, and places adjacent, the bounds of which tract fully extend three miles to the eastward of the most easterly part of the river or bay Accushenah aforesaid, and so along the sea-side to the river called Cookset lying on the west side of Point Pirril, and to the most westernmost side of any branch of the aforesaid river, and extending eight miles into the woods with all marshes, meadows, rivers, waters, woods, and appurtenances thereto belonging.'

#### SWANSEY.\*

The ancient town of Swansea comprised within its limits the present town, and Somerset in Massachusetts, and Barrington, and the greater part of Warren, in Rhode Island. Nearly all this territory was gained from the Indians by purchase, and confirmed by the General Court of Plymouth by grant. Bristol in Rhode Island was conquered, but if the construction of the Commissioners of

\* The modern orthography is used, but it is evidently erroneous, and it is to be wished that the ancient spelling may be restored. This town received its name originally from Swansea in Wales. In the earliest records it is written Swansea. The name was first corrupted into Swanzey, and then into Swansea, but Swansea is its corporate name, and by the common consent of the inhabitants, it might be restored to common use.

the United Colonies be correct, Swansey might have claimed Bristol as within its corporate limits, or at least might have divided the claim with Rehoboth, for the Commissioners at a meeting holden at Boston, August 25th, 1679, declare, 'that the lands of Mount Hope are indubitably within the limits of his Majesty's colony of New Plymouth, contained within the express limits of his royal charter, and therein granted, and are within the bounds of an English town of that colony planted by them near twenty years since, called Seacunke, and Swansey;' but the municipal government of Swansey was never exercised over the lands of Mount Hope.

Winslow and Hopkins on their journey to visit Sowams in 1621, passed through this territory and found an Indian town within its limits, near the residence of Massasoiet.

In the spring of 1623, Winslow with the celebrated John Hampden again visited Massasoiet, but pursued a different route and crossed the river at an Indian ferry, (at or near Slade's ferry.) They were most hospitably entertained by Corbitant, the sachem of the Pocasset, who dwelt at Metapoiset (now Gardner's) neck. The residence of Massasoiet (as they describe it,) was at a place distant six miles called Pokanoket, or 'Pocanokick. A part of Swansey and Tiverton was included in the Pocasset country, which was immediately governed by Corbitant, but Massasoiet was his superior sachem.

The territory had escaped the general pestilence of 1612, and was tolerably well peopled with Indians.

English settlers were here as early as 1632, for in that year Massasoiet fled to secure himself against the Narragansetts, 'to an English house at Sowams,' where three Englishmen resided.

There is a record of the names of those who by order and agreement of the purchasers met at Plymouth to make

purchase and division of the lands, 'as are at Sowampsett and Metapoiset the 7th of March, 1652, who are to have their several parts or moieties laid out at the places above expressed, and are to make and satisfy the purchase and all other charges arising thereupon, according to their several proportions.'

'Mr William Bradford one moiety, Thomas Prence one half part, Edward Winslow all his portion, Captain Myles Standish his half part, Thomas Willett his part, Mr White his part, Mr Cushman his part, John Winslow all his part, John Adams his whole proportion, Experience Mitchell his half part, Thomas Clarke his half part.'

In 1653 a conveyance was made of certain lands by Massasoiet, (who had assumed the name of Ossamequin,) and his son Wamsetto, by a deed expressing that 'in consideration of £35 in hand, paid to the said Ossamequin and Wamsetto by Thomas Prence, Gent., Thomas Willett, Gent., Myles Standish, Gent., and Josias Winslow, Gent., for and in behalf of themselves and divers others of the inhabitants of Plymouth jurisdiction, whose names are hereafter specified,' they had granted to the abovenamed persons agents for themselves, and William Bradford, senior, Thomas Clarke, John Winslow, Thomas Cushman, William White, John Adams, and Experience Mitchell, their heirs, &c, 'all those several parcels and necks of upland, swamps, and meadows, lying and being on the southerly side of the Seakunk, alias Rehoboth bounds, and is bounded from a little brook of water called by the Indians Masskettuash westerly, and so ranging by a dead swamp eastward, and so by marked trees, (as Ossamequin and Wamsetto directed,) unto the great river, with all the meadow in and about the sides of both the branches of the great river, with all the creeks and brooks that are in and upon any of the said meadows,' as also all

the marsh meadow lying and being without the bounds beforementioned, in or about the neck called by the Indians Chachucust.—Also all the meadow of any kind lying or being at or about Poppesquash neck; as also all the meadow lying from the bay to Kickamuet on both sides, or any way joining to it or the bay on each side, to have and to hold, &c. And Ossamequin and Wamsetto further did ‘covenant, promise, and grant that whensoever the Indians shall remove from the neck, that then and from thenceforth, the aforesaid Thomas Prence, Thomas Willett, Myles Standish, and Josias Winslow, shall enter upon the same, by the same agreement as their proper right and interest to them, their heirs and assigns forever.’ This deed was dated March 29th, 1653, and witnessed by John Browne, James Browne, and Richard Garratt.

In this same year it appears that large purchases were made of the Indians within the territory, afterwards Swansea, by Thomas Willett and Nathaniel Paine.

Metapoiset neck was conveyed by ‘Philip, alias Pumarkeam, chief sachem of Mount Hope, Cossumpsett, and all the territories thereunto belonging,’ to William Brenton, Esq., of Newport, Rhode Island, by deed dated June 23d, 1664.\* Philip also covenanted with Mr Brenton, ‘that if ever the lands next adjacent unto this neck be sold, he should have the refusal on equal terms,’ and also permitting him to take the grass on Towooset neck, and giving ‘the liberty of running stock,’ there ‘from the time the corn is gathered, until the time that the Indians yearly plant.’ This deed was also signed by Wootomka-

\* Mr Brenton devised this estate in his will to his son Ebenezer, who conveyed it in 1693 for £1700 to Samuel Gardner and Ralph Chapman. It is now called Gardner’s neck, and is situated between the Showamet and Towooset necks. Mr Brenton removed to Taunton, and did not occupy this noble estate until after the Indian war.



nuske, and was witnessed by eight Indians, and acknowledged June 4th, 1668.

In 1667, Constant Southworth, Captain James Cudworth, Josias Winslow, Hugh Cole, John Tisdale, Nathaniel Turner, Walter Hatch, John Sutton, William Randall, John Damon, George Watson, Nathaniel Morton, Ralph Thacher, Joseph Chandler, Benjamin Bartlett, Henry Howland, Nathaniel Brewster, Kenelm Winslow, John Bourne, Job Winslow, Christopher Wadsworth, all inhabitants of the colony of New Plymouth; and Timothy Foster and Richard More of Massachusetts, in consideration of £35 conveyed to Mr Brenton, all the marsh and meadow land at Metapoiset.

Philip conveyed to Constant Southworth, Josias Winslow, Hugh Cole, James Cudworth, and John Coggeshall, 'five hundred acres of land, more or less, beginning at a great rock close by the path in the middle of the brook named Wequataquest, north, one mile west-northwest to brook, to Willett's land at the head of Metapoiset, to a creek, and by it to the brook. This deed was signed by Philip and Cashonwashed.

Early in 1667, the General Court passed the following order, called 'the grant of New Swansea.'

'Whereas, liberty hath been formerly granted by the Court for the jurisdiction of New Plymouth unto Captain Thomas Willett and his neighbors at Wannamoissett, to become a township there if they should see good, and that lately the said Captain Willett and Mr Myles and others their neighbors, have requested of the Court that they may become a township there or near thereabout, and likewise to have granted unto them such parcels of land as might be accommodating thereunto, not disposed of to other townships; this Court have granted unto them all such lands that lyeth between the salt water bay

and coming up Taunton river, viz. all the land between the salt water and river and the bounds of Taunton and Rehoboth, not prejudicing any man's particular interest; and forasmuch as Rehoboth hath meadow land within the line of Wannamoisett, and Wannamoisett hath lands within the line of Rehoboth, lying near the south line of Rehoboth, if the two townships cannot agree about them amongst themselves, the Court reserves it within their power to determine any such controversy.'

1667, March. The Court have appointed Captain Thomas Willett, Mr Paine senior, Mr Browne, John Allen, and John Butterworth, to have the trust of admittance of town inhabitants into the said town, and to have the disposal of the land therein, and ordering other the affairs of said town.'

'The Court do allow and approve that the township granted unto Captain Thomas Willett and others his neighbors at Wannamoisett and parts adjacent, shall henceforth be called and known by the name of Swansey.'

The lands at Wannamoisett had been granted to Mr John Browne by the town of Rehoboth, and the settlers there acted in all town proceedings with the people of Rehoboth, although it was not considered as being within the corporate limits, but rather in the character of a separate plantation.

'Whereas, Captain Thomas Willett shortly after the grant of this township, made the following proposals unto those who were with him, and by the Court at Plymouth empowered for the admission of inhabitants and granting of lots, viz.

'1. That no erroneous person be admitted into the township either as an inhabitant or sojourner.

'2. That no man of any evil behaviour as contentious persons, &c, be admitted.

‘3. That none may be admitted that may become a charge to the place.

‘The church of Christ here gathered and assembling, did thereupon make the following address unto the said Captain Willett and his associates the trustees aforesaid.

(torn off) being with you engaged, (according to our capacity,) in the carrying on of a township according to the grant given us by the honored Court, and desiring to lay such a foundation thereof as may effectually tend to God’s glory, our future peace and comfort, and the real benefit of such as shall hereafter join with us herein, as also to prevent all future jealousies and causes of dissatisfaction or disturbances in so good a work, do in relation to the three proposals made by our much honored Captain Willett, humbly present to your serious consideration, (before we further proceed therein,) that the said proposals may be consented to and subscribed by all and every townsman under the following explications.

‘That the first proposal relating to the non-admission of erroneous persons may be only understood under the explications following, viz. of such damnable heresies inconsistent with the faith of the gospel, as to deny the Trinity or any person there; the Deity or sinless humanity of Christ, or the union of both natures in him, or his full satisfaction to the divine justice by his active and passive obedience for all his elect, or his resurrection, ascension to heaven, intercession, or his second personal coming to judgment; or else to deny the truth or divine authority of any part of canonical scripture, or the resurrection of the dead, or to maintain any merit of works, consubstantiation, transubstantiation, giving divine adoration to any creature, or any other antichristian doctrine, thereby directly opposing the priestly, prophetic or kingly office of Christ or any part thereof.

‘ Or secondly, of such as hold such opinions as are inconsistent with the well being of the place, as to deny the magistrate’s power to punish evil doers as well as to encourage those that do well, or to deny the first day of the week to be observed by divine institution as the Lord’s or christian sabbath, or to deny the giving of honor to whom honor is due, or to oppose those civil respects that are usually performed according to the laudable custom of our nation each to other as bowing the knee or body, &c.

‘ Or else, to deny the office, use, or authority of the ministry, or a comfortable maintenance to be due to them from such as partake of the teaching, or to speak reproachfully of any of the churches of Christ in the country, or of any such other churches as are of the same common faith with us and them.

‘ We desire that it be also understood and declared, that this is not understood of any holding any opinion different from others in any disputable point yet in controversy among the godly learned, the belief thereof being not essentially necessary to salvation, such as pædo-baptism, anti-pædo-baptism, church discipline, or the like, but that the minister or ministers of the said town may take their liberty to baptise infants or grown persons as the Lord shall persuade their consciences, and so also the inhabitants to take their liberty to bring their children to baptism or forbear.

‘ That the second proposal relating to the known reception of any evil behaviour such as contentious persons, &c, may be only understood of those truly so called, and not of those who are different in judgment in the particulars last mentioned, and may not be therefore accounted contentious by some though they are in all fundamentals of faith, orthodox in judgment, and excepting common infirmities, blameless in conversation.

‘ That the proposal relating to the non-admission of such as may become a charge to the town, be only understood so as that it may not hinder any godly man from coming among us whilst there is accommodation that may satisfy him, if some responsible townsman will be bound to save the town harmless.

‘ These humble tenders of our desires, we hope you will without offence receive, excusing us herein, considering that God’s glory, the future peace and well being, not only of us and of our posterity who shall settle here, but also of those several good and peaceable minded men whom you already know are like, though with very inconsiderable outward accommodation to come amongst us, are very much concerned herein ; our humble prayers both for ourselves and you is that our God would be pleased to cause us to aim more and more at his glory and less at our own earthly concernment, that so we may improve the favors that hath been handed to us by our honored, nursing fathers, to the advancement of the glory of God, the interest of our Lord Jesus Christ, and to the common benefit, both of the township and colony where he hath providentially disposed of us to serve our generation.

‘ Your brethren to serve you in Christ.

‘ Signed on the behalf and in the name of the church-meeting at Swansey by

‘ JOHN MYLES, Pastor,  
‘ JOHN BUTTERWORTH.’

The foregoing proposals being according to the desire of the church aforesaid, fully and absolutely condescended to, concluded and agreed upon by and between the said Captain Thomas Willett and his associates aforesaid and the said church, under the reservation and explications abovementioned, and every of them, it was sometime afterward propounded at a meeting of the said town, lawfully

warned on the two and twentieth day of the twelfth month, 1669, that the said agreement might be by the whole town ratified and confirmed, and settled as a foundation order to which all that then were, or afterwards should be admitted inhabitants, and to receive lands from the town, should manifest their assent by subscription thereunto, whereupon the following order, (the said Captain Willett and his associates aforesaid being present,) was freely passed by the whole town, *nemine contradicente*.

At a town-meeting lawfully warned on the two and twentieth day of the twelfth month, commonly called February, in the year of our Lord 1669, it is ordered that all persons that are or shall be admitted inhabitants within this town, shall subscribe to the three proposals abovementioned; to the several conditions and explanations therein expressed, before any lot of land be confirmed to them or to any of them.

‘We whose names are here underwritten, do freely upon our admission to be inhabitants of this town of Swansey, assent to the abovementioned agreement, made between the church of Christ now meeting here at Swansey, and Captain Thomas Willett and his associates, as the said agreement is specified and declared in the three proposals aforesaid, with the several conditions and explanations thereof, concerning the present and future settlement of this township. In witness whereof, we have hereunto subscribed.

Thomas Willett,  
John Myles,  
John Allen,  
James Browne,  
Nicholas Tanner,  
Hugh Cole,  
Benjamin Alby,  
John Browne,

Caleb Eddy,  
John Myles, junior,  
Thomas Lewis,  
Joseph Carpenter,  
Robert Jones,  
Eldad Kingsley,  
John Martin,  
John Cole,

Samuel Wheaton,  
 Thomas Barnes,  
 Thomas Estabrooke,  
 Richard Sharp,  
 William Ingraham,  
 Thomas Manning,  
 William Cahoone,  
 George Aldrich,  
 Nathaniel Lewis,  
 John Thurber,  
 Jonathan Bosworth,  
 Joseph Lewis,  
 William Hayward,  
 John Thurber,  
 Gerard Ingraham,  
 Zachariah Eddy,  
 Hezekiah Luther,  
 John Paddock,  
 Samuel Luther,  
 Obadiah Bowen, senior,

Joseph Wheaton,  
 Nathaniel Paine,  
 Stephen Brace,  
 Gideon Allen,  
 John Dickse,  
 William Bartram,  
 Joseph Kent,  
 Samuel Woodbury,  
 Nehemiah Allen,  
 Sampson Mason,  
 Job Winslow,  
 Obadiah Bowen, junior,  
 Richard Burges,  
 John Butterworth,  
 John West,  
 Thomas Elliot,  
 Timothy Brooks,  
 Nathaniel Toogood,  
 Jeremiah Child,

It has been already related in the history of Rehoboth, that Wannamoiset (afterwards included generally in Swansey) was granted to Mr John Browne, an eminent person in the government of New Plymouth. Mr Browne was anxious for neighbors. Captain Willett, also a magistrate, a man of great ability and enterprise, induced in some measure, perhaps, by its contiguity to Narragansett, to which country he had large claims, went to Wannamoiset;—Hugh Cole and some others followed.

It has already been related, that the Reverend John Myles, pastor of the first Baptist church in Wales at Swansea, had been ejected soon after the restoration of Charles II., and had fled to America with some of the members of his church, about the year 1662, or 1663.

While an inhabitant of Rehoboth, he had been punished for contumacy. But the disposition of the government becoming more tolerant, he was permitted to share in the grant of lands at Wannamoiset.

As the new settlers were composed of those whose religious tenets were in some degree variant, Mr Willet, anxious to prevent future controversy, submitted his fundamental propositions, to which Mr Myles and his primeval Baptist church (preceding all others in Plymouth and Massachusetts) agreed, under explanations; both parties being liberal and disinterested and anxious for the settlement and prosperity of the new town, accommodated their notions to their circumstances, and discovered how easy it was to reconcile differences merely speculative, without violating even the scruples of conscience. Mr Myles declaring, 'that the ministers might take the liberty to baptise infants or grown persons as the Lord shall persuade their consciences, and so also the inhabitants to take their liberty to bring their children to baptism, or forbear.'

Captain Willett being a gentleman of excellent sense and practical views, and Mr Myles an enlightened, learned and tolerant clergyman, they respected each others opinions, and soon removed the minor difficulties, which too often embarrass the progress of useful enterprises, and came with their friends to the foregoing agreement unanimously.

Plymouth has been implicated in the general accusation of intolerance, so often urged, but not with equal justice, against the New England colonies. The first schism in Plymouth was occasioned by Obadiah Holmes. Holmes was a member of Mr Newman's church, and he undertook, perhaps, as much from a pragmatistical spirit as from scruples of conscience, to dissent from its doctrines and discipline. He did not embrace the principles of the Anabaptists until some time after his secession from Mr Newman's church. It does not appear that any punishment was inflicted on Holmes by order of the government of Plymouth.



Myles and his church after the first act of intolerance, when neither their designs nor characters were understood, were not molested. They enjoyed every civil and religious privilege in common with the other inhabitants of the colony, and the predominant sect, for the most part, wisely refrained from exercising even the intolerance of opinion, and repeatedly elected James Browne, a member of the Baptist church, to the magistracy.

If the proceedings of the General Court occasionally exhibited some shades of intolerance, yet the ancient Baptist church of Swansey is a permanent monument of a forbearance and tolerance far transcending the ordinary liberality of the age. The people undoubtedly discriminated between the uneasy, restless, and almost seditious spirit of those who separated from the established churches, and assumed the appellation of Baptists, merely to conceal the workings of a spirit impatient of discipline, and anxious to dictate, and the resolute and sincere piety of Myles and his followers, who abandoned their homes and their all, for conscience' sake.

Captain Willett and Mr Myles may be justly denominated the fathers of Swansey. After the surrender of New York, Willett became its first English mayor, but even this first of city distinctions conferred by that proud metropolis, did not impart more real honor to his character than the address and good feeling manifested by him in effecting the peaceable settlement of the humble town of Swansey. He died about the year 1679. Mr Myles died in 1683.

February 12th, 1670. It was voted 'to prevent the bringing in of such persons to be inhabitants as may be to the prejudice of the town ;—it is ordered that whosoever hath taken or shall take up any lot therein and shall let out, give, or sell the same, or any part thereof, to any

person or persons whatsoever, without the consent of the town, or at least of the committee that are or shall be chosen for the management of the prudential affairs of the town at any time hereafter ; then the person or persons that shall so let out, give, or sell as aforesaid, shall forfeit their whole right in such lot and buildings thereon, from them, their heirs and assigns, to the use of the town for ever.’

Many of the settlers of Swansey, it will be perceived, had been inhabitants of Rehoboth.

‘ February 7th, 1670, (1671.) It was ordered that all lots and divisions of land that are or hereafter shall be granted to any particular person, shall be proportioned according to the three ranks and written so, that where those of the first rank shall have three acres, those of the second rank shall have two acres, and those of the third rank shall have one acre, and that it shall be in the power of the selectmen for the time being, or committee for admission of inhabitants, to admit of, and place such as shall be received as inhabitants into either of the said ranks as they shall judge fit, till the full number of threescore such inhabitants shall be made up, and that when the said number of threescore is accomplished.

‘ The said first rank are only such as are in this column. The abovesaid second rank are only such as are in this column. The said third rank are only such as are in this column.

Captain Thomas Willett,	Samuel Luther,	Hezekiah Luther,
Mr Nathaniel Paine,	Robert Jones,	Joseph Lewis,
Mr James Browne,	Zachariah Eddy,	Caleb Eddy,
Mr John Allen, senior,	Hugh Cole,	John Paddock,
John Butterworth,	John Myles, junior,	Nathaniel Lewis,
Mr John Dickse,	Nicholas Tanner,	Samuel Wheaton,
Mr Richard Sharp,	Benjamin Alby,	Thomas Manning,
William Ingraham,	Sampson Mason,	William Cahoone,
Mr John Myles, pastor,	Thomas Barnes,	John Martin,

A pastor's lot,	John Cole,	Isaac Allen,
A teacher's lot.	Joseph Carpenter,	Eldad Kinsley,
	Gerard Ingraham,	Samuel Woodbury,
	William Howard,	Joseph Wheaton,
	Gideon Allen,	John Wheaton,
	Thomas Lewis,	John Harding,
	Jonathan Bosworth,	Jeremiah Child?
	Anthony Low,	
	Obadiah Bowen,	
	Thomas Estabrook,	
	William Bartram,	
	George Aldrich,	
	William Salisbury,	
	John Browne,	
	A schoolmaster.	

This division of the people into ranks presents a remarkable and singular feature in town history. It existed nowhere else in the colony; fancy can almost discern in this arrangement the rudiments of the three Roman orders, Patrician, Equestrian, and Plebeian. This power was assumed by the five persons appointed by the Court to regulate the admission of town inhabitants in 1667, and afterwards was exercised by committees appointed by the town. These committees seemed to have exercised the authority of censors, and have degraded and promoted from one rank to another at discretion.

In 1671, John Crabtree was permitted to occupy six acres of land for the present, and to be at the town's courtesy in relation to more lands.

In 1672, Joseph Wheaton admitted an inhabitant of the third rank.

Job Winslow and John Lathrop admitted to the second rank.

In 1673, Hezekiah Luther was promoted from the third rank to the second, and Gerard Ingraham by his own consent degraded from the second to the third rank.

In 1679, Jeremiah Child was promoted from the third to the second rank.

The grant to Stephen Brace was declared utterly void.

In 1680, Mr John Saffin was admitted into the first rank.

In 1673, the names of George Aldrich, Wm. Salsbury, and John Harding were ordered to be erased from the town book 'for not fulfilling the fundamental order of the town.'

In 1674, John Harding was ordered to leave the town. Richard Burgess was placed in the third rank.

In 1672, 'John Clow was admitted an inhabitant, if there be no just objection for his removal.

In 1674, Dermit Smith and Wm Hammon were admitted inhabitants.

This power of ranking the inhabitants was of a character so delicate, that it created great dissatisfaction.

In 1681, Mr James Brown senior, Mr John Allen senior, and John Butterworth, were the committee for the admission of inhabitants.

They granted to Capt. John Browne, Ensign Thomas Estabrooke, Serjeant Samuel Luther, Serjeant Hugh Cole, and Mr Nicholas Tanner, their heirs and assigns forever, 'the full right and interest of the highest rank, &c.'

This act of the committee occasioned a unanimous protest on the part of the town and a declaration that the act was 'utterly void and of no effect.'

After this the practice seems to have fallen into disuse.

November 4, 1670, persons neglecting to attend town-meetings were to be fined 4s.

November 2, 1671. First rank ordered to pay £3 12s. second rank, £2 8s. ; third rank, £1 4s.

October 17, 1672. A petition was ordered to be presented to the General Court 'for the obtaining of those

lands within our bounds that were lately bought by the inhabitants of Taunton and Mr Constant Southworth,' John Allen and Hugh Cole the agents; James Browne added

November 1672. Persons neglecting to attend town meetings to be fined 2s. 6d.

In 1673, the Toweset, (Towooset or Coweset) neck, was conveyed by Isacke and Totonomocke to Nathaniel Paine, and afterwards the same with Ben Allis and Petanonawett, (Peter Nanuit,) conveyed a tract it is believed, to Capt. Willett and Mr Paine, near Metapoiset, 'bounded on the south by a direct line, according to the range of the south line in said town of Swansey's land, from the southeast corner thereof to the great river, and thence along the river to the commons, and so two full miles into the wood, everywhere from the Taunton river. These are the first conveyances of land in this quarter from any Indians other than Massasoiet and Philip, and such as they associated with themselves. This practice of buying from the common Indians without the permission of Philip, was probably the cause of some dissatisfaction to him, and might have been one of the inducements to subsequent hostilities. In his letter to Governor Prence he says, 'Philip would intreat that favor of you, and any of the majestrats, if any English or Engians speak about any land, he pray you to give them no answer at all, This last summer he maid promis with you, that he would not sell no land in seven years time, for that he would have no English trouble him before that time, he has not forgot that you promis him.'

It would seem that Toweset was purchased for the town, for at a town meeting, January 6, 1674, it was voted that it should be left 'for a perpetual common sheep pasture, 'that is to say, after the rate of eighteen acres to a man

of the highest rank, and twelve acres to a man of the second rank, and six acres to a man of the lowest rank ; and it is further ordered that no man who hath a right in this foresaid sheep pasture shall sell or give his property therein as long as he hath any lands in the town undisposed of, which he had from the town, by virtue of grant from the town as being in one of the three ranks according to which lands are granted.'

1672. Forty acres were granted to Mr Myles, 'pastor of the church.' Pastor's lot and teacher's lot to be laid out with the immunities of the highest rank. Schoolmaster's lot to be laid out with the immunities of the second rank.

1673. Granted to Mr Myles the pastor, all the town's right in the swamp adjoining his meadow.

1674. Two lots of twelve acres each were laid out to a pastor and teacher.

At a town-meeting, December 19, 1673, 'it was voted and ordered, *nemine contradicente*, that a school be forthwith set up in this town for the teaching of grammar, rhetoric, and arithmetic, and the tongues of Latin, Greek, and Hebrew, also to read English and to write, and that the salary of £40 per annum in current country pay, which passeth from man to man, be duly paid from time to time, and at all times hereafter to the schoolmaster thereof, and that Mr John Myles, the present pastor of the church here assembling, be schoolmaster, otherwise to have power to dispose the same to an able schoolmaster during the said pastor's life, and from and after his decease that the school and salary thereto belonging during their respective natural lives ; provided, nevertheless, that the said school and forty pounds salary aforesaid shall be continued to the said John Myles and to the said successive pastors, for, and during such time as he or they, and

any and every of them shall be contented to take their ministerial maintenance by weekly contribution only and no longer.'

'It is further ordered that the said school shall be only free to such children whose parents pay any rates towards the said school and to none other, and that the schoolmaster and successive schoolmasters thereof for the time being shall have liberty to take in any other scholars they think fit, to be educated there, and every scholar at first entrance shall pay twelve pence in silver towards buying of books for the said school.'

May 19, 1675. 'Whereas there hath been a former order concluded concerning the maintenance of a free school, and to give encouragement to the ministry of the church, since which time several have withdrawn their part of payment thereto, some objecting against the school and some against the ministry, now it is voted and ordered to be understood that the abovesaid maintenance shall be for both, and to be paid in beef, pork, or provision, as corn, butter, &c.'

From the settlement of the town to the commencement of the Indian war, the selectmen were James Brown, Nicholas Tanner, John Allen, Hugh Cole, Samuel Luther, Thomas Lewis, Benjamin Alby, John Butterworth.

The select committees for the management of the prudential affairs of the town, (similar to the townsmen of Rehoboth,) in addition to the abovementioned, (with the exception of Thomas Lewis,) were Capt. Thomas Willett, Mr Stephen Paine, sen., and Thomas Estabrooke; town clerks, John Myles, jr., Nicholas Tanner.

The Indian war which broke out in June, 1675, overwhelmed Swansey in the first blast of its rage, and left this thriving settlement in less than a week a desolation

and a wreck. The history of that war belongs to another part of this work.

#### PLYMOUTH.

The pure discipline of the Plymouth church could not prevent the growth of schism. John Weeks and his wife became followers of Gorton. Samuel Hicckes, dissatisfied with the established ordinances, became a Quaker.

About 1643, many left Plymouth 'by reason of the straitness and barrenness of the place,' and the church began seriously to think of removing, and purchased a tract of land on Cape Cod of the Nausites, but the design was not fully executed although many went, 'and thus was this poor church, (says the record,) left like an ancient mother, grown old, and forsaken of her children; her ancient members being most of them worn away by death, and these of latter times being like children translated into other families, and she like a widow left only to trust in God. She had made many rich and became herself poor.'

In 1643, Plymouth contained one hundred and fortysix males between sixteen and sixty. The governor, Mr Prence, Mr Hopkins, Mr Jenny, Mr Paddy, and Nathaniel Souther, were chosen a council of war. In case of alarm twenty men were ordered to be sent from each of the towns of Plymouth, Duxbury, and Marshfield.

In 1644, Mr Brewster died.

In 1646, Plymouth was almost deserted in consequence of the removals to Eastham and to the towns in the colony, and Governor Winthrop represents it as a special interposition of divine Providence, that the squadron of Capt. Thomas Cromwell, (who was but little better than a buccanier,) should have been compelled by stress of weather to put into Plymouth harbor, 'where they continued about



fourteen days or more, and spent liberally and gave freely to many of the poorer sort.'

In 1646, the freemen and townsmen were seventynine.

In 1648, a meeting-house was built, and selectmen were chosen for the first time.

In 1651, Scipican having been relinquished by Scituate, to which town it had been granted, was now granted to Plymouth, and the Court directed that the lands should be purchased of the natives. 'It was bounded and laid out by a joint committee of the colony and town.'

In 1661, '£60 were assessed for purchasing and procuring a place for the minister.'

In 1662, Clarke's Island was abandoned. Annual expenses £25 5s. 3d.

In 1663, the ministerial house was built, £60 voted to finish it.

Mr Reyner the pastor dissolved his connexion with the church in November, 1654, to the great regret as it would seem of the church and people. 'He was (says the church record,) richly accomplished with such gifts and qualifications as were befitting his place and calling, being wise, faithful, grave, sober, a lover of good men, not greedy of the matters of the world, armed with much faith, patience, and meekness, mixed with courage in the cause of God; was an able, faithful, laborious preacher of the gospel, and a wise orderer of the affairs of the church, and had an excellent talent of training up children in a catechetical way, in the grounds of the christian religion. So that by loss of him ignorance ensued in the town among the vulgar, and also much licentiousness and profaneness among the younger sort. His removal was partly occasioned by the unhappy differences then subsisting in the church of Barnstable, which much affected this church; and partly by the going away of divers of

the church, yea, some of the most eminent among them, to other places; and partly by the unsettledness of the church, too many of the members being leavened with prejudice against a learned ministry, by means of sectaries then spreading through the land; an epidemical disease prevailing in too many of the churches about that time.'

Mr Reyner left Plymouth in the month of November, 1654, and was settled at Dover in New Hampshire in 1657, where he remained until his death, April 3, 1669.\*

After the departure of Mr Reyner, the church remained destitute of a pastor for a long time, which caused great grief and many days of fasting and humiliation. Mr Cushman the ruling elder, still continued the public worship. Mr James Williams, an able preacher, was at Plymouth for a short period, but soon returned to England.

He was followed by Mr William Brimsmead, who was so acceptable to the church and people, that £70 annual salary and firewood were voted to induce him to settle, but he declined, and was settled in Marlborough in 1660.†

John Cotton, jr. son of the eminent John Cotton of Boston, was invited to preach at Plymouth in September, 1666, but having engagements he did not go; the invita-

\* The author of the Church History, says Mr Reyner, spent the winter of 1654-5 in Boston, and returned to Plymouth in the spring on a visit, 'and would have easily been persuaded to have returned again, if the people would have complied with a proposition made by him, but they not doing it, to their after sorrow, he went back.'

His son, John Reyner, who was graduated at Harvard in 1663, and who had been his assistant in the work of the ministry at Dover, succeeded him, but died young soon after his father.

† Mr Brimsmead was a native of Dorchester near Boston; he was educated at Cambridge, but in consequence of an order of the college government that the residence should be prolonged from three years to four, he left the College in 1647. Mr Brimsmead preached the election sermon in 1681, and died July 3, 1701.

tion being renewed, he removed to Plymouth with his family in November, 1667, and was ordained the third pastor of the ancient church, June 30, 1669. The churches present were those of Barnstable, Marshfield, Weymouth, and Duxbury.

At this time there were fortyseven church members.

The pastor and ruling elder then passed through the town 'to inquire into the state of souls,' counselling, admonishing, exhorting, and encouraging, by which means there was an *awakening*.—'The work of God, (says Mr Cotton,) seemed in those days to have a considerable revival.'—Great numbers joined themselves to the church. 'The practice was formally to make a confession of faith, and their declaration of their experiences of a work of grace, in the presence of the congregation; having been examined and heard before by the elders in private; and they stood propounded in public for two or three weeks ordinarily; and the relations of the women being written in private from their mouths, were read in public by the pastor, and the elders gave testimony of the competency of their knowledge.'—Members from other churches having letters of dismission, were admitted of course.

Mr Cotton engaged zealously in the work of converting the Indians, but unfortunately, not without many difficulties and quarrels with his coadjutors.

The disputes between Mr Cotton and Mr Mayhew brought from the Commissioners of the United Colonies a serious reprehension. Mr Cotton appeared before them, and it was signified to him that 'no good could be expected by their labors when by their mutual contentions and invectives, they undid what they taught the natives.' Mr Cotton having informed the Commissioners 'that sundry calls had been made him by the English to other

places, he was left to his liberty to dispose of himself as the Lord should guide him.\*

#### DUXBURY.

During the whole period from 1641 to 1675, Duxbury continued to increase. The fertility of the lands compared with those of Plymouth, and its contiguity, rendered it a desirable residence to all who became dissatisfied with Plymouth. In 1643, the number of men able to bear arms between sixteen and sixty, was seventysix.

As early as 1645, this town prayed the General Court for an extension of their lands, and obtained a grant, and extinguished the Indian title, and settled that extensive tract afterwards known by the name of Bridgewater, which was at first merely an extension of Duxbury.

This grant was made to fiftyfour persons, exclusive of the minister and miller, who were not inhabitants of Duxbury.† In consequence of obtaining this tract, many respectable inhabitants of Duxbury left that town and removed to Bridgewater.

\* Mr Cotton remained pastor of the church of Plymouth to the 5th of October, 1697. He will be mentioned hereafter.

In 1670, the number of freemen was fiftyone.

† This grant was made in 1645. The names of the proprietors are annexed.

William Bradford,	Mr Myles Standish,	Philip De La Noye,
John Bradford,	Love Brewster,	Mr John Alden,
William Merrick,	John Paybody,	Samuel Nash,
Abraham Peirce,	William Paybody,	Abraham Sampson
John Rogers,	Francis Sprague,	George Soule,
George Partridge,	Edmund Hunt,	Henry Howland,
John Starr,	William Clarke,	Henry Sampson,
Mr William Collier,	William Ford,	John Brown,
Christopher Wadsworth,	Mr Constant Southworth,	Francis West,
Edward Hall,	Edmund Weston,	William Tubbs,
Nicholas Robins,	Edmund Chandler,	James Lindell,
Mr Ralph Partridge,	Moses Simons,	Samuel Eaton.
Thomas Bonney,	John Irish,	

The Indian title to Bridgewater was extinguished in 1649, and the settlement commenced soon after, probably in 1650.

Notwithstanding the loss of so many inhabitants, Duxbury still remained a thriving and prosperous town. 'In 1654, when sixty men were raised to go against the Dutch,' Duxbury was considered nearly as populous as Plymouth, having furnished six of the sixty, and Plymouth only seven.

In 1659, a large tract of land on Taunton river was purchased of Ossamequin (Massasoiet) and his son Philip, and the squaw sachem Tatapanum, by several of the inhabitants of Duxbury, and some of Marshfield, which tract was afterwards included in Little Compton, but no settlement was commenced for several years.

Duxbury was the parent town of Bridgewater and Little Compton.

Mr Partridge, the minister, who had been settled in 1637, died in 1658. Most of the earlier ministers in the colony had been compelled to abandon their charges on account of insufficient support, but Mr Partridge remained steadily with his people, and died amongst them. He had been settled in the ministry in England, and fell under the displeasure of the established church, during the administration of Archbishop Laud, and being hunted 'like

The following grantees, inhabitants of Duxbury, settled on this tract, namely,

Thomas Hayward,	William Brett,
Nathaniel Willis,	John Cary,
John Willis,	Samuel Tompkins,
William Bassett,	Arthur Harris,
John Washburn,	John Fobes,
John Washburn, junior,	Experience Mitchell,
John Ames,	John Haward,
Thomas Gannett,	Solomon Leonardson,

Mr Keith the minister, and Samuel Edson the miller, were included, but they were not inhabitants of Duxbury.

a partridge on the mountains,' he fled to America, and arrived at Boston in 1636.

Mr Partridge was one of the most learned ministers in the colony, and in such estimation was he held, that he was appointed by the synod which met at Cambridge in 1647, in conjunction with Mr Cotton and Richard Mather, to draw 'a model of church government according to the word of God.' The model was adopted, and is now known by the name of the 'Cambridge platform.'

The Quakers seemed to have made Duxbury their head quarters in the colony, and in 1660, held a monthly meeting there, which produced a special order from the Court that means should be taken to hinder their worship.

Mr Partridge was succeeded by the Reverend John Holmes, who was settled probably in 1663 or 1664. Mr Holmes left his charge shortly after.\* His successor was Ichabod Wiswall, a native of Dorchester, near Boston. Mr Wiswall like Mr Brimsmead, had been a student at Cambridge, but left the college for the same reason in 1647. He was settled at Duxbury about the year 1670. He will be noticed hereafter.

#### SCITUATE.

Notwithstanding the great emigration to Barnstable in 1639, Scituate was soon replenished, and became the most populous town in the colony.

In 1637, a tract of land already mentioned, was granted to Messrs Shirley, Beauchamp, Andrews, and Hatherly, London merchants.

Mr Hatherly in 1646, sold all the rights, (excepting his own,) to the Reverend Charles Chauncy and others, for £180, in thirty shares. Great controversy arose respecting this grant, but in 1652, the Court confirmed it.

\* Probably in 1668.

In 1654, another grant was made to Mr Hatherly, out of which he was to satisfy those who complained. This grant conveyed to the grantee 'a competency' of land not included in any township, and west of Scituate.

In July, 1656, the Court granted to Mr Hatherly, 'a tract of land three miles square, extending from Accord Pond three miles southerly.' This grant includes a part of Abington and Hanover. The whole number of shares was forty. Twentythree were sold to John Otis of Scituate, Matthew Cushing, John Thaxter, John Jacob, and Edward Wilder, of Hingham.

The Conihasset common shares which were included in the first grant, were the subject of a long and arduous controversy, which was not terminated until 1671, when lands were assigned to each share not exceeding eighty acres, nor less than fifty.

The settlers of Scituate were principally from the county of Kent. Many of them were shipbuilders.

In 1652, 'a military discipline,' was established at Scituate. The officers were appointed by the Court. James Cudworth was captain, John Vassall, lieutenant, and Joseph Tilden, ensign. In 1643, the number of males between sixteen and sixty, was one hundred.

In 1657, the following names appear on the list of freemen; John Palmer, senior and sons, Thomas Oldham, Nathaniel Rawlins, George Pidcoke, Daniel Hicckes, John Magoon, Thomas Ingham, Jonas Pickles, Samuel Utley, John Durand, Robert Whetcombe, Abraham Sutcliffe, John Whiston, John Winter, John Cowin; in 1662, John Otis and John Cushing; in 1668, Charles Stockbridge, Israel Cudworth, John James, Experience Litchfield, Edward Wanton, and William Ticknor.

Abraham Preble, an early settler, went to Maine. He was the ancestor of a numerous and distinguished family.

The descendants of John Otis and John Cushing have been eminently distinguished.

William Vassall, a gentleman of family and fortune, was amongst the early emigrants to Massachusetts, and was one of the assistants, but as he still remained an Episcopalian, although a Puritan, he was viewed with jealousy. The distrust and suspicions of the people of Massachusetts induced him to leave that colony, and he removed to Scituate; there his possessions were large; his plantation was called West Newland. After the conquest of Jamaica, he obtained large grants of land there, and died in 1655, at Barbadoes.\* Mr Hatherly, the principal founder of the town, died there in 1666. Joseph Tilden died in 1670.

Mr John Lathrop has been already mentioned as the first pastor of Scituate, January 18th, 1635, and also as the first pastor of Barnstable, in 1639. A brief memoir of his life has already been given; he died at Barnstable in 1653.

Mr Lathrop in 1641, was succeeded by Charles Chauncy, who in 1654, was elected the second president of Harvard College; he removed to Cambridge, and died there in 1672.

Some mention has already been made of President Chauncy. He was born in Hertfordshire, in 1589. His progress through Westminster School, and the University of Cambridge, where he was appointed to two professorships, has already been mentioned. He was in school at

\* Mr Vassall had several sons. One of his daughters married Resolved White, a son of Mr William White, one of the Pilgrims of the May Flower, and an elder brother of the first born of New England. Another married James Adams, another Nicholas Ware of Virginia. At the commencement of the Revolution, many descendants of Mr Vassall resided in Massachusetts; most of them were loyalists. The gallant Colonel Vassall of the British army, who fell in the attack on Montevideo in 1806, was a descendant; Lady Holland also; and the name is attached to the title of Lord Holland.



the time 'when the gunpowder plot was to have taken effect,' and had it succeeded, he must have shared the fate of the king, lords, and commons of England.

He was settled in the ministry at Marstow, and afterwards at Ware, (England.)

In 1629, he was arraigned before the high Commission Court for using these expressions in a sermon; 'Idolatry is admitted into the church; the preaching of the gospel will be suppressed; there is much atheism, popery, Arminianism, and heresy, crept into the church.' The accusation was referred to the Bishop of London, 'who ordered him to make a submission in Latin.'

In 1635, he was again brought before the Court of High Commission, 'for opposing the making a rail round the communion table in the parish church of Ware, as an innovation and snare to men's consciences,' and (says Rushworth,) he was pronounced guilty of contempt of ecclesiastical government, and of raising a schism; and was suspended from his ministry till he should make in open court a recantation in open form; acknowledging his great offence, and protesting that he was persuaded in his conscience that kneeling at the sacrament was a lawful and commendable gesture; that the rail set up in the chancel, with a bench thereto annexed for kneeling at the holy communion, was a decent and convenient ornament; and promising never by word or deed to oppose either that or any other laudable rites or ceremony prescribed in the Church of England. He was condemned in great costs of suit, and was imprisoned till he paid the same, and performed the order of court. Afterwards he made his recantation, and was dismissed with an admonition from the archbishop.'

His very respectable descendant, (the late Dr Chauncy of Boston,) says, 'his making an open recantation in

court, and in the form that had been prescribed, and in order to a release from an adjudged penalty, was greatly dishonorable, though the effect of great temptation. He never forgave himself this weakness and folly. The resentment of a rebuking conscience for such unworthy conduct, made him often uneasy to his dying day. I have by me a copy of the preface to his last will, wherein he particularly mentions and laments, as still fresh before him, his "many sinful compliances with, and conformity unto vile human inventions, will worship, superstition, and patcheries, stitched into the service of the Lord, which the English mass-book, I mean, (says he,) the Book of Common Prayer, and the ordination of priests, &c, are fully fraught withal." Nor did he think this enough, but goes on giving it in charge to his posterity, throughout all generations, with the greatest warmth of zeal, and solemnity of language, as they would answer for their conduct at the tribunal of Jesus Christ, not to conform (as he had done) to rites and ceremonies in religious worship of man's devising, and not of God's appointing.'

'He was finally suspended and silenced by Archbishop Laud, for refusing to read the book of sports.'

Wearied out by continued persecutions, fines, and imprisonments, Dr Chauncy abandoned England in 1637, and arrived at Boston in 1638, and soon after went to Plymouth, where he assisted Mr Reyner, and was held in high estimation. Here he continued until early in 1641, when he succeeded Mr Lathrop at Scituate. So great was his poverty, that in one of his letters he says that he might with truth declare, '*deest quidem panis.*' Notions at this time began to prevail, that settled ministers were incumbrances, and that the doctrines of the gospel might as well be expounded by the illiterate and ignorant as by this great and accomplished scholar. The miserable

poverty in which he lived, induced him to listen to an invitation from the church over which he had presided in England where the Puritans now predominated, and he prepared to return. While at Boston, waiting a passage, he was elected president of the college, on condition that he should not promulgate and preach his peculiar notions with respect to the rite of immersion, and of celebrating the Lord's supper in the evening. To this condition he acceded, and faithfully performed his engagement, and was inaugurated as president, November 27, 1654.

His situation was now more comfortable, yet the scanty stipend of £100 per annum, was by no means an adequate compensation to one in this station. Under his patronage the college prospered, and many afterwards eminent both in church and state, acknowledged the benefit of his instructions. In the year 1671, on commencement day, he delivered his farewell oration, and solemnly took leave of his friends.

His anticipations of speedy death were realized, and on the 19th of February in the following year, he expired, in the eightysecond year of his age, and in the 17th of his presidency.\*

\* President Chauncy left six sons and one daughter. His sons were all educated at the college. His third son Barnabas, and his fifth son Elnathan, who was a physician of much note, and who died at Barbadoes, left no children.

Isaac, his eldest son, went to England. He was a physician and the minister of Woodborough, and ejected in the reign of Charles II. He then for some time was pastor of a congregational church at Andover. He then removed to London, and was 'a zealous writer against Neonomianism;' and although it was his intention to practice medicine only, yet he was called to succeed Mr Clarkson the successor of Dr Owen, as pastor of a dissenting congregation there. Dr Isaac Watts was his assistant, and afterwards his successor, when he quitted the ministry. Mr Chauncy officiated as pastor fourteen years. He died at London, February 28th, 1712. His youngest son Charles, came to America and established himself at Boston as a merchant. He was the father of the celebrated Charles Chauncy, who was so long the pastor of the first church in

President Chauncy was unquestionably a most accomplished scholar, and in the main a good man; yet his excessive hatred of the mere ceremonial of the church of England, indicates a disposition as capable of bigotry as that of his great persecutor Archbishop Laud. That he should have exposed himself to persecutions, fines, and imprisonments, because religious pedants and triflers required a rail round the communion table; that the wounds of conscience should have rankled for so many years in his bosom for submitting to that which every liberal and intelligent mind must now deem to be a matter too trifling for grave consideration; that he should sink into his grave under a distressing sense of his frailty in such a cause, indicates a stubbornness of temper almost of a Pharisaic character. Perhaps, however, his contumacy was nothing more than the resistance of a proud and independent spirit against the forms of oppression, and the imposition of new ceremonials of little efficacy in pious exercises, addressed rather to the eye than to the reason, intended for external ornament and not for the furtherance

Boston, who died as late as 1787. The last Dr Chauncy exhibited the same eccentricity, which seemed in some degree inherent in this talented family. He became a Universalist, and thus passed from the deep Calvinism of his great ancestor to the other extreme.

Ichabod, the second son of President Chauncy, also went to England, and was for some time chaplain to Sir Edward Harley's regiment at Dunkirk. The act of uniformity silenced him. He then became a physician in the city of Bristol; but the spirit of religious persecution pursued him, and he fled to Holland, but returned after the act of toleration in the time of James II., and died at Bristol, July 25th, 1691.

Nathaniel, the fourth son of the president, was successively pastor of the church at Windsor in Connecticut, and Hatfield in Massachusetts.

The youngest son, Israel, a most excellent gentleman, was pastor of the church at Stratford, Connecticut, for many years. The daughter of President Chauncy married Gershom Bulkley, son of the pastor of Concord, and was the mother of the celebrated John Bulkley of Colchester.

of devout worship ; for when he was required to refrain from preaching his peculiar doctrines touching immersion, and the time of administering the Lord's supper, (which he contended should be always in the evening,) two subjects about which it might have been reasonably supposed that he would have been far more sensitive and scrupulous than about the erection of a rail round the communion table, yet he yielded to the requirement of the overseers of the college without reluctance, accompanied as it was with the flattering offer of a high literary office.

Bigotry is a quality inherent in the human mind, founded on a strong conviction of self-rectitude, and can never admit the possibility of self-delusion ; it therefore cannot tolerate a difference in opinion, even on such points as are made essential only by the waywardness of the human will. It exists always and with all, but varies its mode of action and the degree of its violence, according to the general temper and circumstances of the age, or the particular disposition of individuals. Deprived of penal power, and wielding no longer the weapons of political authority to enforce submission to its decrees, the odiousness of its character has been concealed in modern times. Yet the spirit is as fierce and as intolerant as it was in the days of Archbishop Laud, but it is now the intolerance of opinion, and not of power. If two Anabaptists were selected in succession to preside over our most ancient literary institution by men who detested their principles, but admired their learning, we have little reason to pride ourselves in a liberality superior to that of our ancestors, when the most accomplished scholar in the nation, if a Calvinist, would be rejected at Cambridge, and if not a Calvinist, at Yale and Princeton, and if not a Baptist, at Providence.\*

\* Governor Winthrop, as much of a bigot as Dr Chauncy, and far more credulous and superstitious, gives this account of his opinions and conduct.

A Mr Saxton and Adam Blackman preached temporarily at Scituate, but were not settled.

After the dismissal of Mr Dunster, the first president of Harvard College, in 1654, he retired to Scituate, where he lived until his death, in 1657. His remains were carried to Cambridge. It is said that while a resident at Scituate, he occasionally preached.

Nicholas Baker succeeded Dr Chauncy. He was from Hingham, and had been a delegate to the General Court of Massachusetts. Mather says of him, 'Honest Nicholas Baker, who though he had but a private education, yet being a pious and zealous man, or, as Dr Arrowsmith expresses it, so good a logician that he could offer up to God a reasonable service; so good an arithmetician, that he could wisely number his days; and so good an orator, that he persuaded himself to be a good christian; and being also one of good natural parts, especially a strong

'Our neighbors at Plymouth had produced from hence (England) this year, (1639) one Mr Chauncy, a great scholar, and a godly man, intending to call him to the office of a teacher; but before the fit time came, he discovered his judgment about baptism, that the children ought to be dipped and not sprinkled; and he, being an active man and very vehement, there arose much trouble about it. The magistrates and the other elders there, and the most of the people withstood the receiving of that practice, not for itself so much, as for fear of worse consequences, as the annihilating our baptism, &c. Whereupon the church there wrote to all the other churches, both here and at Connecticut, &c, for advice, and sent Mr Chauncy's arguments. The churches took them into consideration, and returned their several answers, wherein they shewed their dissent from him, and clearly confuted all his arguments, discovering withal some great mistakes of his about the judgment and practice of antiquity. Yet he would not give over his opinion; and the church of Plymouth, (though they could not agree to call him to office, yet,) being much taken with his able parts, they were loath to part with him.'

The extreme dislike of Governor Winthrop to Dr Chauncy, can be perceived throughout this passage, and yet he admits him to be 'a great scholar,' 'a godly man,' &c. In similar circumstances, would an equal degree of candor be exhibited at this day?

memory, was chosen pastor, &c.' He was settled in 1660, and died August 22d, 1678.

A second church was gathered early in Scituate, of which William Wetherell became the pastor, in September, 1645, and remained until his death, April 9th, 1684.

#### TAUNTON.

In the catalogue of proprietors the name of Bishop does not appear. Mr Bishop was one of the earliest proprietors and settlers. He was the schoolmaster of the settlement. In the list of the freemen of Massachusetts, September 2d, 1635, appears the name of Mr Townsend Bishop; whether he was the Taunton schoolmaster or not, is not known. It was usual at that period to prefix the Mr to the schoolmaster. Letchford says he assisted to ordain Mr Hooke. It is believed he went to New Haven. The names of Jacob Wilson and David Greenman, do not appear on the catalogue, although they were early proprietors; nor that of Richard Hart, who was also an early proprietor. John Drake expressed his desire to be made a freeman, October 16th, 1630, at Boston, but never became one. John Browne was a freeman of Massachusetts in 1634, and chosen an assistant. James Browne and Oliver Purchase were freemen in 1636, and John Strong of Hingham, and Nathaniel Woodward in 1637. Joseph Wilson in 1638.

Elizabeth Poole's lands were specially laid out by order of the Court at Plymouth, in May, 1639, by Captain Myles Standish, and Mr John Brown.\*

\* Namely, her farm at Littleworth, forty acres of meadow being at the end next unto her house there.

Fifty acres of such upland as she shall make choice of thereabouts. Fifty acres of upland lying near the Two Mile Brook, joining to the marsh on the south side thereof.—Half the marsh.

In 1640, Taunton was bounded by Myles Standish and John Browne, by order of Court.

In 1641, Mr William Poole, Mr John Gilbert senior, Mr Henry Andrews, John Strong, John Dean, Walter Dean, and Edward Case, received a grant of forty acres each, 'lying together in some convenient place, for their great charges attending courts, laying out of lands, and other occasions for the town.'

One hundred acres of upland on the other side of the great river of Taunton. Her home lot ten acres, to be next unto Mr Hooke's house lot, and also to the mill six acres.

In a confirmatory deed made July 20, 1686, by 'Josiah, otherwise called Charles, an Indian sachem living at Mattakeset, in the colony of New Plymouth, and son to Josiah deceased, who was an Indian sachem, and Peter, and David Hunter, both Indians of Tittiquet, an Indian plantation in New Plymouth colony,' refer to testimonies both English and Indian, 'that Mrs Elizabeth Poole formerly of Taunton, did for and in behalf of the said town of Taunton purchase the lands of Tittiquet, in the year one thousand six hundred and thirty seven, and that the right owners of the said lands did make sale thereof to the said Mrs Elizabeth Poole as abovesaid, and received pay of her for it.'

Mrs Poole's home lot and the six acres to the mill, comprised the lands on the south side of the green, commencing near the old jail, and running east nearly to the dwelling house built by Dr Foster Swift, now owned by Hon. Samuel Crocker, and containing all the lands between that line and the mill river. The house stood upon a small piece of land which had been included in Mr Hooke's lot, and there was her grave on the spot now occupied by the house. Her dwelling house was in the rear of the shops on the street between the green (the ancient training field) and the meeting-house. Some traces of the cellar were visible a few years since.

Mr Hooke's lot embraced the land between Elizabeth Poole's lot, the highway by the meeting-house, the road leading over Street's bridge, and the mill river.

The lot west of Mrs Poole's was first owned by Thomas Lincoln, and then by Richard Stevens.

The lots of John Dean, Walter Dean, John Strong, Hezekiah Hoar, and Edward Case, were on the road facing the river, (now called Dean street.)

Edward Case's lot was sold to Samuel Wilbore, one of those who were banished with Mrs Hutchinson from Massachusetts. After residing in Taunton a short time, he returned to Boston, and gave his lands in Taunton to his son Shadrach.



In 1643, privileges for a calf-pasture were allowed. In 1647, the calf-pasture neck was sold to Henry Andrews, for building the meeting-house.

In 1643, the males in Taunton between sixteen and sixty, subject to military duty, were fiftyfour.\*

\* Namely,—

Mr John Browne,	Edward Bobbett,
Mr William Poole,	Richard Paul,
John Brown,	Anthony Slocum,
James Brown,	Edward Case,
James Walker,	Thomas Farwell,
Oliver Purchase,	Tobias Saunders,
Thomas Gilbert,	Henry Andrews,
Richard Stacy,	John Gollup,
William Holloway,	John Gilbert, junior,
Timothy Holloway,	John Strong,
William Parker,	Thomas Caswell,
Peter Pitts,	John Deane,
John Parker,	Edward Abbott,
William Haylstone,	Walter Deane,
William Hodges,	William Wethrell,
William Phillips,	Hezekiah Hoar,
John Macomber,	George Macey,
Thomas Coggin,	George Hall,
James Wyatt,	John Perry,
Edward Rew,	Benjamin Wilson,
Thomas Harvey,	Mr Street,
James Chichester,	Richard Williams,
William Edwards,	William Evans,
Aaron Knap,	Christopher Thrasher,
John Barratt,	Thomas Cooke,
Nicholas Hart,	Thomas Cooke, junior,
William Powell,	John Gengelle.

The names of Henry Uxley, Joseph Wilson, William Coy, David Corwithy, John Kingslow, Richard Smith, William Dunn, William Scadding, Robert Hobell, John Drake, and John Luther, do not appear.

John Richmond was either above sixty, or had gone to Rhode Island. Mr John Gilbert was above sixty. Mr Rossiter had gone to Connecticut or New Haven. [John Briant and John Crossman were probably above sixty. John Gengille had disappeared from Taunton in 1639, or 1640, and was never 'seen or heard of there afterwards.' It was reported that he went to Lynn.

In 1652, the first extensive iron works in North America were erected at Taunton, by James Leonard, Henry Leonard, and Ralph Russell, who came from Pontipool, in Wales, and settled first at Braintree. October 21st, 1652, the following record was made on the town-book.

‘It was at a town-meeting conferred and agreed upon between the inhabitants of Taunton, and Henry Leonard of Braintree :

‘*Imprimis*. It was agreed and granted by the town to the said Henry Leonard, and James Leonard his brother, and Ralph Russell, free consent to come hither, and join with certain of our inhabitants to set up a bloomery work on the Two Mile River.

‘It was agreed and granted by a free vote of the town, that such particular inhabitants as shall concur together, with the said persons in this design, shall have free liberty from the town so to do, to build and set up this work, and that they shall have the woods on the other side of the Two Mile River, wheresoever it is common on that side of the river, to cut for their cordwood to make coals, and also to dig and take moine or oare, at Two Mile Meadow, or in any of the commons appertaining to the town, where it is not now in propriety.’

In pursuance of this agreement the ‘Bloomery’ was erected, and the iron manufacture extensively and prosperously pursued.

Henry Leonard, tempted by the advantages, (particularly of ore,) which New Jersey afforded, removed there, and erected the first iron-works in that province.

Ralph Russell removed to Dartmouth, and was the progenitor of a numerous and respectable posterity.

James Leonard remained at Taunton. His eldest son, Thomas, afterwards a distinguished person under both the governments of Plymouth and Massachusetts, came a lad with his father from Wales.

In 1659, Henry Andrews and John Macomber were permitted to erect a saw mill on Mill River, 'if it be not found hurtful to the grist-mill.'

ORDERS AND AGREEMENTS CONCERNING DIVIDING OF LANDS.

'March 11, 1642. Whereas, there was a rate of two shillings for an acre laid upon the inhabitants' home grounds, for the payment of the purchase of the lands of the township to the Indians, and other persons being received since for inhabitants, were not rated thereunto.

'It is therefore ordered that the said latter inhabitants, or others that shall hereafter be received for inhabitants, to have right in future divisions, shall pay for their home lots that shall be granted unto them by the town, the said proportion of two shillings for an acre, and the said money to be kept for a public stock, for such uses as shall be requisite for the use of the plantation.'

'November 28, 1653. 1. In town-meeting, a general division of the lands was voted amongst such as had the right.

'2. It was agreed that the rule for dividing of lands by, shall be by lots, heads, and estates, according to the last rate made, which was a rate of £8 made for the public charges for the country, charged upon every inhabitant by the raters that made that rate, and in the division three acres to be laid to each head, and three acres to every shilling that is charged in that rate, contained in this order, and three acres to the house or home lot, and those that are single men to be looked upon, as to have two heads.'

'February 20, 1654. 'This said agreement was changed to be the one half of the proportion in the division.

'It was voted that such as possess the lands of those that removed from the plantation, or have been received

since, shall have their divisions, that doth belong to their lots only, their persons and estates being departed hence, which said division to a six acre lot, appertains two acres and a half, and twentysix pole.'

'The names of those inhabitants within the township of Taunton, who are to have their division of land now agreed upon, December 28, 1659, whose proportion is to be according to the rate here following, together with the quantity of land, lots, and heads, at two acres to the head, two acres to the shilling, and two acres to the lot.

	The rate.	The lots are alike.	
Mrsis Winnifred Gilbert,	£1 10 6	3 heads,	
James Walker,	1 5 7	8 "	96 acres.
John Tisdill,	1 10 10	9 "	82 "
Richard Burt,	18 2	4 "	46 "
James Burt,	12 0	6 "	38 "
Francis Smith,	1 7 4	6 "	61 "
Mrsis Jane Gilbert,	9 0	7 "	55 "
Francis Street,	6 7	5 "	25 "
John Briant,	6 9	2 "	19 "
Christopher Thrasher,	5 2	7 "	26 "
John Hathaway,	10 7	7 "	37 "
Jonah Austin, senior,	19 11	2 "	46 "
William Parker,	15 3	2 "	36 "
James Phillips	13 4	2 "	31 "
Peter Pitts,	1 00 7	6 "	55 "
William Haylston,	5 4	2 "	17 "
Aaron Knap,	7 9	2 "	32 "
Thomas Lincoln, junior,	14 8	6 "	43 "
Edward Bobbit,	10 8	4 "	29 "
James Wiatt,	1 8 11	2 "	64 "
George Macey,	18 3	7 "	52 "
William Withrell,	7 10	5 "	28 "
William Harvey,	14 00	0 "	44 "
Thomas Lincoln, senior,	2 00 3	6 "	94 "
Captain Poole,	1 2 3	8 "	62 "
John Macomber,	7 00	4 "	24 "
Edward Rew,	7 00	2 "	20 "
Joseph Wilbore,	14 7	3 "	37 "
Samuel Howard,	4 4	0 "	9 "
Thomas Caswell,	11 3	9 "	42 "

Widow Woody, . . . . .	5	7	2 heads	17 acres	
Shadrach Wilbore, . . . . .	12	6	3 "	33 "	
Robert Crossman, . . . . .	9	8	7 "	33 "	
John Cobb, . . . . .	12	00	2 "	30 "	
Henry Andrews, . . . . .	18	3	3 "	44 "	
John Deane, . . . . .	1	8	10	8 "	76 "
Walter Deane, . . . . .	13	1	8 "	44 "	
Hezekiah Hoar, . . . . .	12	1	5 "	36 "	
Anthony Slocum, . . . . .	19	4	6 "	53 "	
George Hall, . . . . .	1	15	3	7 "	86 "
Richard Williams, . . . . .	1	13	6	10 "	91 "
Thomas Jones, . . . . .	4	3	3 "	16 "	
Robert Thorntun, . . . . .	3	10	0 "	10 "	
William Shepard, . . . . .	5	00	10 "	32 "	
James Leonard, . . . . .	18	00	10 "	58 "	
Nathaniel Woodward, . . . . .	2	00	0 "	6 "	
Timothy Holloway,					

January, 1659. It was voted that orphans and fatherless children should have their proportionable parts in divisions.

December 9, 1662. The vote requiring the divisions to be made by heads and estates was rescinded.

In 1663, the town was enlarged and bounded on the south. The order of the General Court was 'that the path which goeth from Namasket to Assonet be the south-east bounds, and so by a line from thence to Baiting Brook, and from said brook a north line till it meets with their opposite line called long square, provided it comes not within two miles of Tittiquet.'

In this year, sachem Philip made his confirmatory deed already mentioned, referring to the purchase from his father Ousamequin in the year 1638, 'when Capt. Poole and Mr John Gilbert sat down there.'

June 29, 1666. It was voted that there should be a division of certain lands on Three Mile River 'to those that are purchasers, that are inhabiting now in the town.'

July 21, 1666. The division was made. 'Fatherless children and purchasers not resident,' were to be afterwards considered.

The following names not on the catalogue of 1659 appear.

Thomas Gilbert,	Mr George Shove,
Thomas Leonard,	John Austin, junior,
John Turner,	John Smith, senior,
Widow Wiat,	John Richmond,
John Hall,	Samuel Williams,
Samuel Hall,	Samuel Smith,
Nicholas White,	John Tisdill, junior,
Israel Dean,	Jonathan Briggs,
John Parker,	Samuel Holloway,
Giles Gilbert,	William Evans,
George Watson,	Nathaniel Williams.
Richard Stasie,	

The following names on the catalogue of 1659, are not on the above.

Mrs Winnifred Gilbert,	Samuel Howard,
Francis Street,	Widow Woody,
William Haylstone,	Anthony Slocum,
James Wiat,	William Shepard,
William Withrell,	Nathaniel Woodward,
Captain Poole,	Timothy Holloway.
Edward Rew,	

Taunton now included the present town Berkley and Raynham.

In Philip's confirmatory deed he particularly grants 'the meadows upon the great river downward, so far as Store-house Point so called, with all the meadows of Assonet and Broad Cove, with a small tract of land bought of Ishben, lying betwixt the marked tree near the pond and the mouth of Nistoquahanock on the Three Mile River, are enumerated and included.' It was the temporary use of these meadows which were then granted, and not the fee, for Store-house Point was afterwards included in the grant of Swansèy, and Broad Cove in a subsequent grant to Taunton called the south purchase. Store-house Point was a place where the colonists of Plymouth had erected a trading house very early.

In 1668, June 1, an important addition was made to the town of Taunton called the North Purchase, now comprising the towns of Norton, Easton, and Mansfield. The consideration paid the Court was £100. The grant was in the following words :

‘Whereas the General Court of New Plymouth have empowered Mr Thomas Prence, Major Josias Winslow, Capt. Thomas Southworth, and Mr Constant Southworth, to take notice of some purchases of land lately made by Capt. Thomas Willett, and to settle and dispose the said lands for the colony’s use ;

‘Know, therefore, all whom it may concern, that the abovenamed Mr Thomas Prence, Captain Thomas Southworth and Mr Constant Southworth, and Major Josias Winslow, by virtue of power by and from said Court derived unto them, have, and by these presents do, bargain, sell, grant, aliene, allot, confer, and make over unto

Richard Williams,  
Walter Dean,  
George Macy,  
James Walker,  
Joseph Wilbore,  
William Harvey,  
Thomas Leonard,  
John Turner,  
Henry Andrews,  
John Cobb,  
George Hall,  
John Hall,  
Samuel Hall,  
James Leonard, senior,  
Nathaniel Williams,  
Thomas Williams,  
Nicholas White, senior,  
Nicholas White, junior,  
Hezekiah Hoar,  
Alice Dean,  
Robert Crossman,

Shadrach Wilbore,  
Thomas Caswell,  
John Macomber,  
John Smith,  
Edward Rue,  
John Parker,  
Samuel Paul,  
Thomas Linkoln, senior,  
Thomas Harvey, the elder,  
Nathaniel Thayer,  
Thomas Linkoln, junior,  
Peter Pitts,  
Jonah Austin, senior,  
John Richmond,  
Samuel Williams,  
Christopher Thresher,  
Mistress Jane Gilbert,  
George Watson,  
Samuel Smith,  
James Burt,  
Richard Burt,

Mr  
George  
Shove.

John Tisdall, senior,  
 John Tisdall, junior,  
 James Phillips,  
 Edward Bobbitt,  
 John Hatheway,

Jonathan Briggs,  
 Increase Robinson,  
 John Bryant,  
 Thomas Harvey, junior,

Proprietors of the town of Taunton and to their heirs forever, a certain tract of land lying and being on the northerly side of Taunton aforesaid, and is bounded as followeth, viz. beginning at the northwest at the bounds of the lands formerly sold by us unto the town of Rehoboth, and to be bounded on the northerly side by the Massachusetts line, until it comes to bear with the western bounds of the town of Bridgewater, and so from the said Massachusetts line by a south line home unto the bounds of Taunton, and thence by a westerly line until it meets with the bounds of Rehoboth abovesaid, and so to follow the said bounds of Rehoboth until it comes to the bounds first mentioned upon the Massachusetts line. All the lands within this compass excepting only a small parcel granted unto John Bunday, and also a grant made unto Thomas Briggs the son of Clement Briggs, together with the meadows, woods, waters, and all the benefits, privileges, emoluments, profits, and immunities thereunto appertaining and belonging. 'To have and to hold to them and to their heirs forever.' Then follows the acknowledgment of the payment of £100, as the consideration and the conclusion in the usual form.\*

\* Mr Shove, whose name appears in the margin, was subsequently inserted in 1682.

Clement Briggs, whose name appears in the above instrument, was a felt-maker, who arrived at Plymouth in the *Fortune* in 1621, and removed to Weymouth. These grants were made probably to facilitate his business, especially the taking of beaver. John Bunday afterwards removed to Point Judith, Narragansett.



No general settlement was made on these lands until many years subsequent to the execution of the grant.

In 1671, James Walker and John Richmond were authorized by the Court to purchase lands of the Indians for Taunton, from the Three Mile river, (Nistoquahanock, or Nenesteco neck,) to a place called the Store House.'

In 1672, William Brenton and his associates purchased this tract of Sachem Philip for £143, three miles by four miles, made four miles square in 1673. This was the Taunton South Purchase, now the town of Dighton.

These lands had been previously granted by the Court, June 6th, 1668, to those to whom the North Purchase was granted, with the exception of John Cobb, George Hall, Alice Dean, John Parker, Samuel Paul, Jonah Austin, senior, Mistress Jane Gilbert, and John Bryant, and with the addition of

William Brenton, esquire,  
 Giles Gilbert,  
 John Deane,  
 Aaron Knapp,  
 Thomas Gilbert,  
 John Poole,  
 William Wetherell,  
 Henry Andrews, junior,  
 Samuel Pitts,  
 Robert Thornton,  
 Thomas Deane,  
 Joseph Williams,  
 James Tisdill,  
 Israel Deane,  
 Francis Smith,  
 Jonah Austin, junior,  
 Richard Stacy,  
 John Hodges,  
 William Paul,  
 Samuel Holloway,

Malachi Holloway,  
 Esther Golup,  
 Joseph Hall,  
 Mary Street,  
 Isaac Deane,  
 Ezra Deane,  
 James Walker, junior,  
 Peter Walker,  
 Israel Thresher,  
 Samuel Macy,  
 Jared Talbot,  
 James Leonard, junior,  
 John Lincoln,  
 Richard Stephens,  
 William Wetherell, junior,  
 Richard Briggs,  
 John Smith, junior,  
 Thomas Amsbury,  
 John Macomber,  
 Joseph Willis,

In this manner was the ancient town of Taunton formed by several successive purchasers and grants, and com-

prised until the dissolution of the colonial government of Plymouth, the several towns which are now called Taunton, Norton, Dighton, Raynham, Berkley, Easton and Mansfield.

January 10th, 1669. It was voted that there should be distinct lists of such as had rights in divisions of lands. This list was to be called over in town-meetings until sixteen responded, who with the clerk were to form a quorum.

December 18, 1671. The following valuation of lands and cattle was ordered in town-meeting as a rule for the raters. Improved land 15s. per acre rateable estate; meadow and pasture 10s.; dormant land 1s.; an ox £3; a cow £2 5s.; three year old £2 5s.; two year old £1 10s.; yearling 15s.; a sheep 3s.; three year old horse £2; two year old horse £1.

The rates were payable in money or country pay, which was wheat, Indian corn, barley, rye, butter, and iron.

A short time before the commencement of the Indian war in 1675, there appears to have been inserted on the town-book a correct list of the proprietors of the ancient Taunton as they then stood, 'unto whom the town hath already granted or divided lands by virtue of their enjoying either purchase lots or purchase rights to divisions of lands.' The catalogue was preceded by the following declaration :

'Whereas, by the providence of God in the year 1638 and the year 1639, it pleased God to bring the most part of the first purchasers of Taunton over the great ocean into this wilderness from our dear and native land, and after some small time here we found this place, (called by the natives of the land Cohannet,) in the colony of New Plymouth, and of the Court of the said colony we obtained grants of tracts of land for a plantation or township, as

by the records of the said Court it may and doth appear, and then we also made purchase and bought the said tracts of land for our money of the right proprietors and owners, the Indians' sachem or prince of that part of the country, as by deed under their hands it may appear, and in honor and love to our dear and native country, we called this place Taunton, and owning it a great mercy of God to bring us to this place, and settling of us on lands of our own, bought with our money in peace, in the midst of the heathen, for a possession for ourselves, and for our posterity after us, do mutually agree and fully determine, as an undeniable order of this town, without any evasion whatsoever, that all lands that is or shall be granted to any person or persons, whether under the denomination of a purchaser or free inhabitant orderly received into this town, shall be to the grantees and their heirs and assigns forever, a good perfect estate of inheritance in fee simple, and that all titles of our lands within this township, so to stand in the tenure to the grantees, and so to descend to their survivors as aforesaid.'

Richard Williams on his own rights, and on that which was Henry Uxley's, and on that which was Anthony Slocum's, and that which was John Gingil's.

John Hall and Samuel Hall on their two rights, which were Joseph Wilson's and Benjamin Wilson's.

Joseph Hall on the rights that was his father's,  
 Captain William Poole's heirs on his rights.

Lieutenant George Macey on his own rights and on that which was Mr Boshop's.

William Harvey on his own rights.

Edward Rew on the rights that was William Coys.

Hezekiah Hoar on his own rights.

Walter Deane on his own rights.

John Deane on his father's rights.

Increase Robinson on the rights that was Thomas Cook's.

John Cobb on the rights that was John Smith's.

Mr Thomas Farwell's heirs on his rights.

Shadrach Wilbore on the rights that was Edward Case's.

Thomas Caswell on the rights that was John Kingslow's.

James Leonard, junior, on the rights that was Richard Paul's

Joseph Wilbore on the rights that was Richard Smith's.

John Smith, senior, on half the rights that was Mr John Gilbert's.

James Phillips on the rights that was his father's.

John Richmond on the rights that was his father's, and on the rights that was Mr Francis Doubtyes (Doughty.)

Jonah Austin, senior, on the right that was William Holloway's.

Jonah Austin, junior, on the half purchase rights of the Widow Randil's.

William Withrell on his own rights, and that which was Mr Dunn's.

John Briant on the rights which was his father's, and that which was William Scadding's.

Mary Streete on the rights that was her father's.

Joseph Willis on the rights that was Hugh Rossiter's.

Eleazer Gilbert on the rights of John Gilbert.

Thomas Gilbert on the rights that was his father's.

Malachi Holloway on the rights that was Richard Hart's.

Francis Smith on the rights that was Oliver Purchase's.

Samuel Smith on the rights that was Jacob Wilson's.

James Burt on his own rights.

Richard Burt on the rights that was his father's.

James Tisdill on the rights that was David Greenman's.

John Tisdill, senior, on his own rights.

John Tisdill, junior, on the rights that was Mr Drake's.

James Walker, senior, on his own rights, and on that which was Mr John Browne's, and on the rights that was John Luther's.

Mr John Poole on the rights that was Miss Elizabeth Poole's.

James Wiat's heirs on his rights.

Thomas Harvey, junior, on his father's rights.

To John Strong's rights we find several claimers.

Christopher Thrasher on his own rights.

William Shepard's heirs on his rights.

John Hathway on the rights that was his father's.

Peter Pitts on the rights that was Richard Stasie's, and on the rights that was William Parker's.

Thomas Coggan's heirs on his rights.

John Macomber, senior, on his own rights.

Israel Deane on the rights that was Clement Maxfield's.

Richard Stasie on the rights that was Edward Rew's.

John Hodges on the rights that was his father's.

William Evins his heirs on his rights.

Aaron Knap's heirs on his rights.

Henry Hodges on the rights that was John Gollup's.

Richard Godfree, senior, on half the purchase rights that was Thomas Joan's.

Thomas Lincoln, senior, on his own rights;

Thomas Lincoln, junior, on his own rights.

George Watson on the rights that was Giles Gilbert's.

Giles Gilbert on the rights that was Joseph Gilbert's.

Robert Crossman on his own rights.

Robert Thorntun on his own rights.

John Turner on his own rights.

James Leonard, senior, on his own rights.

Mr John Paine on the rights that was Ralph Russell's.

Thomas Leonard on the rights that was Henry Leonard's, and on half the purchase rights that was Thomas Jones'.

Edward Bobbit on his own rights.

Samuel Holloway on his own rights.

Jonathan Briggs on the rights that was Benjamin Dunham's.

Nicholas White, senior, on the rights that was David Curwithies, and on the rights that was Giles Slocum's.

John Parker's heirs on his own rights.

Mr George Shove on his own rights.

William Haylston on his own rights.

Mr William Brenton on the rights that was Mr Nicholas Street's.

'These purchasers or proprietors forementioned, are hereby and by virtue hereof, entitled and interested only into the first purchase of the township of Taunton, and not into any later purchases.

'This list was made and agreed upon, and concluded and confirmed, by us whose names are underwritten, being the major part of the committee chosen by the town for that end. Dated May 14th, 1675.

'RICHARD WILLIAMS,

'JAMES WALKER,

'WALTER DEANE,

'JOHN RICHMOND,

'JOHN HALL,

'JOSEPH WILBORE,

'THOMAS LEONARD.'

January 2, 1664. It was voted 'that the fish should have a convenient passage up and down Mill river.'

Shadrach Wilbore for so long a period town-clerk of Taunton, received an annual compensation of 20s.

In 1665, the town voted that the selectmen or a majority of them should call the town-meetings and manage them. They were authorized 'to take care of the poor.'

No foreigner or stranger from abroad to be entertained except by the approbation of the selectmen, under a penalty of 5s.

Mr Street left the town and removed to New Haven as has been previously mentioned.

The Rev. George Shove, a native of Dorchester, was the successor of Mr Street; he was ordained the third pastor of Taunton, November 19, 1665. Mr Shove died in April, 1687; he will be noticed hereafter.\*

\* *Note respecting the early settlers of Taunton.* Of Elizabeth Poole, Mr Hooke, Mr Street, Captain William Poole, George Macy, John Strong, and Edward Case, some information has already been given. John Strong came from Hingham, and removed to North Hampton, and is believed to have been the ancestor of the respectable family on Connecticut river which now bear the name.

Mr John Gilbert, senior, Henry Andrews, John Dean, and Walter Dean, were (with those already mentioned) the most active in promoting the settlement.

Mr John Gilbert, as is supposed, came from Devonshire at an age somewhat advanced, and settled at Dorchester with his family. He was dead previous to 1654, but his widow Mrs Winnifred Gilbert, was then living. He with Henry Andrews were the two first deputies or representatives from Taunton to the General Court at Plymouth in 1639.

His sons, Thomas and John, came with him to Taunton, and were in the first catalogue of proprietors.

Of Thomas Gilbert, Governor Winthrop gravely records a venial offence, in his history of New England.

‘Sth mo. Aug. 18, 1636. Thomas Gilbert brought before us; he was drunk at Serjeant Baulston’s, and the constable being sent for he struck him. He was kept in prison all night, and the next day his father John Gilbert, and his brother John Gilbert of Dorchester, undertook in £40 that John Gilbert the younger would appear at Court to answer for him, and perform the order of Court, &c. The reason was that he was to go to England presently, and not known to have been in any way disordered, and was his father’s oldest son, who was a grave, honest gentleman, &c. They did undertake, also, that he should acknowledge his fault openly to the constable, &c.’

This offence thus gravely recorded by the governor, must have been accidental, for the people of Taunton, as rigid in their notions and practices as any others, elected him a deputy to the General Court of Plymouth in 1651.

In 1653, he went to England and never returned, but died there in 1676. His wife and children remained at Taunton. He married Jane Rossiter the daughter of Hugh Rossiter, believed to be the earliest marriage in Taunton. The name of his eldest son was Thomas, who was the ancestor of Colonel Thomas Gilbert, a person of some notoriety at the commencement of the revolution as a loyalist, who went to Nova Scotia. His eldest daughter, Jane,

## SANDWICH.

After the departure of Mr Leveridge, who went to Long Island, Richard Bourne and Thomas Tupper officiated in the ministerial office at Sandwich without regular ordination, each having supporters, but as the congregation was small, they mutually agreed that the one who had on each Lord's day the most adherents, should officiate.

married Samuel Williams, the eldest son of Richard Williams. Samuel Williams, Esq., their son, was the great grandfather of the author of this memoir.

The family of Gilbert were related to the Harts and Streets, and to the Rossiters both of Old and New England.\*

Henry Andrews was one of the two first deputies to the General Court in 1639. He was also a deputy in 1643, 1644, 1647, 1649. He died previous to 1675. His son Henry Andrews, was killed by the Indians in Philip's war. His posterity are numerous.

John Deane was dead previous to 1675; his posterity were numerous. He with his brother Walter came from Taunton in Somersetshire, (England.)

Thomas Farwell was dead. His son John went to England. His widow married the Rev. George Shove.

Thomas Coggan died in 1653, leaving four daughters. His widow married Obadiah Millerd of Springfield.

John Parker died February 14th, 1667. He came from Hingham near Boston.

John Bryant was dead, leaving a son of the same name.

John Crossman was dead, leaving a son by the name of Robert.

Richard Paull, Richard Burt, George Hall, William Philips, were dead, leaving children. Francis Street left one daughter, Mary. Edward Rew left no children; his widow married James Walker.

Mr John Browne had removed to Wannamoiset; Hugh Rossiter to Connecticut; Francis Doughty to Long Island; Mr Bishop probably went to New Haven; Anthony Slocum removed to Dartmouth, of which town he and Ralph Russell were early settlers. Slocum in a letter to his brother, Willam Harvey, says, 'to the church of Christ in Taunton, and Mr Shove and yourself in particular, I desire to be remembered, whose prayers I doubt not I and mine are the better for, and whose welfare I earnestly wish and pray for. Myself, wife, and sons, and daughter Gilbert who hath four sons, remember our respects and loves, and my sons are all married, &c.'

Richard Williams, Walter Deane, William Haylston, John Richmond, John Smith, were living in 1675.

\* Information from Mr Samuel Davis, the antiquary of Plymouth.



Mr Smith was settled at last as the regular pastor. He had for a while officiated at Barnstable, but being disliked by Mr Hinckley, a principal citizen, (afterwards governor of the colony, and his influence being great,) Mr Smith was induced to remove first to Long Island, and afterwards to New Jersey, but he finally returned and settled at Sandwich.

Mr Bourne and Mr Tupper then turned their attention to the Indians, and Captain Tupper, (for he was a military man,) gathered a church amongst those who dwelt north and west of Sandwich, and erected a meeting-house at Herring river.

Bourne who was possessed both of wealth and learning, commenced the work of instructing the Indians with great zeal, and with great success. He removed to Marshpee. In 1658, he assisted at the settlement of the boundary line between the Marshpee Indians and the proprietors of Barnstable. Subsequent to the year 1660, he obtained from Quachatasset and others, a grant to the Indians (called South Sea Indians) of the Marshpee territory, a tract lying on the sea, and intersected by deep streams, and excellently well adapted to the wants of the Indians, which was incorporated as a plantation in 1660.

In 1670, he was ordained pastor of the Indian church, the Apostle Eliot and many others assisted at the ceremony. He died previous to 1685.\*

\* He left his large estate principally to his son Shearjashub Bourne, Esq. This son resided at Marshpee, and was the steady patron and director of the Indians. He was much in public life, and was frequently a deputy both in the Colonial Court at Plymouth, and afterwards in the Provincial Court at Boston. He obtained a confirmation of the Marshpee grant to the Indians and their children forever, and in this confirmation he caused a singular provision to be inserted, namely, that no conveyance from the Indians to the English should be valid without the assent of *all* the Indians, even if the General Court consented. In consequence of this wise and humane provision, the descendants of

## BARNSTABLE.

During the period embraced in this chapter, the history of Barnstable is almost devoid of interest. The Indian title to the south part of the town was extinguished in 1650, by purchase from Wianno and several other sachems.

The death of Mr Lothrop in November, 1653, has been already mentioned.

In 1644, the Rev. John Mayo was teacher of the church in Barnstable. He afterwards removed to Eastham not long after the commencement of that settlement. He left Eastham, and was ordained the first pastor of the Old North Church in Boston, in 1649. His old age was spent at Yarmouth, and there he died.

Thomas Walley was ordained pastor in 1663, and continued in that office to March 28th, 1678.

## YARMOUTH.

The history of Yarmouth is as devoid of interest as that of Barnstable. Of all the towns on Cape Cod, it may be said that they continued slowly to increase in population and wealth. After the first emigrations but few followed, and the native born generally continued on the soil, and

the Marshpee Indians still hold the lands of their fathers, and on this singular and romantic spot, still continue to preserve a faint resemblance to their wild and independent forefathers.

The Honorable Ezra Bourne, the youngest son of Shearjashub, succeeded him in his Marshpee inheritance and in his offices, and was president of the Court of Sessions, and first justice of the Court of Common Pleas, in his county. He continued to maintain the family ascendancy over the Indians, and died in September, 1764, at the age of eightyeight. His descendants were respectable. Three of his grandsons were in Congress in 1794; one from Massachusetts, one from Rhode Island, and one from New York. Joseph Bourne, one of his sons, succeeded Simon Popmonet in the mission to Marshpee, in 1729.

The descendants of Mr Smith and Captain Tupper were also numerous and respectable.

passed their lives in comfort, if not in affluence. Their vicinity to the ocean created a spirit of commercial enterprise, and the fisheries soon became more productive than their farms.

John Millar succeeded Mr Matthewes in the ministry in 1643. He had been settled at Rowley in the county of Essex, and had been selected to go as a preacher to Virginia, but he declined on account of his indifferent health. But little is known of him. He was in Yarmouth as late as 1651.

#### MARSHFIELD.

Governor Winslow the founder of Marshfield, often visited England; he induced several Welsh gentlemen of respectability to emigrate to America, amongst whom came the Rev. Richard Blinman, in 1642, who was the first pastor of Marshfield. Some dissensions taking place, Mr Blinman and the Welshmen removed to Cape Anne in less than a year. In 1648, Blinman went to New London in Connecticut, of which place he was the pastor ten years. In 1658, he was at New Haven, and soon after returned to England, after having received in 1650 an invitation to settle at Newfoundland; he died at the city of Bristol in England.

It would seem that Mr Blinman, although in the phraseology of the day, 'a godly and able man,' was not well received by the austere Puritans of Marshfield, who compared him to a 'piece of new cloth in an old garment.' He was a learned man, and wrote a treatise in defence of infant baptism.

The second pastor of Marshfield was Edward Bulkley, the son of the Rev. Peter Bulkley, the minister of Concord. His education had been commenced in England, but was not perfected; after the death of his father, he

left Marshfield, and was settled at Concord as his successor in 1660; he was an able and learned minister, but it seems there was some difficulty in raising his support, for in 1665, Captain Standish and John Alden were sent by the General Court to signify to the people of Marshfield, 'the Court's desire that they would take notice of their duty, and contribute according to their ability, freely, to the support of the ministry.'\* Previous to the year 1667, Samuel Arnold was settled as the third pastor of Marshfield.

\* The Rev. Peter Bulkley, the minister of Concord, was the grandson of Edward Bulkley, D. D., an eminent clergyman in Bedfordshire, who is mentioned with respect in the Book of Martyrs; he was one of the most celebrated divines and excellent men in Massachusetts. In 1635, the Court granted to him and thirteen associates, the lands at Mustetaquid; he settled there as the first pastor, and called the place Concord. His liberality was equal to his wealth, and both were great. He was a generous benefactor to the college; to many of his congregation he gave farms as the reward of good husbandry. His attainments as a scholar were great; his temper was quick, his rebukes from the pulpit were tinged with asperity, and his puritanic austerity transcended that of the age, severe as it was. He died in 1658, at the age of seventyseven.

The family of Bulkley continued eminent for a long period. Peter Bulkley, the brother of the minister of Marshfield, was Speaker of the House, in Massachusetts, in 1676. Gershom Bulkley, another brother, went to Connecticut; he was an eminent chemist; his son John, the minister of Colchester, in Connecticut, was the most brilliant genius of the day; he died in June, 1731.

















